

The **MINISTER FOR COUNTRY WATER SUPPLIES**: I voted against the motion for the adjournment of the debate and should like briefly to explain my reason for so doing. Mr. Lovekin, who is not in his place at present, asked me to go on with the motion and have it finalised.

House adjourned at 8.21 p.m.

Legislative Assembly,

Tuesday, 18th November, 1930.

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

MINISTERIAL STATEMENT.

Loan Council Meeting.

THE PREMIER (Hon. Sir James Mitchell—Northam) [4.33]: It is usual after a Minister has returned from a meeting of the Loan Council, particularly when the House is in session, for him immediately to make a statement to members as to what happened at the conference. Of course, members know pretty well what happened from what has appeared in the Press, but I ask them to listen to me for a few minutes while I make a brief statement. I attended a meeting of the Loan Council held at Canberra on the 11th

November. The terms under which the £28,000,000 of maturing loan is to be converted, were discussed and the Council decided that the rates of interest should be

- 6 per cent. for two years,
- 5¾ per cent. for 10 years, and
- 5½ per cent. for 20 years,

leaving to those who subscribe to the loan a choice between the three conditions. Naturally the chances of converting the loan were discussed at considerable length, and it was agreed that there ought to be no difficulty in raising the money. The London money market is still closed to Australia, and apparently must remain closed until the Commonwealth Treasurer is able to raise a loan to pay off the £36,000,000 of short-dated Treasury bills and other advances owing. The Premier of New South Wales asked that his State should be freed from the provisions of the Financial Agreement, but it was decided that this could not be done. The Commonwealth Treasurer has voluntarily surrendered to New South Wales £200,000 of the Commonwealth's quota of the Loan Council's £15,000,000 authorisation for the year. It was reported that the Victorian Government had, since the previous meeting of the Loan Council, surrendered £500,000 of its quota to New South Wales. A portion of the £15,000,000 has yet to be raised. Another matter discussed was the Federal Aid Roads Agreement. It will be remembered that the new agreement is much more favourable to the States in that it relieves them of the necessity to contribute 15s. for every £1 provided by the Commonwealth. It also gives the States much greater freedom in the expenditure of the money. The new agreement has been signed by all the Governments, but I understand it will not be submitted to the Commonwealth Parliament for confirmation until after the return of Mr. Scullin. Meanwhile the road grant to this State of £384,000 per annum will be continued. The delay in submitting the new agreement to the Commonwealth Parliament is due to the fact that Mr. Scullin interested himself in the making of the new agreement. The Federal Government had contemplated reducing the amount to be paid to each State by 25 per cent., but, after discussion, the Federal Treasurer agreed that it would not be fair to make a reduction and so the present payment will be continued.

A conference of Ministers for Agriculture had been called for Monday, the 10th November. I arrived at Canberra on the morning of that day to find that the meeting had been postponed till Tuesday, without any notification of the change having been made to my Government. I was able to sit at the Conference with the other Ministers for about an hour before going to the Loan Council. Conference discussed the extraordinarily difficult position in which the wheatgrowers find themselves owing to the low prices ruling for wheat. Nothing has eventuated or is likely to eventuate from the meeting.

QUESTION—RAILWAY DEPARTMENT.

Retrenchment of Returned Soldiers

Mr. PANTON asked the Minister for Railways: 1, How many men were employed by the Commissioner of Railways on the 30th May last? 2, How many of them were under the Chief Mechanical Engineer? 3, How many returned soldiers, including ex-Imperial men, were employed by the Commissioner? 4, How many of them were employed under the Chief Mechanical Engineer? 5, How many men have been retrenched from the railways since the 1st June last? 6, How many of them were employed under the Chief Mechanical Engineer? 7, How many returned soldiers, including ex-service men, have been retrenched who were (a) employed by the Commissioner of Railways; (b) employed under the Chief Mechanical Engineer?

The MINISTER FOR RAILWAYS replied: 1 (a) Regular, 9,317; (b) casual, 1,135; total, 10,452. 2 (a) Regular, 2,232; (b) casual, 2; total 2,234. 3, This information is not available. 4, 371. 5, 817, exclusive of casuals. 6, 370. 7 (a) Information is not available; (b) 41.

QUESTION—TOWN PLANNING COMMISSION.

Mr. SLEEMAN asked the Minister for Lands: 1, How much was received by each individual member of the Metropolitan Town Planning Commission? 2, What are the details of the balance of the expenditure incurred? 3, When did the Town Planning Commissioner take office? 4, What is the

total amount of salary he has received. 5, What are the details of the balance of expenditure incurred by the Town Planning and Development Board Department?

The MINISTER FOR LANDS replied: 1, The members of the Commission act in an honorary capacity. 2, The expenditure to the 14th inst. is £2,980 7s. 8d., made up as follows:—

	£	s.	d.
Salaries (including secretary, clerk, organiser and two draftsmen)	1,984	17	11
Travelling expenses	168	19	0
Office rent	199	4	8
Cleaning, stationery, and incidentals	328	3	11
Office furniture and fittings	84	11	9
Cost of traffic census	214	10	5
	£2,980	7	8

3, 11th September, 1929. 4, £881. 5, Board fees—

	£	s.	d.
J. B. Hawkins	163	0	0
W. A. Saw	97	0	0
J. N. Tait	101	0	0
Salaries apart from Commissioner	486	0	0
Commissioner's travelling and motor car allowance	128	0	0
Aerial survey	75	0	0
Sundries	114	0	0
	£1,104	0	0

QUESTION—MOTOR LICENSES, CHECKING.

Mr. SAMPSON asked the Minister for Works: 1, Is it a fact that all checkings of motor vehicle licenses have, hitherto, taken place on Sundays, and that, consequently, motor truck licenses have not been scrutinised? 2, If the answer to the foregoing is in the affirmative, is it proposed to carry out a check of motor trucks on a week day?

The MINISTER FOR WORKS replied: 1. No. 2, Answered by No. 1.

QUESTION—COLLIE COAL AGREEMENTS.

Mr. WILSON asked the Minister for Railways: 1, When were signed the various agreements between the Loco. Drivers and Firemen's Union, the Collie Miners' Union, and the Commissioner of Railways,

which stipulated that these parties should meet in conference three months prior to the termination of each agreement? 2, When was the percentage allocation for the development of new coal mines first left out of the above-named agreements, and what was the date of the reinstatement, if any?

The MINISTER FOR RAILWAYS replied: 1, 21st January, 1921; 17th August, 1923; 3rd December, 1926; 24th February, 1930. 2 (a) 17th August, 1923; (b) 3rd December, 1926.

QUESTION—MARSUPIAL SKINS. ROYALTY.

Mr. MARSHALL (without notice) asked the Chief Secretary: Has any action been taken by the Government or the department concerned to give effect to the resolution carried in this Chamber, and supported later on during the discussion of the Estimates, with the object of abolishing the royalty on marsupial skins, particularly on kangaroo skins.

The CHIEF SECRETARY replied: No action has been taken by the Fisheries Department.

QUESTION—STUD BULLS; POTATOES.

Hon. W. D. JOHNSON (without notice) asked the Minister for Agriculture: Will he take an opportunity at the next sitting of the House to inform hon. members regarding the mortality in connection with stud bulls in transit to the South-West recently, and also upon the extraordinary position that has arisen regarding the export of potatoes to New South Wales.

The MINISTER FOR AGRICULTURE replied: I will reply to the hon. member tomorrow.

Hon. W. D. JOHNSON: I may explain, Mr. Speaker, that I proposed to give notice of questions dealing with the two subjects I have mentioned, but I thought the Minister would probably make a statement regarding the matters to-day.

ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Parliamentary Allowances Amendment Bill.

BILL—STAMP ACT AMENDMENT (No. 2).

Report of Committee adopted.

BILL—HOSPITAL FUND.

As to Recommittal.

The MINISTER FOR HEALTH: I move—

That the report of the Committee be adopted.

Mr. SLEEMAN: I move an amendment—

That the Bill be recommitted for the further consideration of Clause 9.

On Wednesday night a ruling was given that debarred me, and every other member of the House, from further considering Clause 9. It will be remembered that I moved to strike out paragraph (a) in Clause 9 and the Committee negatived my amendment. I then moved to add certain words, and progress was reported. When the Committee stage of the Bill was resumed on the following day, the Chairman of Committees (Mr. Richardson) reported that the temporary Chairman of Committees (Mr. Angelo) had drawn his attention to the fact that paragraph (a) had already been submitted to the Committee and carried. He therefore ruled the amendment out of order. I then moved to dissent from the Chairman's ruling and you, Mr. Speaker, resumed the Chair, and ruled that the Committee had already decided that paragraph (a) of Subclause 1 should stand. I said that it had not been carried. You, Mr. Speaker, said "The Chairman has said it has been carried and that, therefore, he could not admit your amendment. The Chairman has ruled that it has been decided by the Committee that paragraph (a) shall stand. Therefore, I uphold the Chairman's ruling in declaring the amendment out of order." You will see that the ruling given by the Chairman of Committees and upheld by yourself debarred any further consideration of Clause 9. That clause is most important, because it deals with the collection of the tax, and while it sets out that no person in receipt of less than £52 a year shall be taxed, the Bill later on provides that everyone, irrespective of what wage he receives, may be taxed. I therefore ask the House to agree to right the

wrong done under the rulings given the other evening, the effect of which was that once an amendment has been moved and negatived, no further amendment can be moved to a clause. I am not seeking to delete any word from the paragraph; I wish to modify it by adding other words. I believe some other members desired to move the addition of words to the paragraph. I consider the ruling wrong, but irrespective of whether it is right or wrong, opportunity should be provided to consider the matter further. If not, the procedure adopted may be regarded as a precedent, and in future when a similar position arises, it may be held that words cannot be added to a paragraph after the Committee have decided that the paragraph shall stand part of the clause.

Hon. W. D. JOHNSON: I support the request for the recommittal of the Bill. It is perfectly clear that the member for Fremantle desired to modify the effect of paragraph (a). In the first place he moved to eradicate what appeared to him to be an objectionable feature. The paragraph was retained. Then he wished to modify it by means of adding words, and it was ruled that he had no right to modify by a subsequent amendment that which he had desired to remove from the clause. The hon. member should not be denied the privilege of moving an amendment. It is the privilege of members fully to discuss the details of a measure in Committee, and that right must be safeguarded. The hon. member feels that he has not enjoyed the privilege of a full discussion, and the reasonable thing is to give him that opportunity by agreeing to recommit the Bill.

The MINISTER FOR HEALTH: I can hardly agree to the proposal, because the fullest opportunity was given the other evening to discuss the clause.

Mr. Sleeman: The ruling was that nothing could be done because the paragraph had been passed.

Mr. SPEAKER: The ruling is not under discussion now.

The MINISTER FOR HEALTH: Then it seems to be a grievance not against the Bill, but against a ruling.

Mr. Sleeman: I wanted to modify the clause, but was debarred from moving my amendment.

The MINISTER FOR HEALTH: The hon. member has not even given notice of his

intention to move the recommittal. I am not sure whether he is in order in doing so.

Mr. SPEAKER: He is quite in order.

The MINISTER FOR HEALTH: I cannot agree to members traversing the whole of the discussion on Clause 9 again. If the desire is merely to discuss the hon. member's amendment to paragraph (a), there will probably be no objection. The clause was fully discussed.

Mr. Marshall: But the amendment was not discussed.

The MINISTER FOR HEALTH: I am not responsible for its having been ruled out of order.

Mr. SPEAKER: That is not under discussion, and cannot be discussed here to-day.

The MINISTER FOR HEALTH: If the hon. member restricts himself to paragraph (a), I do not wish to debar him the opportunity, but I consider there was ample opportunity to discuss the clause in detail the other night.

Hon. M. F. TROY: I should like the Minister to allow the amendment to be discussed, and also to permit further discussion of Clause 11, the provision in which is very unfair. An amount of £230 may be a fair exemption for Perth, but it is not fair for places like Mt. Magnet and Cue, or for that place in the State which has been referred to as having the highest cost of living, namely, Youanmi. I suggest that Clause 11 be included in the amendment for recommittal.

Mr. Sleeman: I have no objection.

The MINISTER FOR HEALTH: I cannot agree to a further discussion on Clause 11. Members had the fullest opportunity to discuss it from every angle, and the Bill was not hurried through Committee. If this were permitted, it would create a precedent, and every clause of every Bill might be recommitted.

Mr. Willecock: It is done in another place on almost every Bill, whereas we seldom do it here.

The MINISTER FOR HEALTH: I do not propose to agree to a further discussion of the whole of the measure. The member for Fremantle felt that he had a grievance respecting one paragraph, and I agreed that he should have an opportunity to discuss it, but I cannot agree to other portions of the

measure being discussed, seeing that members had the fullest opportunity last week. I oppose the amendment.

Mr. SPEAKER: The amendment is that the Bill be recommitted for the further consideration of Clause 9, paragraph (a) and Clause 11.

Mr. WILLCOCK: The Minister has indicated his readiness to allow the recommitment of paragraph (a) of Clause 9, but if the amendment is put as you have stated it, it is likely to be negatived, thus denying the member for Fremantle an opportunity to discuss paragraph (a). I think the inclusion of Clause 11 should be submitted as an amendment on the amendment.

Mr. SPEAKER: In the circumstances the proper course is for the House to consider the proposal of the member for Mt. Magnet as an amendment on the amendment.

Hon. M. F. TROY: Then I move an amendment on the amendment.

That the words "and Clause 11" be added.

I appeal to the Minister to allow the recommitment. A hardship would be imposed upon people in the outback parts of the State where the cost of living is most expensive. The Bill applies to the whole of the State, and the people living in the outback parts will fare the same as those of the metropolitan area and the agricultural districts where the cost of living is much lower. In most administration a distinction is drawn between the goldfields and the coast. This applies particularly to arbitration awards, and I think there should be a distinction under this Bill. The outer goldfields particularly are entitled to consideration.

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

Ayes	..	..	..	19
Noes	..	..	..	22

Majority against .. 3

Ayes.

Mr. Collier
Mr. Corboy
Mr. Cunningham
Mr. Hegney
Mr. Johnson
Mr. Kenneally
Mr. Luby
Mr. Marshall
Mr. McCallum
Mr. Millington

Mr. Munster
Mr. Panton
Mr. Raphael
Mr. Sleeman
Mr. Troy
Mr. Walker
Mr. Wansbrough
Mr. Willcock
Mr. Wilson

(Teller.)

Noes.

Mr. Angelo	Mr. J. I. Mann
Mr. Barnard	Mr. McLarty
Mr. Brown	Sir James Mitchell
Mr. Davy	Mr. Parker
Mr. Doucy	Mr. Plesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Sampson
Mr. Keenan	Mr. Scaddan
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. H. W. Mann	Mr. North

(Teller.)

Amendment on amendment thus negatived.

Amendment (Recommitment) put and passed.

In Committee.

Mr. Richardson in the Chair; the Minister for Health in charge of the Bill.

Clause 9—Contributions in respect of salary and wages:

Mr. SLEEMAN: I move an amendment—

That the following words be added to paragraph (a):—"provided that no contributions shall be deducted from casual employees until they have earned £52."

No person receiving less than £52 in a year is taxable, but under this clause the Government set out to collect the tax from all and sundry, including little boys and girls. Surely the Minister does not contemplate that any employee of this kind should go to the trouble to prove to the Commissioner that he or she has not earned £52. No one would do that for the benefit of a few pence or a few shillings. The Government seem to want to collect the tax from everyone, however small the income may be, and despite the exemption allowed.

Hon. W. D. JOHNSON: The justice of the amendment has been recognised by the provision for a refund in case of over-payment. It is the duty of Parliament to protect those least able to protect themselves. A casual employee would be put to a great deal of inconvenience if this amendment were not carried. He may have had 50 different employers in the year, and, as each may have made some small deduction from his weekly earnings, it would be very difficult for him to get the money back. I know how hard it is to get a refund from the Taxation Department. Recently I over-paid my taxation and received a notice from the department to that effect. I called at

the taxation office for a refund, but was informed the usual procedure was to allow the money to remain as a credit to me until the next taxation was due. It will thus be seen how difficult it will be for the casual employee to get back any money he has overpaid.

The MINISTER FOR HEALTH: I do not propose to agree to the amendment. The matter has been fully discussed, and to meet the wishes of the member for Fremantle I brought in the amendment about the refund. If it is required to assist people to evade the tax, no better way can be suggested than that put forward by the hon. member. It would be very difficult to exclude these casual workers. Many of them would claim to be casuals, although they might be receiving 15s. a week and their lodging. I do not anticipate that many will pay the tax. In respect to persons of this kind, where perhaps a 1½d. stamp would cover the whole thing, the employer will probably pay the money. A lot of noise is being made about nothing at all.

Mr. MUNSTIE: The Minister is not altogether correct in saying that this amendment was discussed previously. The amendment previously debated was not exactly the same as this. It provided that nobody should pay until he has earned £52 in a year. The amount to be refunded might be very little, say 6s. 4½d., but still the man who had paid it would be entitled to it. On the Minister's own Bill, thousands of casual workers will not pay hospital tax; and the present amendment will make very little difference in revenue.

Mr. SLEEMAN: In fairness to the large army of casual workers now in Western Australia, the amendment should be carried. If all the casual workers were in the metropolitan district, it might be feasible for them to gather around the Treasury and demand their refunds; but the casual worker in the country cannot come to the Treasury half a dozen times in order to get back what he has been wrongly compelled to pay. A man earning, say, £49 in a year should not be expected to contribute towards the upkeep of hospitals.

Mr. MILLINGTON: On the second reading I said I could not conceive that it was intended to tax casual workers. This seems to me the worst feature in all the taxation proposals of the Government. I thought the Minister had arranged to exempt casual

workers, who are the hardest hit persons in the State. A casual worker, especially if married, should not be subjected to this taxation during his period of dire trouble. Moreover, as pointed out by the member for Fremantle, most casual workers are not so situated as to be able to attend at the Treasury and claim refunds. On the second reading I thought the proposal to tax casual employees was an error in drafting.

Mr. WILLCOCK: Would I be in order in moving now an amendment to paragraph (a), Mr. Chairman?

The CHAIRMAN: If the member for Fremantle withdraws his amendment, which he will be able to move again later.

Mr. SLEEMAN: I ask leave to withdraw my amendment.

Leave refused.

Mr. WILLCOCK: Then I am debarred from moving my amendment.

Mr. MARSHALL: The Government's opposition to this amendment is a mean illustration of their appetite for revenue. An unfortunate who comes out of Blackboy, incidentally relieving the State of the cost of his sustenance, to obtain a day's work here and there, is to pay 1½d. in the pound under this clause. Before that charge is levied on him, the Premier's promise of work for all should be fulfilled. I make no appeal to the Minister for Health, as he is influenced by the Treasurer, who is keenly desirous of raking in revenue from all sources except interest, profit and rent. I hope the Country Party will not support the Government on this occasion. From every pound earned by an unfortunate casual, the Minister for Health wants to deduct 1½d.

The Minister for Health: What for? Hospital accommodation.

Mr. MARSHALL: Should the unfortunate earn less than £52 in a year, he is to apply for a refund of taxation. How can a man 800 miles inland, working for a pastoralist, then working for a contractor, and thereupon going kangaroo-hunting, keep a record of his earnings? Yet he is expected to do so, and then to apply for a refund. I cannot think the Minister is serious when he says he will resist the amendment. Surely the Government will not stoop to such a low rung of the ladder of degradation as to grab 6s. 4½d. from men earning £52 or less per year.

Mr. SLEEMAN: There is another aspect of this question.

The Minister for Health: Are you stonewalling your own amendment?

Mr. SLEEMAN: No. We are anxious to get it through. Whilst it is proposed in the Bill to collect tax from men earning less than £52 in a year, there are in the country people in receipt of more than £52 who will not be asked to pay a penny towards this taxation. Apparently it is proposed to have one law for a man in receipt of more than £52, and quite another law for the man who is getting less than that amount. Every member on the Government side, if allowed to use his own judgment, would support the amendment; indeed, I believe the Minister for Health would agree to it were it not that the Treasurer is sitting beside him.

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

Ayes	..	..	..	19
Noes	..	..	..	21

Majority against .. 2

AYES.

Mr. Collier
Mr. Corboy
Mr. Cunningham
Mr. Hegney
Mr. Johnson
Mr. Kenneally
Mr. Lamond
Mr. Lutey
Mr. Marshall
Mr. McCallum

Mr. Millington
Mr. Munsie
Mr. Panton
Mr. Sleeman
Mr. Troy
Mr. Walker
Mr. Wansbrough
Mr. Willcock
Mr. Raphael

(Teller.)

NOES.

Mr. Angelo
Mr. Barnard
Mr. Brown
Mr. Day
Mr. Doney
Mr. Ferguson
Mr. Griffiths
Mr. Keenan
Mr. Latham
Mr. Lindsay
Mr. H. W. Mann

Mr. J. I. Mann
Mr. McLarty
Sir James Mitchell
Mr. Parker
Mr. Pleese
Mr. Sampson
Mr. Scaddan
Mr. Thorn
Mr. Wells
Mr. North

(Teller.)

PAIR.

AYE.
Miss Holman

NO.
Mr. Teesdale

Amendment thus negatived.

Mr. WILLCOCK: I move an amendment—

That the following be added to paragraph (a):—"Provided that the person paying salary or wages shall not be responsible for any con-

tribution to the fund unless the person to whom he pays salary or wages has been employed by him for a period of three months."

The Premier: That would defeat the whole Bill.

Mr. WILLCOCK: No. The Bill is not designed to deal with casual employees. Under the amendment the Commissioner of Taxation will still have the right to collect the tax direct. If there is to be a genuine attempt to relieve unemployment, it will not be rendered successful by the taxation of employers of casual labour. Without the amendment the clause means that every employer of casual labour will have to pay this tax; for no reasonable employer could deduct say, 3s. taxation, from a small payment to a man whom he knows to have been out of work for two or three months. It is an additional impost on industry which should not even be thought of. The amendment does not mean that the Taxation Commissioner will not be able to collect the tax, but only that the employer of a casual worker will not have to deduct the tax. Without the amendment this legislation will be adding to unemployment, for by the time the employer has paid these small sums in taxation on half a dozen occasions, he will cease to offer casual employment. Just now every encouragement should be given to a potential employer to provide employment. It is wrong to tax every little job that a man out of work succeeds in finding. Fancy a man earning only £10 in the whole of the year, being mulcted in taxation for hospital!

Mr. MARSHALL: I have some difficulty in grasping the full sense of the amendment, and so I suggest that the Minister should report progress. We require time to read the amendment into the clause.

Mr. ANGELO: On a point of order, leave has been given to recommit paragraph (a) of Clause 9. If we add the words moved by the member for Geraldton, they will contradict paragraph (b) which says " . . . contribution to the fund at the rate fixed by Parliament for every pound of such salary or wages shall be paid."

The CHAIRMAN: The amendment is quite in order; it is a proviso.

Mr. ANGELO: I contend that it will contradict that part of the paragraph (b) which I read.

The CHAIRMAN: It will not nullify the paragraph; it is purely a proviso.

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

Ayes	..	..	..	18
Noes	..	..	..	21
				—
Majority against	..	..		3
				—

AYES.

Mr. Collier	Mr. Munsie
Mr. Corboy	Mr. Pantou
Mr. Cunningham	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Mr. Johnson	Mr. Walker
Mr. Kenneally	Mr. Wansbrough
Mr. Lamond	Mr. Willcock
Mr. Lutey	Mr. Millington
Mr. Marshall	(Teller.)
Mr. McCallum	

NOES.

Mr. Angelo	Mr. J. I. Mann
Mr. Barnard	Mr. McLarty
Mr. Brown	Sir James Mitchell
Mr. Davy	Mr. Parker
Mr. Doney	Mr. Plesse
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Scaddan
Mr. Keenan	Mr. Thorn
Mr. Latham	Mr. Wells
Mr. Lindsay	Mr. North
Mr. H. W. Mann	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Wilson	Mr. Patrick
Miss Holman	Mr. Teesdale

Amendment thus negatived.

Mr. SLEEMAN: I move an amendment—

That the following words be added to paragraph (a):—"Provided that this clause shall not apply to persons who are employed with Government sustenance as whole or part payment."

My reason for submitting the amendment is that in Fremantle a number of people are employed in this manner. Instead of drawing relief from the State Welfare Department, they go along to the council and do a certain amount of work and receive payment. But for that, they would be drawing relief from the Charities Department without doing anything for it. It is not fair that those people should be obliged to pay this tax. People in the country, who are drawing 9s. a day from the Industries Assistance Board are exempted, and it looks as if it were a case of spoils to the victors. Is it fair to say that people drawing Government money in the country should be exempted whilst those in the met-

ropolitan area and in other parts of the State, who are working for the money that they would otherwise receive from the Charities Department should be taxed? It will be a standing disgrace if the Government do not stand up to this just amendment I have submitted. There cannot possibly be any objection to it. It is necessary for these unfortunate people to keep body and soul together; yet the Government say to them, "You are only getting money to which you are entitled and therefore you must contribute towards hospital taxation."

Mr. MARSHALL: Surely an amendment such as this will not be permitted to go to the vote without the Minister expressing his views on it. We are entitled to know whether the Minister agrees with the principle that those who are working for sustenance must pay the tax. I intend to hold up the amendment until we do get a statement from the Minister. I want a declaration as to what he thinks about the taxation of people who are working for sustenance. I have never known any Minister before so loth to express his views on such a Bill. He would allow the amendment to go without even a word from his side. I hope the Minister will not think that he is going to escape without making some declaration on the amendment. I am prepared to remain here to discuss it until he does. Just imagine demanding tax from people earning sustenance to the extent of 14s. a week, plus what they can get from charity!

Mr. McCALLUM: If these men were drawing money direct from the Charities Department instead of getting it through the work they do, they would not have to pay but because they are doing a little work they are to be taxed. They are receiving barely enough to keep body and soul together, and now the Government propose to take some of that from them. The allowance paid to these people has been cut down to the bare amount that it is considered possible for a man, his wife and family to exist upon. Surely the Government, seeing that they have cut down the payments to that extent in view of the financial position, will not seek to collect the tax from those people! There is no difference of opinion amongst members that it is desirable men should be put to work to earn what they are paid rather than that they should be given a dole. But now, because those people are forced into such a position, it is suggested they shall

be taxed, and that is wrong. I hope the Minister will accept the amendment.

The MINISTER FOR HEALTH: The clause is exactly as it appeared in a previous Bill that passed this House and the Council as well.

Mr. Panton: But no one was working for sustenance then.

The MINISTER FOR HEALTH: Yes, they were.

Mr. Munsie: No.

The MINISTER FOR HEALTH: At any rate, the Government found work for them.

Mr. Panton: That was quite different.

The MINISTER FOR HEALTH: I wish to contradict the suggestion that any attempt has been made to push the Bill through.

Mr. Marshall: I did not say you had tried to push it through. I said you had tried to sneak it through.

The MINISTER FOR HEALTH: I was not alluding to the hon. member. Had he thought the matter sufficiently important, he would probably have been in his place last week and heard the discussion. All we say is that people in receipt of under the basic wage shall receive something, and those in receipt of above the basic wage shall pay something, towards hospital accommodation. That will apply to all men whether in receipt of wages or salaries. Even if a man is receiving £2 a week, that will merely entail a payment of 3d. a week, which will secure to him hospital treatment as a matter of right. I do not think people outside disagree with that proposal.

Mr. Sleeman: You will know all about that later on.

The MINISTER FOR HEALTH: I know the hon. member is getting a good deal of publicity out of this. I am not afraid of anything in that regard.

Mr. Panton: "See the Conquering Hero Comes"!

The MINISTER FOR HEALTH: Never mind about that; everyone will get a fair deal from me and from the other Ministers. If we were to accept the amendment, it would not prove beneficial to those the hon. member desires to assist, and it would lead to the evasion of the measure. The member for Fremantle wants to push the people concerned into the position of not being able to get work and having practically to beg for it, and he wants them to feel, when in hospital, that they are there as paupers. The Bill will get away from

that feeling and entitle them to hospital treatment as a right.

Mr. PANTON: I do not know why the Minister will persist in saying the department will provide hospital treatment as a right, for which the people will pay. Surely he must realise that the people he refers to will not get the hospital treatment he suggests. They will be able to get that treatment only so far as accommodation is available for them, and it is not available for them now. At the Perth Hospital to-day there are 142 beds occupied over and above the actual bed capacity of the institution. There are beds on the verandahs and everywhere possible. On Saturday morning I endeavoured to secure the admission of a woman to the hospital in order that she might be operated on for tonsillitis. She was told to come back in February and when I rang the Principal Medical Officer about it, he told me there was no possible chance of an operation before February.

Mr. Wells: The amendment will not alter that position.

Mr. PANTON: No, but why take 3d. from people who have no chance of gaining admission to the hospital?

The Minister for Health: There will be an extra ward at Fremantle opened as a result of the Bill.

Mr. McCallum: The Fremantle Hospital will receive £4,000 less under the Bill than they get now.

Mr. PANTON: Before the Bill passes through Committee, I want the Minister to explain how the Perth Hospital will be able to keep its wards open, seeing that it is estimated that that institution will receive £19,400 less than it receives at present.

The CHAIRMAN: Order! I remind the hon. member that we are discussing the amendment.

Mr. PANTON: I hope the Minister will listen to reason. Owing to the depression, the number of people desirous of securing hospital treatment has increased enormously, because those who are out of work, or working part time, are unable to pay for treatment in a private hospital, and must look to the Perth Hospital for admission. The Minister in charge of unemployment relief work pays sustenance to the people I have in mind and, surely, the Minister for Health will not tax them to the extent of 1½d. in the pound, merely because those men are prepared to work for their sustenance. Why

not go the whole hog and say that all the people who receive sustenance will have to pay the tax whether they work for their money or not?

Mr. SLEEMAN: It is unlike the Minister to infer that I was influenced by a desire to secure publicity. He is usually fair.

The Minister for Health: So you are, but the amendment is not fair.

Mr. SLEEMAN: It is. What I desire is to push everyone into work so that they can contribute under the provisions of the Bill, but I do not want people who are earning their sustenance to be taxed. Does the Minister realise that the amount of sustenance is limited to a man, his wife and five children, and that if there are 10 children in the family, the man can receive only as much as would be paid if he had five children? Am I to be forced to move amendment after amendment until I strike something that the Minister will agree to?

The Minister for Health: You will remain here till to-morrow night if you do.

Mr. MILLINGTON: I see a ray of light in the Minister's attitude. He inferred that the tax would not be paid by a person in receipt of sustenance, but by means of a deduction on the part of the individual making the payments. I think the difficulty could be overcome if the Minister were to give us a guarantee that the paymasters would be instructed not to deduct the tax from the sustenance paid to those I refer to. If the Government set that example, local governing authorities would fall into line, and the difficulty would be overcome.

Mr. MUNSIE: I will draw the Minister's attention to some of the arguments he used when I introduced my Bill 12 months ago.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SLEEMAN: I hope that the Minister, having had time to consider the amendment, will accept it. Apparently the Government have made it a party matter, have cracked the whip, and have determined to negative anything we suggest. They should at least exclude from the operation of the tax men who are working for local authorities in return for sustenance.

Mr. MARSHALL: Those men whose remuneration consists partly of charity, partly of funds from local authorities, and partly of Government sustenance should not be taxed. It is time that supporters

of the Government expressed themselves. They cannot sit silent in their places and allow such an amendment to be defeated. Would any member opposite contend that the amendment was unjust? If the Government refuse to accept the amendment, their true attitude towards the unfortunate section of the community will be revealed.

Mr. MUNSIE: I again contradict the statement repeated by the Minister that this Bill is similar to the one introduced by me last year. I made provision to tax those people who were receiving sustenance up to £4 a week. There were some hundreds of them—group settlers—and the present Minister protested vigorously against taxing them. I pointed out that 90 per cent. of the group settlers were contributing to medical funds at the rate of 1s. 6d. a week, of which 1s. went to the doctor and 6d. to the hospital. The Bill provided for the stoppage of the 6d., but group settlers were to pay a tax of 1½d. on the sustenance they drew. The member for Fremantle has pointed out that a man drawing sustenance to the amount allowed by the Child Welfare Department and agreeing to work it out would be taxed whereas a man collecting an equal amount without working for it would not pay. Is there any fairness or justice in that? What is the Minister's objection to the amendment? There are hundreds of married men in the metropolitan area who cannot get work but who are receiving sustenance. They get the same amount as a man who works for a local authority in return for the sustenance granted him. The Minister's refusal to accept the amendment will indicate to people that they are foolish to work for sustenance because, if they do, they will have to pay the hospital tax, whereas the man who does not work for his sustenance will not pay. The amendment would make little difference to the revenue but would establish an important principle. Whatever be the fate of the amendment, I hope the Bill will ultimately be defeated because the hospitals will suffer if it becomes law.

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

Ayes	..	..	..	..	18
Noes	..	..	..	..	24

Majority against .. 6

AYES.

Mr. Corboy
Mr. Cunningham
Mr. Hegney
Mr. Johnson
Mr. Kenneally
Mr. Marshall
Mr. McCallum
Mr. Millington
Mr. Munie

Mr. Panton
Mr. Raphael
Mr. Sleeman
Mr. Troy
Mr. Walker
Mr. Wansbrough
Mr. Willcock
Mr. Withers
Mr. Wilson

(Teller).

NOES.

Mr. Angelo
Mr. Barnard
Mr. Brown
Mr. Davy
Mr. Doney
Mr. Ferguson
Mr. Griffiths
Mr. Keenan
Mr. Latham
Mr. Lindsay
Mr. H. W. Mann
Mr. J. I. Mann

Mr. McLarty
Sir James Mitchell
Mr. Parker
Mr. Patrick
Mr. Plesse
Mr. Sampson
Mr. Scaddan
Mr. J. H. Smith
Mr. J. M. Smith
Mr. Thorn
Mr. Wells
Mr. North

(Teller.)

PAIR.

AYE.

Miss Holman

NO.

Mr. Teesdale

Amendment thus negatived.

[Mr. Angelo took the Chair.]

Mr. MARSHALL: In despair I intend to move one more amendment to the clause. It will be practically the same as the previous one with a few additions. Having failed to get relief for the single man on sustenance, I now seek to relieve the married man with dependants. Surely the Minister will not object to this. Their straits are already bad enough without their being obliged to pay this tax. This is the least we can ask of the Government. Failing it, the position will be hopeless. I believe there is a semblance of humanity in the Government, that they will appreciate the position of married people, and will concede this relief to them. I move an amendment—

That the following words be added to paragraph (a):—"Provided that this section shall not apply to married persons with dependants, who are employed with Government sustenance as part or whole payment."

Amendment put and negatived.

Clause put and passed.

Bill again reported without further amendment and the report adopted.

BILL—VEXATIOUS PROCEEDINGS RESTRICTION.

Returned from the Council without amendment.

PAPERS—UNIVERSITY.

Mr. SPEAKER: I have received certain papers from the University, and now lay them on the Table of the House.

BILL—STIPENDIARY MAGISTRATES.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Angelo in the Chair; the Attorney General in charge of the Bill.

Insert a new clause to stand as Clause 8 as follows:—

The Superannuation Act shall apply to any person who shall be appointed and serve as a stipendiary magistrate if he was appointed to the Public Service before the commencement of the Public Service Act, 1904.

The ATTORNEY GENERAL: Another place raised the point as to whether a magistrate who was appointed to the position of stipendiary magistrate under this Bill would enjoy the same privileges as to superannuation as he does at present. On investigation there appeared to be some doubt. All this amendment does is to make the point clear, that the appointment of a man to one of these positions will not affect his right to a pension.

Mr. Withers: And it is not conceding rights to him that he never had before.

The ATTORNEY GENERAL No. I move—

That the amendment be agreed to.

Mr. SLEEMAN: We have done nothing this session but accept amendments from another place. Ministers should be able to assure us that Bills they introduce are in order. We should take a stand and not accept amended Bills in this way. A most important measure was sent back to this House after we had, with the Standing Orders suspended, assisted the Government to put it through. I object to Ministers taking these amendments as a matter of course and moving that they agreed to.

Hon. W. D. JOHNSON: Does this mean that Clause 8 in the Bill will be struck out?

The Attorney General: No.

Hon. W. D. JOHNSON: There is a clause of that number already in the Bill. I assume this is a part of it.

The CHAIRMAN: The present Clause 8 will become Clause 9. The numbering will be consequential.

Hon. W. D. JOHNSON: Not necessarily.

The CHAIRMAN: Does the hon. member object to my ruling?

Hon. W. D. JOHNSON: No. Members have a right to express a point of view without differing from the Chair. If we pass this amendment we shall be agreeing to Clause 8 of the Bill going out.

The Attorney General: No.

Hon. W. D. JOHNSON: I shall be satisfied if it is understood that Clause 8 of the Bill becomes Clause 9.

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

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

BILL—COMPANIES ACT FURTHER AMENDMENT.

Read a third time and transmitted to the Council.

ORDERS OF THE DAY—POSTPONE- MENT.

THE PREMIER (Hon. Sir James Mitchell—Northam) [7.58]: I move—

That Orders of the Day Nos. 5 to 13 inclusive, be postponed until after the consideration of Order of the Day No. 14.

HON. W. D. JOHNSON (Guildford—Midland [8.0]: I must protest against the repeated alteration of the Notice Paper. It is quite a new departure in my experience. In my early association with Parliament, we were very strict. I happen to be one of those members who take the Notice Paper as an indication of the business that will be transacted at a given sitting. I came to the House yesterday for the purpose of inspecting the Notice Paper, and found this Order of the Day down low in the list. I made certain investiga-

tions, because I proposed to move that the Bill be referred to a select committee. After prosecuting my inquiries for a time, I found that I would have to obtain advice and assistance from the Crown Law Department. Knowing this to be Order of the Day No. 14, I thought yesterday that there was nothing to worry about as regards to-day, and turned my attention to other matters. I refrained from going to the Crown Law Department because there was not the slightest indication that this Order of the Day would be reached during the current sitting. But for special circumstances, in which I am not called upon to move for a select committee, I would be placed in a false position. Under similar conditions, hon. members residing in the country may find themselves in a difficult position. Reading the Notice Paper, they find business in which they or their constituents are particularly interested well down in the list. Accordingly they take the opportunity of visiting their constituents, feeling sure that the legislation which especially concerns them will not be reached.

Mr. Pantou: They are all here to-night.

Hon. W. D. JOHNSON: Yes. Possibly because they got information. I cannot quote May on the subject, but I am inclined to think investigation would show that that authority is against this procedure as being contrary to the best interests of the consideration of Parliamentary business. We are becoming quite adept at juggling with the Notice Paper; I do not know how many times the Notice Paper has been altered this session. On the present occasion I shall not protest, because I wish to help the Government to get this Bill through. However, it was wrong to place the measure as No. 14 on the Notice Paper when evidently it was the Government's intention to proceed with the Bill earlier.

THE PREMIER (Hon. Sir James Mitchell—Northam—in reply) [8.4]: I am exceedingly sorry to inconvenience the hon. member, but this is not at all an unusual procedure. Orders of the Day have frequently been postponed. When the hon. member said other members might be away in the country instead of being here in the House, he did not do justice to them, because they are all here, as they should be when business is to be done. Later I shall, by arrangement with the Leader of the Op-

position, ask the House to make a further postponement.

Hon. W. D. Johnson: If this has been arranged, I do not object; but it should be arranged.

MR. KENNEALLY (East Perth) [8.5]: I am prepared to support the Premier's motion, provided the undertaking given to the House last week, that precedence be given to the measure relating to rents, is observed.

The Premier: I propose to postpone a couple of Orders so as to go on with that Bill to-night.

Question put and passed.

BILL—FARMERS' DEBTS ADJUSTMENT.

Referred to Select Committee.

THE ATTORNEY GENERAL (Hon. T. A. L. Davy—West Perth) [8.6]: I move—

That the Bill be referred to a Select Committee.

No doubt there is room for considerable argument as to exactly what form some of the provisions of this Bill shall take. When I introduced the measure, I did not claim that it was word perfect. Criticism has been so voluminous that it seems to me expedition can best be achieved by referring the measure to a select committee. However, I wish it clearly to be understood that I want the work to be done extremely expeditiously. The select committee should report to the House at latest a week from the present time.

Mr. Pantou: Will you be the chairman of the committee and keep the work going?

The ATTORNEY GENERAL: I am taking that responsibility by moving this motion myself. The work will be strenuous, but I believe that the time will be well spent.

Question put and passed.

Select Committee appointed.

Ballot taken and a select committee appointed consisting of the following:—Messrs. Angelo, Corboy, J. I. Mann, Hon. M. F. Troy and the mover.

The ATTORNEY GENERAL: I move—

That the committee have power to call for persons and papers, to sit on days over which the House stands adjourned, and to report on Tuesday, the 25th November.

Hon. W. D. JOHNSON: I am inclined to think the time allowed will be altogether too short, unless of course it is understood that an extension will be permitted. The Bill is a farmers' Bill, not a city one. It is true it affects the city, but the main interest of the Bill is the farmer. Country organisations have given a good deal of consideration to it. The largest meetings of farmers I have ever attended have been held to consider the measure. I appeal to the committee not to unduly rush it. There is no great hurry now; the hurry is over and the harvest is on, and we can well leave the Bill for a week or two. The only way the task can be thoroughly done is by giving country representatives of those various organisations that have so exhaustively considered the Bill an opportunity to give evidence.

Question put and passed.

RESOLUTION—STATE FORESTS.

To revoke dedication.

Message from the Council received and read notifying that it had agreed to the Assembly's resolution.

BILL—TENANTS, PURCHASERS AND MORTGAGORS' RELIEF.

Second Reading.

Debate resumed from the 13th November.

MR. McCALLUM (South Fremantle) [8.21]: I am pleased the Government have brought down this measure. I do not propose to delay the House, indeed I propose rather to assist the Minister in getting the Bill through as soon as possible. We asked for a measure such as this in the early part of the session. The Bill is fairly comprehensive, although there are in it one or two points I should like cleared up when in Committee. Still, I propose to help the Minister get the Bill through to-night if possible. Such a Bill would only be warranted in abnormal times; I do not think it would be necessary, or desirable, in normal times. But undoubtedly there is pressing need for the

Bill just now, because there are many men who have put their life savings into the purchase of their homes and who, owing to unemployment, stand in jeopardy of losing the lot. These cases are very numerous, involving most desirable citizens, thrifty men who have invested their life earnings in the purchase of their homes. If the Bill will help those people over a pressing time and give them an opportunity to pick up their obligations, it will have done a great deal of good for a very deserving section of the community. I agree with the Minister that the mere existence on the statute-book of a measure like this will have a deterring effect on those in the community who would like to receive their full pound of flesh under every agreement or mortgage. Also it will lead to a great many agreements and settlements being made outside the law. However, when it is impossible for the parties to come to terms, this measure will prove very necessary. The success of the scheme will rest on the type of men selected as commissioners; because a great deal of power is to be given to the commissioners, and it will be a question whether they have broad vision and sympathy. I hope great care will be exercised in the selection of those gentlemen, of whom I suppose there will be a number operating in different parts of the State, for a lot will depend on their discretion and breadth of view. There are in the community landowners who rely for their existence almost exclusively on the rents of cottages. Under the Bill they will be the landlords, and their interests will need attention. The Bill makes provision for them. When it comes to weighing up between people, I have had a couple of instances brought to me this week, instances of old people relying for their very existence on rent from a cottage or two. If unable to get their rent, they will have to go on the State dole, as they have no other source of income. But the tenants of those cottages are out of work and therefore have no means of paying their rent. So here are two conflicting interests which it will be difficult for the commissioners to reconcile. I should like if possible to see a fund established from which the interests of those people could be protected. I do not know whether that £100,000 which the Treasurer has on his Loan Estimates for workers' homes could be drawn on in those circumstances and treated as a loan to tide

those people over a distressing period. If not, it will be a pretty difficult task for the commissioners to reconcile such conflicting interests. That position has to be faced and there will be a better chance of satisfactorily dealing with it under a law such as this than under existing circumstances. If the Bill we have just referred to a select committee, and this one also, become law, our judges and magistrates will have a pretty busy time. Under this Bill there will be rents, mortgages, leases and the like to be attended to, and many hundreds of people will have to make application to the commissioners; while under the other measure thousands of farmers will be applying for relief. So, as I say, if our judges and magistrates have to deal with all those cases, they will have a busier time than ever before.

The Premier: Under the moratorium during war time there was not very much trouble.

Mr. McCALLUM: I do not know how it will be under the Bill we just now referred to a select committee, but I agree that the mere existence of these measures will bring about a lot of agreements and understandings which would not be arrived at without such legislation. However, apart from that, it will be a busy time for our judges and magistrates. I should like the Minister to explain what the position will be when the order expires. It may be that a tenant has been relieved of the payment of rent for a considerable period. Consequently, there may be a substantial sum owing, anything up to £40 or £50; it all depends on the period and on the amount of rent for which the tenant is liable. Then 6 per cent. has to be added to the amount. The moment the order expires, and the tenant is working again, he will be called upon to meet his obligation; the protection of the Act will cease and the whole of his obligation will fall in. It may mean £50 or £60 with 6 per cent. interest added. It may be found that he is called upon to meet that liability within a week. The commissioner will have made an order for the protection of the tenant or mortgagor, whoever it may be, and relieved him of his obligations for a period. At the end of that period, finding the man is in a position to meet his liabilities, he may refuse to renew the order and tell him he can no longer protect him. Meanwhile, this debt will have accumulated. It would

be a logical thing in the circumstances for the commissioner to say to him, "You have had protection, and I now decide you shall meet your liabilities by paying such and such an amount over a given period." The commissioner who has made the order and given the protection should make the subsequent order for payment of arrears over a specified period. If that were not done, it would be difficult to know what the position of the individual would be when the whole amount of his arrears with interest added came to be settled. That is something which is likely to weigh heavily upon those in receipt of the basic wage or who are engaged in casual employment. Such people are never in a position to meet a big lump sum at once, and are never able to save very much. They will certainly not be able to meet an obligation which has accumulated under a protection order. They should be helped after the period of the order. The right person to go to is the commissioner who made it, and who gave the relief in the first instance. I hope the Minister will consider that point. I do not propose to be critical of this Bill. I am pleased the Government saw their way to bring it down, and I propose to help the Minister to get it through to-night if possible. It should be passed quickly. To my knowledge quite a number of actions have been taken since this Bill was brought down. I have no doubt the longer we delay with it, the more actions will be instituted. I do not propose to delay the House, but wish again to express my pleasure that the Bill has been brought down, and the hope that we shall be able in Committee to meet the conflicting opinions of members and have it put through this evening.

MR. KENNEALLY (East Perth) [8.37]: I am pleased the Bill has been brought down. It has for its object the keeping of a roof over the heads of families whose breadwinners are unemployed, and who are in distress to-day. Any criticism I may offer or amendments I may move will be in an attempt, from my point of view, to improve the measure. It contains the definition of a dwelling house. I question whether it is sufficient adequately to cover a person who is only occupying rooms. The definition says that a dwelling shall include the premises appurtenant thereto. It is possible that the owner, the landlord, and the

tenant may all be involved. Cases have been brought under my notice where the landlord has told his tenants to get out because they have lost their employment. I investigated two of these cases. One was that of two persons who had separate rooms in the one house. Because they became unemployed, they were told to leave the premises. I found that the landlord who had told them this had been prepared to stand by them so long as he himself remained in employment, for he was only renting the house from the owner. The landlord himself then got out of work, and had to look to the rooms that were occupied by the unemployed in an endeavour to get in enough rent to keep the roof over his own head. It is essential that this Bill should be made sufficiently comprehensive to cover persons who are occupying even one room in a house, and to include cases such as I have mentioned. That is why I am anxious to know that the definition of dwelling will adequately cover that aspect of the case. The Minister made two good points in his second reading speech. The first was that there should be no right of appeal from the decision of the commissioner. The House will concur in that view. Were it not for such a provision, people with money would be able to make things very awkward for those who were not possessed of means and who were brought under the provision of this legislation. The clause dealing with the subject merely says there shall be no appeal from the decision of the commissioner or a judge. I am inclined to think that the words "or a judge" are superfluous. Another part of the measure refers to the commissioner being either a magistrate or a judge. In view of these words, I can see no necessity for using, in the clause I have referred to, the words "or judge." Another clause about which should like some information is that which enables a party or parties to contract themselves outside the Bill. Economic pressure may be brought to bear upon those who would otherwise not come within the purview of the measure, and they may be compelled to accept an agreement to contract themselves outside it.

The Premier: A man who wanted a fresh advance for the building of a house would have to make his arrangements outside the measure.

Mr. KENNEALLY: This legislation is intended to act as a protection for people who find themselves in an awkward position. It should also cover those who, if present conditions continue, may subsequently find themselves in need of this particular relief. If they cannot get it, they may be forced to accept a proposition to contract themselves outside the Bill, and they will not afterwards be able to get relief. We should not force people into that position.

The Premier: It may do considerable harm if we do not embody that clause in the Bill.

Mr. KENNEALLY: Harm to the people concerned. Under this clause, people with money can force their will upon those who have not any. Very often a measure that seeks to protect people can be used as an agent by which to persecute them. I know that would not be the intention of the sponsor of this Bill. Its object is to keep a home over the heads of people who can no longer pay rent, and to protect their goods and chattels from sale. That portion of it will require a little attention in Committee. I do not know whether it adequately protects from seizure the goods and chattels of the occupants of dwellings, or sufficiently safeguards the homes of those people who have, on the part-time purchase system, put their life savings into them. The principles of the Bill, however, must commend themselves to the House.

MR. SAMPSON (Swan) [8.40]: This Bill is in the nature of a humanitarian measure. It is far-reaching in its effects and care must be taken to see that the cure is not abused. The unemployment question is a very difficult one. The Minister is to be congratulated upon giving consideration to the problems that are facing the Government. A similar measure has been passed in South Australia. I am glad the position in this State is not nearly as bad as it is in the neighbouring State. There are many hundreds of empty houses in South Australia. Great suffering is in evidence there, and a very restricted amount of sustenance is being given to those in distress. This Bill breaks new ground. So far as I can discover, apart from South Australia, a measure along these lines has never previously been brought before this or any other House in Australia.

The Minister for Railways: We are nothing if not original.

Mr. SAMPSON: No. The positions of the two States are not comparable. For many years South Australia has suffered through exceedingly bad seasons, and the poverty of the people has been more acute than has been seen in any other part of Australia for many decades. Hundreds of houses have been empty for months, and, judging from the present position, they will remain empty much longer. It is particularly necessary that consideration should be given to those who, through various circumstances, are unable to care for themselves in this State. The results of unemployment are very painful indeed. Partial employment, too, causes much suffering. There are, however, many sides to this problem. I note that already the Federal Government have singled out for special taxation property owners, vendors and mortgagees; and these sections are affected by the Bill. It is clear that relief to at least some sufferers from unemployment is necessary; but I am inclined to think we would deal with the subject in a better, broader and more effective way if a special tax on all incomes were levied and thereby the funds necessary to relieve sufferers provided.

Mr. Kenneally: And in the meantime?

Mr. SAMPSON: I do not know that there need be any meantime. Parliament is sitting, the Bill can be passed and the funds provided.

Mr. Kenneally: And after that we can pick these people up off the streets.

Mr. SAMPSON: I hope the hon. member has not in view the putting of any man on the street.

Mr. Panton: A lot of people have that in view.

Mr. Kenneally: Perhaps the member for Swan would do so.

Mr. SAMPSON: Not at all. The member for East Perth knows full well that he would like someone to express such a sentiment, but I do not think any member of this House would express it.

Mr. Kenneally: People are being put on the street now; so there will be a meantime.

Mr. SAMPSON: I am of opinion that never before in the history of this State has there been a more humanitarian Government in power. I believe the Government are animated by a desire to look after the interests

of the people whom they represent; that is, the people of the State generally. However, I repeat that in my opinion a better method of dealing with the subject would be to impose either a tax on all incomes or a special tax—

Mr. Kenneally: On the workers.

Mr. SAMPSON: Not at all. Workers having to pay income tax would share in the payment of this special tax, but not otherwise. The tax could be used for the purpose of providing work, which, after all, is the best means, and the only effective means, of relieving unemployment. To provide sustenance does not relieve unemployment. Sustenance helps in a temporary way, but an effective and permanent remedy is the obtaining of sufficient funds to provide work from which returns will result.

Mr. SPEAKER: I am afraid the hon. member is wandering from the subject. The Bill has nothing to do with unemployment.

Mr. SAMPSON: I am afraid, Mr. Speaker, that I am on the wrong Bill, then. If you will pardon me, Sir, this Bill deals with the relief of sufferers from unemployment in respect of dwellings.

Mr. SPEAKER: I was referring to the hon. member's statement that in his opinion a tax is required instead of this Bill.

Mr. SAMPSON: I feel that the imposition of an added income tax would better handle the difficult situation with which the Government are faced.

Mr. Kenneally: Those who support the Bill may agree with you in that respect, but in the meantime—

Mr. SAMPSON: During the period of protection, there is the question of rates and taxes and insurance. These matters are highly important, and I hope that when the Minister replies some reference will be made to them. It has been claimed that since rates are a charge on property and the revenue-earning capacity of property will be limited, rates and taxes and other outgoings should be held up during that period. I have in mind to place on the Notice Paper an amendment which will enable that aspect to be considered in Committee.

The Minister for Railways: You cannot dispossess the man who is in possession of the house, no matter what is charged against him.

Mr. SAMPSON: We want rates and taxes and other outgoings held up during the period over which the relief extends. As the

Minister said in introducing the measure, there are many sides to the question; there are many difficulties, and the tenant or occupant of the House is not necessarily the only person to be considered. In Perth there are many speculative builders whose only assets are the interests which they own in houses being sold. Those speculative builders should, I take it, receive some consideration. Many of them may, because of the slump, be brought to a condition wherein they will find themselves unable to meet the cost of rates and taxes. Therefore I suggest that while we consider the needs of those mostly in want of assistance, which is to say persons out of employment, the needs of people dependent upon the returns from these dwellings should also be considered, and that at least payment of rates and taxes should be held up during the period of protection. I could draw a comparison between this Bill and the Farmers' Debts Adjustment Bill, but I am doubtful whether you, Sir, would permit me. The Farmers' Debts Adjustment Bill extends consideration to those who have provided machinery and the wherewithal to carry on the business of farming, but in this measure those who may be regarded as the capitalistic section are not being considered. In the Farmers' Debts Adjustment Bill the interest of the mortgagee is the first charge on the crop, and the country storekeeper who, it must be admitted, has always given the cocky real service, gets only a pro rata share of what the mortgage leaves. I feel that the Government should also extend consideration to tenants and occupants of houses. The Government are in the position of vendor as regards many workers' homes. Where a worker's home is occupied by someone who is unemployed and therefore finds himself unable to meet his commitments, the same consideration should be extended by the Government. I believe the Bill will prevent suffering; I hope that it will be found workable, and I shall vote for it.

MR. WILLCOCK (Geraldton) [8.55]: I commend the Government for having introduced the Bill, and am indeed pleased that as a matter of policy they have decided to get the measure passed as speedily as possible. The only point I want to raise is whether the measure is binding on the Crown. I know that the Crown usually deals most sympathetically with all cases

that are directly represented to Ministers, but as regards the Workers' Homes Board I have received a pathetic letter from one of my constituents, who has been given notice to vacate a worker's home within the next week. He usually follows the occupation of a wheat lumper, and will be able to resume that employment as soon as wheat shipments are renewed at Geraldton. However, he has been unemployed, and in addition has had a number of doctors' bills to pay. Now he has received the peremptory notice I have mentioned.

The Premier: Has he explained his position to the board?

Mr. WILLCOCK: I do not wish to make this Bill an opportunity for bringing under the notice of the Government that particular case, which I merely cite as an instance. The board gave him a concession, but, I think owing to a misunderstanding, they have withdrawn it since. I do not know whether the Crown can be brought within the purview of such a Bill as this unless it is distinctly stated in the Bill that the Crown may be a party to it.

The Minister for Railways: That would be quite a wrong procedure.

Mr. WILLCOCK: Such a provision has been inserted in many Bills.

The Minister for Railways: I doubt whether such a provision appears in any Western Australian Act.

Mr. WILLCOCK: There may be difference of opinion as to the necessity for such a provision, but the fact is that according to custom the Crown may be brought within the purview of such a Bill as this. At the same time, I do not think there will be much reason to complain of the administrative acts of any Government who bring in a Bill of this kind. There is another aspect as regards the Crown. Unfortunately in these times of stress numerous men have received notices of retrenchment from the Railway Department and other Government departments. Many of them occupy departmental houses. It is known to a landlord that a man has been retrenched and is out of work, there is not much chance of the landlord allowing such a man to enter another house. Other houses will not be open to such a man. It is usual for departmental employees to have to reside in departmental houses as a condition of their employment. In such circumstances I suggest that consideration should be given to the claims of

people who are being evicted from departmental houses on the ground of retrenchment. Such people should be allowed to come under the provisions of this Bill. If necessary, the Crown should be made a party to the measure. In the case of retrenchments from the railway service, will the Commissioner of Railways be a party to this Bill, or will he be allowed to evict men on the score of departmental convenience? As I have stated, such men would not be able to enter other houses. These are aspects of the Bill which apply to the Government, and which may be worth looking into. If necessary—the Minister for Railways does not think it is necessary—a clause should be inserted to make the measure binding on the Crown.

MR. PIESSE (Katanning) [9.0]: I do not desire to delay the passage of the Bill through the House, but I wish to deal with one or two points that have not been made by other hon. members, particularly with reference to necessitous cases amongst farmers. The Government are to be congratulated upon the introduction of the Bill, and, with the Minister, I regret the necessity for it. I agree with him, too, that the measure is somewhat revolutionary in the sense that it is experimental and will require close scrutiny in Committee. All parties should be protected, and the mortgagee who has lent money in all good faith, whether the amount be large or small, is entitled to adequate safeguards. I believe it is not the intention of the Government, or of the House, to create a scare with regard to finance. We know how difficult it is to secure loan funds now, and we can merely hope that wise counsels will prevail and that the Bill will protect both parties to a transaction. I want to ask the Government whether it is not possible to extend the provisions of the Bill to farmers in need of help. I would remind the House that distress applies not to occupiers of dwellings in the city and country towns alone, but it extends to those in the agricultural areas as well. I will give the House one instance in which I consider relief should be granted. A farmer in my electorate bought a farm. I know the property. It is a good farm and the price paid for it was not excessive. The farm, totalling 1,522 acres, was purchased two years ago for £8,468 on deferred payment terms. A

substantial deposit of £1,283 10s. was paid off the principal, leaving a balance of £5,185. The balance was secured by mortgage, the payments extending over a period of years and carrying interest at 6 per cent. In all good faith the farmer put 630 acres under crop last year.

Mr. SPEAKER: Order! The title of the Bill shows that it is an Act to afford relief to tenants, purchasers and mortgagors in occupation of dwelling houses. I cannot see how the hon. member can read into that anything connected with the mortgage of a farm. It has nothing to do with the Bill.

Mr. PIESSE: With all due respect to your ruling, Mr. Speaker, the title refers to "other relative purposes" as well. I contend that the instance I was citing is somewhat similar to cases mentioned by the Minister.

Mr. SPEAKER: The Bill has nothing to do with farms at all.

Mr. PIESSE: I shall bow to your ruling. I think the Minister might take into consideration instances in the country areas where people find themselves in similarly unfortunate positions to those experienced by the occupiers or purchasers of dwellings in the towns. If it is possible to provide legislative relief for the owners of dwellings in the city, it is but right that the Government should interest themselves in the distress of others.

The Minister for Mines: We will be discussing another Bill shortly that deals with the point you raise.

Mr. PIESSE: I do not wish to dispute the Speaker's ruling, but the Bill deals with mortgages.

Mr. SPEAKER: Yes, on dwelling houses.

Mr. PIESSE: I can quote an instance in Katanning of a mortgage on a dwelling house being called up, when the unfortunate occupier and purchaser was out of work.

The Minister for Mines: He will come under the Bill.

Mr. PIESSE: I am pleased to know that. In my opinion the law relating the mortgages and securities has been handed down to us from the days of the Medes and Persians.

The Minister for Mines: From before that; from the days of the early Egyptians!

Mr. PIESSE: It is time we departed from the laws of the Medes and Persians and passed laws more in conformity with

present-day conditions. I hope that before long, now we have commenced to deal with measures of this description, the Government will take into consideration the advisability of extending the time given to mortgagors during periods of stress. There is considerable equity in all mortgage securities. Nearly all the banks observe a rule under which advances are made only up to a certain percentage of the value of the security, and there is thus always ample protection in the equity. The deferring of one year's interest would not be a hardship to the mortgagee, and I hope that in instances of foreclosure, more leniency will be extended to those concerned, and particularly in cases such as that of the man whose experience I was citing. His difficulties arose because he could not harvest his crop and owing to the state of the market, those difficulties would have been accentuated.

MR. H. W. MANN (Perth) [9.10]: I commend the Government and the Minister on the introduction of the Bill. During this year, in conjunction with other metropolitan members, I have been genuinely harassed by people who have been distressed through being evicted from their homes, or through receiving notice of eviction, on account of their inability to pay the rent. The problem has been to know how to advise them in order to relieve them in their dire distress. I could give many instances to illustrate the position, but one will be sufficient. A man was out of employment and, with the assistance of another hon. member, I secured work for him in the country. He was about to receive his fortnight's pay, which came to something over £9. He owed £7 for rent. The day before he was to receive his money, the bailiff were put into his house. Eventually the agent agreed to withdraw the bailiff if two weeks' rent were paid.

Mr. Kenneally: Plus the bailiff's fees.

Mr. H. W. MANN: Yes. The lady was able to collect the money for one week's rent and I was able to secure the money for the second week. The money was paid at 11 o'clock in the morning, and I held the receipt. I was in communication with the agent, who assured me that if the two weeks' rent were paid, the bailiff would be withdrawn. Instead of the bailiff being withdrawn, lorries were sent to the house at 4 p.m. to remove some of the furniture for sale.

Mr. Panton: What did you do then?

Mr. H. W. MANN: I will show what was done. Some of the furniture had been secured under the time payment system, and the man who owned it had to pay the whole of the rent. Apparently the agent thought he was justified in the action he took, as he discovered that some of the furniture was being bought on time payment. He wanted to protect himself, and so did the man who owned the furniture, and the latter had to pay the whole of the rent. There have been many instances of that description, and some have been worse than the one I have described. On the other hand, I have had dealings with agents who have been generous and have shown every consideration possible for their tenants. The Bill will relieve those concerned from such troubles, and the responsibility will rest in the hands of a commissioner or commissioners. That responsibility will be great and much will depend upon the view the commissioner will adopt. The Bill will give the commissioner power to consider second persons in the matter. Obviously it would not be just to relieve one person by adding to the burdens of another. I take it the Government will make a wise choice in the selection of commissioners, and will choose gentlemen with a wide knowledge of the world, quite apart from any legal knowledge necessary, so that they will see that parties are not taken down.

The Minister for Mines: If a commissioner has not that knowledge of the world at the start, he will possess it before he is finished.

Mr. H. W. MANN: There is no doubt about that. But before such an individual could gain the necessary experience, I am afraid that some people would suffer. For that reason, I realise a great deal will depend upon the view taken by the commissioner of different cases. In my electorate 80 per cent. of the people are tenants; I do not think there are 20 per cent. there who own their own homes. There has been greater distress in my electorate than in any other part of the metropolitan area. There have been instances in which two or three families have been crowded into a four-roomed house.

Mr. Panton: People are doing that in every suburb. There are plenty of them in Leederville.

Mr. H. W. MANN: If that is so, they have the satisfaction of knowing they are living in a better class of home than are many in my electorate. I trust good will come from the operations of the Bill. I am sure it will, and I am sure that in the hands of an able and broad-minded commissioner justice will be done without hardship to anybody. Therefore I will vote for the second reading. I trust the Bill will be quickly put through in order that cases already in hand may receive consideration.

THE MINISTER FOR RAILWAYS

(Hon. J. Scaddan—Maylands—in reply) [9.16]: As I anticipated when moving the second reading, the measure has had a favourable reception. I express on behalf of the Government and also of members generally, deep regret that such a measure should be necessary. I agree with the member for South Fremantle (Mr. McCallum) that in normal times it would be entirely unnecessary, that indeed no Government would dream of introducing such a measure. For it is revolutionary to an extent. Some comment was made in a leading newspaper that there should be a time limit on it. That time limit was in the measure as introduced, in order that it should be clearly understood there was no intention to make it permanent. It is to operate only until the 31st December, 1931, and any action arising under it can only continue until the 31st March, 1932—unless in the meantime unfortunately it should be found necessary to provide for a continuance of the measure. One or two matters have been mentioned to which I propose to reply. The member for South Fremantle said that in a number of instances aged people had put their life savings into dwellings in order to live upon the rent therefrom. One or two cases have been brought under my notice since the Bill was introduced, and if the statements made to me were correct I am quite satisfied no commissioner could grant a protection order in those cases. For it is not intended that we should merely transfer a difficulty from one person to another. There is nothing to be gained by that. The commissioner will have no power to do it. Before granting a protection order he must satisfy himself that he is not creating a hardship by transferring a burden from one person to another. The Bill is specific on that point. The same thing applies in respect of interest under

a mortgage; if it is going to create a hardship, the commissioner is not empowered to grant a protection order. It is not the duty of the Government to transfer difficulties from Jones to Smith. Our interests are in Smith and Jones alike. The hon. member pointed out that when a protection order ceases to operate it may be that a fairly large obligation has been built up by the suspension of rent or interest, and that the moment the protection order ceases to operate the mortgagee will be able to exercise all the powers he can exercise to-day. That is so. But a protection order can only operate for three months, and at the end of three months the commissioner can extend it for a further period of three months.

Mr. Kenneally: And, also, during its currency he can cancel it.

The MINISTER FOR RAILWAYS: That is so. I do not think it necessary to make any provision in the direction suggested by the member for South Fremantle; because in the period between the commencement of this measure and its expiry, if such cases should arise, unquestionably the commissioner would bring them under notice and a slight amendment of the Act would suffice. But I think there is already in the Bill sufficient power to enable the commissioner to rectify such a position. If he thinks some hardship might be created by reverting suddenly to the old conditions and permitting the mortgagee to exercise his powers, he may grant an extension of the order for three months, notwithstanding that the tenant or the mortgagor might be in a position to commence payments. There is no provision that the order shall be restricted in any way, and there is nothing to prevent the commissioner from spreading the repayments. However, I assure the hon. member that I will satisfy myself on the point by conferring with the Parliamentary Draftsman. The member for East Perth (Mr. Kenneally) said that sometimes there were more than one tenant in one dwelling house. He read out the definition of dwelling, but did not read out the definition of tenant, which means a person by whom the rent in respect of the dwelling is payable and who is in actual occupation of the dwelling. If there were five tenants in one house, all paying rent, each of them could obtain protection under this measure.

Mr. Kenneally: Legal opinion is not with you there.

The MINISTER FOR RAILWAYS: I may not be, but I do not know that the hon. member is entitled to speak on the subject unless he has consulted somebody.

Mr. Kenneally: I have done so.

The MINISTER FOR RAILWAYS: Then I suggest he has consulted an authority not very reliable. The point is, it is certainly the tenant who is responsible for the payment of the rent, and he may apply for a protection order. If there is another person in the same house helping to pay the rent, he may be termed the second tenant.

Mr. McCallum: In the Bill "tenant" is always in the singular.

The MINISTER FOR RAILWAYS: But if one person is paying rent for a portion of the dwelling, and another paying rent for another portion of the dwelling, protection can be granted to each. At all events, that can be looked into. The hon. member is fearful about persons being permitted to contract themselves out of the Act. I do not see how we can prevent it. There is no compulsion about it. Nobody is compelled to apply to the commissioner for a protection order. But if landlord and tenant or mortgagee and mortgagor are permitted to make that sort of contract, there is no reason why they should not. We want then to make their own arrangements if they can. But they may vary the conditions from those which would apply if a magistrate made an order. Even if a contract of that nature is made, the magistrate is still empowered to make a protection order.

Mr. Kenneally. No. Read Clause 23.

The MINISTER FOR RAILWAYS: My advice is that he is, notwithstanding any order that might be made.

Mr. Kenneally: After the commencement of the Act they can contract themselves out of it.

The MINISTER FOR RAILWAYS: Well we want them to do so. If they did something prior to the commencement of the Act because the landlord was in a position to enforce conditions, because no protection was available, I want to give power to the magistrate to vary that. But when this Bill becomes law and is available to the tenant or the mortgagor, and he declines to take any action under it to protect himself, pre-

ferring to contract himself out of it, why should we provide that he shall not do so?

Mr. Kenneally: Why give power to the owner to compel him?

The MINISTER FOR RAILWAYS: We do not give power to the owner to compel him to do anything. The reverse is the position: we give power to the tenant or the mortgagor to apply to the magistrate for complete protection. But if the tenant or mortgagor chooses to go to the landlord or mortgagee and make his own contract outside the Act, I do not think we have any right to prevent him from doing it; in fact it would be a very dangerous thing to include in the measure and I will not agree to it. The member for Swan (Mr. Sampson) made reference to rates and taxes. I do not know whether a person could be deprived of his house who by reason of unemployment cannot pay his rates and taxes. I do not think any local authority would demand the payment of rates from a person whom they knew to be out of work.

Mr. H. W. Mann: Recently I had to go to the City Treasurer and get the bailiffs taken out of a house.

The MINISTER FOR RAILWAYS: That was the City Council. They would do anything. I am speaking of all other local authorities. I think there would be little or no difficulty. At any rate, a tenant in possession of a dwelling-house cannot be deprived of that dwelling, once this protection order is given.

Mr. Sampson interjected.

The MINISTER FOR RAILWAYS: If the granting of this protection order is going to impose undue hardship on the owner, the protection order cannot be granted by the commissioner. The most that would happen would be that the owner would lose his rent for a period. Eventually that rent would be payable to him with six per cent. added. The rent is only suspended for three months under the first order, and in the event of his rates accruing over a longer period than 12 months and the local authorities suing him for their recovery—

Mr. Sampson: His revenue may be stopped.

The MINISTER FOR RAILWAYS: But not for any length of time if it is going to impose hardship on him. I am not going to include in the Bill anything that it was not intended should be applied. Protection will be granted to a tenant, a mortgagor or the

purchaser of a home which he is using as a dwelling. I do not want the present depression or unemployment to deprive him of the right to remain in the dwelling house so long as it does not transfer the hardship from him to another person. I am not going to consider the local authorities if they like to take the absurd action of dispossessing a person because of the non-payment of rates. They will be answerable to their ratepayers.

Mr. Sampson: I think we ought to give that protection.

The MINISTER FOR RAILWAYS: I do not propose to agree to it. I think the position has been covered fairly well by the Bill. I do not want to overburden the measure with provisions that do not count to any material extent. The member for Geraldton (Mr. Willcock) referred to the necessity for imposing the same condition on the Crown. I do not think the Government could possibly refuse to give effect to the provisions of a measure which it is imposing upon other people if the measure operated against itself. Personally I cannot see any wisdom in providing in an Act of Parliament that the Crown shall be bound. Only the Crown can bind itself. No person can do so. The Crown might impose a condition, but the law cannot be enforced against the Crown, because the Crown can do no wrong.

Mr. Willcock: That is the attitude adopted.

The MINISTER FOR RAILWAYS: The hon. member knows there have been a number of occasions when definite decisions have been given against the Crown, and the Crown has considered it undesirable to take any notice of them. I am trying to point out that there is no virtue in imposing a condition by Act of Parliament that the provision shall apply to the Crown. I do not know of any other part of the world, and certainly I do not know of any British Dominion, where such a provision could be found in an Act of Parliament.

Mr. Willcock: We have several.

The MINISTER FOR RAILWAYS: It is an undesirable and unnecessary attitude to adopt.

Mr. McCallum: The Arbitration Act applies to the Crown.

The MINISTER FOR RAILWAYS: Of course it does, but if the Crown decided not

to obey the Arbitration Act, who could enforce it?

Mr. McCallum: If the Crown refused to pay the wages stipulated what would happen?

The MINISTER FOR RAILWAYS: That might happen next week.

Mr. McCallum: I am glad you have given notice of it.

Mr. Sampson: The provision regarding the Government appears in the Farmers' Debts' Adjustment Bill.

The MINISTER FOR RAILWAYS: But in the final analysis, no one can enforce a decision against the Crown except the Crown itself.

Mr. Willecock: That is the point. Would anyone be put out of court if he appealed for a stay?

The MINISTER FOR RAILWAYS: We need not pursue that point. On behalf of the Government I can say that where similar conditions apply against the Crown as apply against any person in the community, so far as this measure is concerned, we shall obey it. If there is any tenant occupying a dwelling-house owned by the Government and he claims a protection order from the consumer, we shall treat him as a private landlord would be called upon to do under the measure. In reply to the member for Katanning (Mr. Piesse), I am not going to take the responsibility of trying to impose under this measure conditions that will afford relief to men in possession of farms. That is a job for some other Minister, not for me. The provisions of this measure will apply to the owners of dwelling-houses purchasing under a mortgage or purchasing under a time-payment system, or to tenants of houses, whether in the metropolitan area or in the country. It is not specified that the measure shall apply to any particular part of the State; it will apply to the whole of the State, and therefore any person may obtain protection, regardless of where he lives. There is no intention of appointing a commissioner for the purpose of sitting as a court. Commissioners will be appointed as required to hear cases. It may be that most, and perhaps all, the cases will be confined to the metropolitan area. In that event, one commissioner should be sufficient. We do not propose to appoint a commissioner whose sole duty shall be to hear cases under this measure and to move from Perth to

Katanning to hear one case, from Katanning to Merredin to hear another, and from Merredin to Wiluna to hear another. We propose to appoint a magistrate wherever necessary, because I do not think there will be any difficult task to perform. I admit that some investigation will be necessary, but I think we can rely on our magistrates to hear such cases and grant protection orders with equity to all parties. It would never do to go to the extent of sending a commissioner all over the State to hear cases. In fact, I am hopeful that there will be very few cases to occupy the attention of the commissioner. I believe most instances will be met by the parties contracting themselves out of the Act. In moving the second reading of the Bill I stated that that was what I desired. I do not want the Act to become operative to the extent of parties going to the commissioner to obtain orders. I want them to understand that behind whatever action they may take is this measure, but I hope they will not have to make recourse to it. Having the knowledge that the legislation is in existence, I hope the parties will be able to make their own arrangements, and that there will be few, if any, cases brought before the commissioner. I am pleased at the reception given to the measure. I know it goes further than some people think desirable, but it is not a permanent measure. It has a limit, and if it does create hardship, we can allow it to lapse or, if desirable and if the conditions do not improve as we hope they will improve during the ensuing 12 months, it can be continued.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Definitions:

Mr. KENNEALLY: I move an amendment—

That in the definition of "dwelling," after "dwelling-house" the words "or any part thereof" be inserted.

The definition refers to the premises appurtenant thereto, which may refer to out-premises rather than to portion of the dwell-

ling. I wish to include out-premises, and also to make provision that a person who hires a room from the owner of a house or from the tenant renting it from the owner shall be entitled to protection. I have been informed that a person renting a room from the owner or the tenant would not be covered. Owing to the poverty that exists, in many instances families are living in one room.

Amendment put and passed.

Mr. PIESSE: What would be the position regarding premises used partly as a dwelling and partly as a shop? Would they come under the protection of the measure?

Mr. KENNEALLY: The Minister referred to the liability of the Crown. That could be made plain by inserting at the end of the definition of "landlord" the words "and shall include the Crown."

The Minister for Railways: I shall not agree to that. I am not going to be a party to doing anything that I consider totally absurd.

Mr. Marshall: The Committee may.

Mr. KENNEALLY: The Crown might find itself in the position of a landlord, and there should be no objection to providing definitely that the Crown shall be covered by the measure. It is just as essential that the Crown shall comply with the provisions of this Bill as other people. The Railways, the Public Works Department, the Water Supply Department, as well as many local authorities, are landlords, and the Bill should certainly apply to them. I move an amendment—

That in the definition of "dwelling" the following words be added:—"and includes the Crown."

The MINISTER FOR RAILWAYS: The amendment is quite unnecessary. I have already given an undertaking that wherever the Crown is in the same position as a person against whom a protection order can be granted the party concerned will be protected, if such protection is necessary. I object to putting into an Act of Parliament something that is contrary to that which has been accepted as the British method of making laws.

Mr. McCallum: Does this apply to the Workers' Homes Board?

The MINISTER FOR RAILWAYS: Yes. The board are mortgagees. I have already

approached the Premier on the matter, and he says that the board will comply with the conditions in the same way as any other mortgagee.

Amendment put and negatived.

The MINISTER FOR RAILWAYS: The definition of "dwelling" has now been amended, and the definition of "tenant" will have to be altered. I therefore move an amendment—

That in the definition of "tenant" after "person," the following words be inserted:—"or persons."

Amendment put and passed.

Mr. SAMPSON: I move an amendment—

That in Subclause 1 a new definition be added as follows:—" 'unemployment' includes partial unemployment."

A person who is only partially employed may suffer a good deal of distress, and it is necessary that his position should be defined in this way.

The MINISTER FOR RAILWAYS: No such definition is required. Everyone is unemployed during some portion of the 24 hours. When a person seeks protection he shows to what his position is due. Even with part-time employment a man may not meet his obligations, and he will get a protection order just the same. It is only a question whether a person can meet his obligations in the employment that he has.

Mr. Sampson: I shall withdraw the amendment.

Amendment, by leave, withdrawn.

The MINISTER FOR RAILWAYS: To correct a printer's error, I move an amendment—

That in Subclause 3 the word "of" in the last line be struck out and "or" inserted in lieu.

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

Clauses 3 and 4—agreed to.

Clause 5—Effect of protection order:

Mr. McCallum: Does the extension of time referred to in Subclause 3 apply also to mortgagees? If there is a mortgage and payment is suspended for a time, is that time added to the period of the mortgage?

The MINISTER FOR RAILWAYS: A protection order is granted, in the case of a

mortgage, extending the period for three months, and so it may go on during the operations of the Act. If a lease contains an option of purchase and a man is unable to continue the payments under the lease, he may lose his option of purchase through unemployment, in which case he could apply for the period of the option to be extended.

Clause put and passed.

Clauses 6 to 8—agreed to.

Clause 9—Term of and power to extend or discharge protection order:

Mr. SAMPSON: I move an amendment—

That in Subclause 2 the following words be added:—"and he shall discharge the order when it is proved that the tenant or mortgagor has seriously damaged his dwelling or is allowing or has allowed it to fall into a state of disrepair."

Where the tenant has exercised reasonable care, everything would be in order, but it is quite possible, after protection has been afforded, that the property may be injured by the tenant, who may not act in a reciprocal manner.

Mr. McCallum: The obligation may not lie upon him.

Mr. SAMPSON: If not, he could prove that. A person occupying a property should look after it, and care for it in a reasonable manner.

The MINISTER FOR RAILWAYS: I ask the hon. member not to press the amendment. I could specify a dozen reasons upon which the commissioner could dispense with any order. We might go on until we got a Bill merely setting out the grounds upon which the commissioner could discharge an order. As the Bill is now the commissioner may discharge an order on the application of any landlord. If the landlord can produce evidence during the period of the protection order that a tenant is allowing the place to get into a state of disrepair, and using part of the premises as firewood, the commissioner may discharge the protection order. We should not specify the ground upon which he may do these things; much of the Bill is left to his discretion. Otherwise, we may be in danger of indicating that these can be accepted as the only grounds upon which the commissioner can discharge an order.

Amendment put and negatived.

Clause put and passed.

Clause 10—agreed to.

Clause 11—Effect of termination of protection order:

Mr. SAMPSON: Have we an assurance from the Minister that there need be no fear that a mortgagee, who is dependent upon his income from rents, may not find himself in serious straits through having to meet rates and other expenses?

The CHAIRMAN: I hope the hon. member will connect his remarks with the clause.

The Minister for Railways: I cannot see that they have any application to it.

Mr. RAPHAEL: I object to the 6 per cent. interest being added to the amount owing by the tenant. Many landlords do not calculate on receiving back rent, and are prepared to forego the money at present owing. No doubt some tenants will leave their homes if the Bill does not become law. The protection is more for the landlord than the tenant. Of course the Government will see that the people affected pay their dues—I do not say their just dues—

The Minister for Railways: Did you say Jews?

Mr. RAPHAEL: Many landlords are Jewish. Money-grabbing interests should not be provided with this 6 per cent. The Premier has told us the position will not improve at present. If tenants are to be penalised by the 6 per cent., they will never get out of their difficulties. I move an amendment—

That the following words be struck out:—"together with interest calculated at the rate of £6 per centum per annum during the operation of the order on the amount of any rent or interest affected thereby."

The MINISTER FOR RAILWAYS: I think the hon. member will see, on reflection, that the deletion of those words is not desirable. He must not lose sight of the fact that when the protection order is granted, the money which would have been received by some person, and upon which more than 6 per cent. could be earned, is not available to that person, who thus will lose considerably more than 6 per cent. The rate fixed is more in the interests of the purchaser of the mortgage than in those of the vendor.

Mr. KENNEALLY: The Minister's argument applies very well to the principal of a mortgage, which would be protected by the conditions of the mortgage. If the argument applied to the interest due under the

mortgage, seeing that the principal is already protected, I would say there was something in it; but a person owing rent now and paying it, when able, six or eight weeks later, would not have interest added to it by one landlord in the country. Yet the clause proposes to make interest apply in such circumstances.

The Minister for Railways: No.

Mr. KENNEALLY: Then I must be on the wrong track.

The Minister for Railways: The interest could apply, but the clause does not make it apply. The landlord need not insist on the interest.

Mr. KENNEALLY: But the clause gives him the right to charge interest on rent outstanding. Such an entirely new principle should not be introduced by such a measure as this. At all events, the reference to rent should be deleted.

The MINISTER FOR RAILWAYS: I hope the amendment will not be insisted upon. If a landlord does not desire to impose the condition, there is nothing to compel him to do so, although he will have the right to do it. The member for South Fremantle mentioned the case of a person dependent on rent for his livelihood. Such a person might have to borrow money for the purpose of carrying on during the period of protection. While able to secure this 6 per cent., he might be able to get accommodation to carry him on; but he would not be able to do so in the absence of this provision. It cuts both ways. Where the payment of money is allowed to remain in abeyance under a protection order, a reasonable rate of interest should be fixed.

Mr. KENNEALLY: If this amendment is defeated, Mr. Chairman, will I have the opportunity of moving to delete the word "rent"?

The CHAIRMAN: No. If the amendment is defeated we cannot go back. The member for East Perth would be able to move his suggested amendment later if the member for Victoria Park would restrict his amendment to the deletion of the words down to "per annum."

Mr. RAPHAEL: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Mr. RAPHAEL: I move an amendment—

That the following words be struck out:—
"together with interest calculated at the rate of £6 per centum per annum."

The Minister for Railways: I do not think the provision applies to rent.

Mr. Kenneally: Yes. There is a reference to rent later.

Amendment put and negatived.

Mr. KENNEALLY: I move an amendment—

That in line 8 the words "rent or" be struck out.

The clause deals with the operation of an order on the amount of rent affected thereby, and it will tend to introduce the system of charging interest on rent due, with which we should not agree.

The MINISTER FOR RAILWAYS: I ask the hon. member not to press the amendment, and I will have the matter looked into before the measure is dealt with in another place. What I had in mind was that the money paid on the purchase of a home is referred to as rent, not as interest. The member for East Perth wishes to deal with rent paid as such by a tenant, but that is not the position that arises under the clause.

Mr. KENNEALLY: I take it that the Minister gives us an assurance that he will look into the matter and if it applies as I suggest, he will have the matter rectified.

The Minister for Railways: What I will do, will be to recommit the Bill so that you can deal with the matter should you deem it necessary after I have advised you of the position.

Mr. KENNEALLY: In the circumstances, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 12—Power to grant relief to mortgagors:

Mr. KENNEALLY: I move an amendment—

That in lines 2 and 3 of Subclause 3 the words "or of a judge" be struck out.

The clause is associated with Clause 14, which provides power for applications to be made to a judge for leave to proceed, notwithstanding any order for relief having been made by a commissioner. We give the commissioner extensive powers and provide

that he shall be able to arrive at a decision. That being so, I do not see the necessity for applications to be made to a judge. Appeals are not to be permitted, and the commissioner's decision should be final. I shall ask the Minister to reconsider the provisions of Clause 14.

The MINISTER FOR RAILWAYS: Subclause 3 provides that an order for relief shall remain in force until it is set aside by the commissioner or a judge. Clauses 13 and 14 also affect the position. I am advised that there are cases in which it may be necessary to apply to the judge for the purpose of obtaining relief. Therefore the amendment should not be agreed to.

Mr. KENNEALLY: The aim, according to the Minister, is to make the proceedings as cheap as possible, and if the commissioner is given power to determine the matter, why should it be necessary to give the judge a say in respect of what the commissioner has determined? I am afraid that if a judge is brought into the matter, the process will become so expensive that only those with money will be able to take proceedings, and that will defeat the object of the Bill.

The MINISTER FOR RAILWAYS: The point is that this applies to the payment of principal under a mortgage and to nothing else. Whatever we may do, we cannot get away from the fact that under the Federal law, recourse could be had to the Bankruptcy Court. If the words sought to be struck out are left in the clause, it may result in an application being made to a judge that will prevent the necessity for a man becoming bankrupt. I propose to amend Clause 14 by making sure that no fees will be charged.

Mr. McCallum: Does not the clause mean, not that an appeal can be made to a judge against the decision of the commissioner, but that a person can apply either to a judge or to the commissioner?

The Minister for Railways: That is so. Amendment put and negatived.

Clause put and passed.

Clause 13—Effect of order of relief:

Mr. WILLCOCK: On the second reading the Minister made it clear that there would be no appeal, yet it is here provided that the mortgagee shall not without the leave of a judge do certain things. It seems to in-

dicate that one can go to a judge and have undone something done by the commissioner.

The MINISTER FOR RAILWAYS: After all, a judge, if applied to, must come to a decision in accordance with the terms of the Act. Where protection is granted on good grounds, the judge may vary the order or may cancel it and allow the mortgagee to proceed.

Mr. Willcock: But this deals with an order made by the commissioner.

The MINISTER FOR RAILWAYS: In some instances the mortgagee may be absent from the State and the commissioner may grant an order against the mortgagee without his knowledge. Then the mortgagee may be required to apply to a judge for leave to proceed.

Mr. KENNEALLY: Clauses 13 and 14 are difficult. On the second reading, we were told the measure was on the principle of no appeal from the commissioner's rulings. Here we are making provision for a party to appeal against an order of the commissioner. If there is to be no appeal, how is it that in Clauses 13 and 14 provision is made for a determination by a judge?

The CHIEF SECRETARY: There appears to be some misconception as to Clauses 12, 13 and 14. The rest of the Bill deals with inability to meet obligations by reason of unemployment. Clauses 12, 13 and 14 have nothing to do with that. They deal with the case of a mortgagor who, on account of the tightness of the money market is not able to get money with which to meet a mortgage falling due. It is a special form of protection, entirely new, in various statutes passed in the other States. The mortgagor does not plead unemployment but simply proves he is not in a position to pay on the due date the money that is owing. Consequently we cannot apply the same rule that is applied in other parts of the measure dealing with cases of unemployment.

Mr. Kenneally: In subclause 1 of Clause 14 provision is made for an application to a judge for leave to proceed notwithstanding an order for relief.

The CHIEF SECRETARY: If the hon member will read Subclause 2 of Clause 14 he will see the order for relief. That order for relief is not granted on the same principle as the order for relief is granted in other parts of the measure. It is an order for relief not because of unemployment, but because of the stringency of the money mar-

ket; it connotes a party perfectly solvent and with valuable property, but unable to raise money.

Clause put and passed.

Clause 14—Application for leave to proceed:

The MINISTER FOR RAILWAYS: I move an amendment—

That "court" wherever it appears be struck out and "judge" inserted in lieu.

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

Clause 15—agreed to.

Clause 16—Period of suspension of rights not to be taken into account in computing time:

Mr. McCALLUM: Reference is made to "any statute of limitations." To what does that apply?

The MINISTER FOR RAILWAYS: I take it to mean that where any statute provides that an order, claim, proceeding, or process shall be taken within limited time, if it is affected by this order, it shall not apply.

Clause put and passed.

Clauses 17, and 18—agreed to.

Clause 19—Regulations to provide for notice of applications being given to interested parties:

Mr. KENNEALLY: I move an amendment—

That in Subclause 1 the words "or their solicitors or counsel being heard and allowed to take part in the proceedings" be struck out.

The Minister said he did not want to make proceedings expensive. If provision be made for parties to be represented by counsel, only one party will be able to afford representation. It may be argued that the person concerned might be out of the State. He would have the right to be represented by other than a solicitor, just as the applicant would. Both parties should be placed on an equal footing.

The MINISTER FOR RAILWAYS: Quite a number of institutions lend money, and if an application were made in which one of them was interested, it should be properly represented. I cannot understand any objection to an institution being represented

by counsel, because institutions retain counsel for such purposes.

Mr. Kenneally: Should not we then have a legal fund?

The MINISTER FOR RAILWAYS: And by the same process of reasoning, if one party drove to the court in a motor car, we should provide a motor car for the other party. The mortgagee may be a trustee company, and should be entitled to representation by counsel.

The Attorney General: This clause only deals with regulations providing for notice being given to parties.

Mr. KENNEALLY: The measure also proposes to deal with poor people.

The Minister for Railways: We are not taking anything from them.

Mr. KENNEALLY: But the mortgagee would be placed in an advantageous position by being able to employ counsel, whereas the other side would be unable to afford counsel.

The Attorney General: Carry that to its logical conclusion and you would abolish solicitors and counsel.

Mr. KENNEALLY: I should not shed many tears if we did.

The Attorney General: You would not propose such a thing.

Mr. KENNEALLY: Out of consideration for the Attorney General, I would not.

The Attorney General: Of course you would not, and neither would any other sensible person.

The CHAIRMAN: Order!

Mr. KENNEALLY: My desire is that the person seeking protection should not be placed at a disadvantage compared with the other party to the proceedings. If the clause is retained as printed, it will mean that one party only will be represented by counsel.

The Minister for Railways: What are we to do if the attorney is a solicitor? Should he not appear?

Mr. KENNEALLY: This is one of those tribunals before which the legal profession should not be represented, as is the case with another tribunal.

The Minister for Railways: Members of that profession are under the lap all the time in the Arbitration Court.

Mr. KENNEALLY: They have been excluded from attendance at that court, and the same thing should apply in this case. One party should not, because of the im-

proved financial position have an advantage over the other party.

Amendment put and negatived.

Clause put and passed.

Clauses 20 to 22—agreed to.

Clause 23—Exclusion of Act:

Mr. KENNEALLY: It is wrong to give a person the right to contract himself out of this law. It makes for a one-sided deal, because one party may be forced into that position. Any agreement that is made should be subject to the Act. What would happen if one of the parties forced into making such an agreement subsequently fell upon bad times? He would not be able to get redress under this measure. I shall vote against the clause.

Mr. McCALLUM: The objection I can see is that there may be an organised attempt on the part of landlords not to let their premises unless the tenants agree to contract themselves outside the Act. That would nullify the law in the case of all premises let after it was passed.

The Attorney General: Unless the landlord has this power, he may decline to accept tenants.

Mr. McCALLUM: Landlords would not be so foolish as to do that. The view taken by the Minister in the course of his reply on this point does not seem to fit in with the clause. People may come to terms of their own volition without this Bill, but, while the clause remains in it, there is a danger that landlords will insist upon their tenants contracting themselves out of it before letting premises to them.

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

Ayes	..	..	..	23
Noes	..	..	..	17

Majority for .. 6

AYES.

Mr. Angeio	Sir James Mitchell
Mr. Barnard	Mr. Patrick
Mr. Brown	Mr. Plesse
Mr. Davy	Mr. Richardson
Mr. Doney	Mr. Sampson
Mr. Ferguson	Mr. Scaddan
Mr. Griffiths	Mr. J. H. Smith
Mr. Keenan	Mr. J. M. Smith
Mr. Latbam	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. North
Mr. McLarty	

(Teller).

NOES.

Mr. Corboy	Mr. Raphael
Mr. Cunningham	Mr. Sleeman
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Walker
Mr. Lutey	Mr. Wansbrough
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Withers
Mr. Millington	Mr. Wilson
Mr. Munroe	

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Parker	Mr. Collier
Mr. Teesdale	Miss Holman
Mr. H. W. Mann	Mr. Coverley

Clause thus passed.

Clause 24—Costs:

Mr. McCALLUM: I understood the Minister to say, in introducing the Bill, that no costs would be allowed. This clause merely provides that there shall be no costs in connection with protection orders. As regards other matters, costs may be allowed.

The Minister for Railways: That is so, and it is highly desirable.

Mr. McCALLUM: Parties coming under the measure will have no money, and how are they to face appeals with the chance of costs being awarded against them?

The Minister for Railways: There will be no appeals.

Mr. McCALLUM: Clause 13 permits appeals.

The MINISTER FOR RAILWAYS: The commissioner cannot award or allow costs in connection with the grant or repeal of any protection order or any application for such an order. That applies to the tenant, the person who has no money. He may get the order, but may find himself faced with the position that the landlord, say a rich corporation, applies vexatiously to the court for revision. The Commissioner may say, "This is done only to harass the tenant, and I will give costs against the corporation." Costs can only arise when application is made to review the protection order, and applications to review might be made every week if no costs were allowed. In the interests of the poor person it is desirable to authorise the judge to grant costs. The protection order can only be repealed on the application of the person or corporation against whom it is granted. The poor person's best protection against annoyance is the power to grant costs.

Mr. McCALLUM: A litigant who has every member of the Full Court in his fav-

our may, on appeal to the High Court, have costs given against him. The tenant must appear in court to defend his position, and it is quite open for costs to be awarded against him.

The Chief Secretary: Look at Clause 9. It refers only to a commissioner, and not to a judge.

Mr. McCALLUM: But this is not limited to protection orders. What about the man who is paying his house off?

The Minister for Railways: He does not come under the judge either. This refers only to inability to pay the principal.

Mr. McCALLUM: What does the discretionary power regarding costs embrace? It appears to me to include everything outside an application for a protection order.

The CHIEF SECRETARY: The hon. member is somewhat confused by the orders under the measure. Under Clause 4, a tenant applies to a commissioner only for a protection order in respect to a dwelling. Clause 5, Subclause 3, applies to a tenant under a lease with the option of purchase of the dwelling. That provides for the two sections in respect of a protection order that can be granted only by a commissioner. Clauses 12 and 13 carry the matter a great deal further, because in both those instances, it is necessary for an applicant to show his inability to pay on account of the loss of his employment. That protection is granted by a commissioner. Clause 24 refers to an order in respect of which the commissioner has no power to grant costs. The Minister in charge of the Bill has pointed out that under Subclause 2 of Clause 9, an application can be made by a landlord or mortgagee for the discharge of a protection order granted by a commissioner. That is made to a commissioner only, not to a judge. It is absurd to imagine that a commissioner would grant a protection order and then, on the application of a landlord or mortgagee, discharge with costs that order which he had made. The effect will be that if a landlord or mortgagee harasses a tenant by dragging him to the court week after week to appear before the commissioner on an application to discharge the protection order, the provision for granting costs against that landlord or mortgagee will act in restraint of such applications. It is clear, where application is made to a judge by a person under Clauses 12 and 13, which

apply to a person who is purchasing his home, and secures relief because of unemployment, or other reasons, but who is yet well able to pay costs, that the judge, sitting in Chambers, may order costs that he may think reasonable. The poor man is not affected by that at all.

Clause put and passed.

Clauses 25, 26—agreed to.

Clause 27—Regulations:

The MINISTER FOR RAILWAYS: There is a misprint in the clause. I move an amendment—

That in line 2 "an" be struck out, and "in" inserted in lieu.

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

Clause 28—agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—TRAFFIC ACT AMENDMENT.

Council's Amendments.

Resumed from the 18th November. Mr. Panton in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: Progress was reported on the 18th amendment, which had been partly considered. The Council's amendment was as follows:—

Insert a new clause as follows:—

Amendment of Third Schedule.

12B. Part I. of the Third Schedule to the principal Act is amended, as follows:—

- (a) delete the words "For a trailer, 10s. per ton per wheel on the weight of trailer; plus declared maximum load" where the same appear in the item "For a locomotive or traction engine"; and
- (b) insert in lieu thereof words and figures, as follows:—"As from and including the first day of January, 1931, for a trailer or semi-trailer:—

	£	s.	d.
Up to 1 ton 5 cwt., including the weight of the trailer or semi-trailer, plus declared maximum load	4	0	0
Exceeding 1 ton 5 cwt., but not exceeding 2 tons	6	0	0
Exceeding 2 tons, but not exceeding 3 tons	9	10	0
" 3 tons, but not exceeding 4 tons	13	10	0
" 4 tons, but not exceeding 5 tons	18	0	0

Exceeding 5 tons, but not exceed-	£	s.	d.
ing 6 tons ...	23	0	0
„ 6 tons, but not exceed-			
ing 7 tons ...	28	10	0
„ 7 tons, but not exceed-			
ing 8 tons ...	34	10	0
„ 8 tons, but not exceed-			
ing 9 tons ...	41	0	0
9 tons, but not exceed-			
ing 10 tons ...	48	0	0
For every additional ton ...	4	0	0

The MINISTER FOR WORKS: I promised to give further consideration to the Council's amendment in view of the objection taken that in the North-West, cattle and sheep were transported by means of trailers. I have framed an amendment to overcome that point, and I move—

That the Council's amendment be agreed to subject to the addition of the following words:—“Provided that only one-half of the prescribed fee shall be payable on a trailer or semi-trailer, which is used, or is intended to be used, on roads outside the south-western land division of the State.”

Mr. MARSHALL: I want to thank those members who during my absence reminded the Minister that his first proposed amendment would levy an impost on those having trailers feeding the railways. On my arrival this afternoon I got into touch with the Minister, and as a result his amendment now meets the situation.

Amendment on the Council's amendment put and passed; the Council's amendment as amended agreed to.

No. 19: Insert a new clause, as follows:—Citation of principal Act and Amendments.—The principal Act and amendments, including this Act, may be cited as the Traffic Act, 1919-1930.

The MINISTER FOR WORKS: I move—

That the amendment be agreed to.

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

Resolutions reported and the report adopted.

On motion by the Minister for Works a committee consisting of Mr. McCallum, the Attorney General and the mover appointed to draw up reasons for disagreeing with the Council's amendment No. 1.

Reasons adopted and a message accordingly returned to the Council.

House adjourned at 11.17 p.m.

Legislative Council.

Wednesday, 19th November, 1930.

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

ASSENT TO BILLS.

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

- 1, Main Roads.
- 2, Education Act Amendment.
- 3, Wagin Hospital Validation.
- 4, Roman Catholic New Norcia Church Property Act Amendment.
- 5, Land Tax and Income Tax.
- 6, Inspection of Scaffolding Act Amendment.
- 7, Stamp Act Amendment (No. 1).
- 8, Stamp Act Amendment (No. 3).
- 9, Metropolitan Market Trust Road.
- 10, Agricultural Bank Act Amendment (No. 2)

BILL—EVIDENCE ACT AMENDMENT.

Read a third time, and returned to the Assembly with an amendment.

BILL—ROADS CLOSURE.

Recommittal.

Resumed from the previous day; Hon. J. Cornell in the Chair; the Minister for Country Water Supplies in charge of the Bill.

New Clause:

The CHAIRMAN: Progress was reported on a proposed new clause, reading as follows:—“7. That portion of Miriam-street in the North Fremantle municipal district ex-