

MR. GILL: There was nothing objectionable in the clause. The main point in connection with the appointment of the third member of the appeal board was that no head of a department should be appointed. On the Railway Appeal Board there was an elective member and a certain salaried officer intended to stand for the position and would have been elected. He (Mr. Gill) advised the officer not to stand for election, and he did not. This officer had a large number of men under him, and some of these men might have been punished on the recommendation of the officer; therefore this officer would have had to sit in appeal on his own cases. It would not be advisable to appoint anyone in charge of a department to a seat on the board. He hoped the Committee would approve of the clause as printed. We should be doing good in establishing an appeal board not only in the interests of the service, but in the interests of the country also.

Clause put and passed.

Clauses 54, 55—agreed to.

Clause 56—Performance of duties and powers of officer in his absence:

On motion by the MINISTER FOR WORKS, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at sixteen minutes past 10 o'clock, until the next Tuesday afternoon.

Legislative Assembly,

Tuesday, 25th October, 1904.

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THE SPEAKER took the Chair at 3:30 o'clock, p.m.

PRAYERS.

ELECTION RETURN, EAST PERTH.

The CLERK announced the return of writ issued for election to the seat for East Perth, vacant by the resignation of Mr. Walter James; and that Mr. John Edward Hardwick had been duly elected.

MR. HARDWICK took the oath, and subscribed the roll.

PAPER PRESENTED.

By the PREMIER: Post Office Savings Bank, statement of accounts, etc., for the year ended 30th June, 1904.

QUESTION—LAND GUIDES, PAYMENT.

MR. WATTS asked the Premier: 1, Is the Government aware that the payment of land guides, as instituted by the late Government, is causing gross waste of public money? 2, If so, does the Government intend remedying the matter, and in what direction?

THE PREMIER replied: The Government is aware that the land guides in some instances have not given satisfaction, and has taken steps to remedy the matter by dispensing with the services of a number of them with a view to appointing salaried men in their places.

QUESTION—EXPERIMENTAL FARM AT NANGEENAN, COST.

MR. WATTS asked the Premier: 1, Does the Government consider it is justified in spending a large sum of money on the experimental farm at Nangeenan? 2, What is the salary paid to the manager?

THE PREMIER replied: 1, The Government considers it is justified in maintaining an experimental farm at

Nangeenan, though it is not the intention to spend a large sum on it. 2, £250 per annum, but the manager's duties include the superintendence of the clearing contracts on the special settlement adjoining.

QUESTION—LAND SETTLEMENT, FREE PASSES.

MR. WATTS asked the Premier: 1, Does the Government intend to check the waste of revenue which has existed in the past through granting free passes to persons to inspect agricultural land? 2, If so, will the Government, as reported in the Press, compel all persons to pay their fares first, and allow a rebate of these fares when a greater amount has been paid by these persons on account of rent on selected land? If not, what do the Government intend doing?

THE PREMIER replied: 1, The issue of free passes has been stopped since the 15th inst. 2, Selectors have now to pay their own railway fares, and a refund is made if the deposit on the land selected is equal to 50 per cent. more than the amount of the fare.

QUESTION—AGENT GENERAL, INFORMATION BUREAU.

MR. RASON asked the Premier: 1, What steps, if any, has the Government taken, or intends taking, towards supplying the Agent General with reliable and up-to-date information as to the requirements and progress of the various industries of the State? 2, Does the Government intend to establish a Bureau of Information?

THE PREMIER replied: 1, Mr. James, before he left for England, paid a personal visit to the various Government Departments, and made arrangements with their respective heads for the transmission to the Agent General's office of such information as was likely to prove of value to him in regard to encouraging immigration to this State. It is intended that the transmission of such new information as from time to time arises shall be systematically carried out. 2, If the arrangements already made prove insufficient, the establishment of a Bureau of Information will be reconsidered.

BILL, THIRD READING.

STREET CLOSURE (KANOWNA), transmitted to the Legislative Council.

PUBLIC SERVICE BILL.

IN COMMITTEE.

Resumed from the 21st October; MR. BATH in the Chair, the PREMIER in charge of the Bill.

Clause 56—agreed to.

Clause 57—Officers not British subjects to be naturalised:

THE PREMIER: When discussing a prior clause, he had stated his willingness to amend this clause by deleting the words "before the commencement of this Act"; but on reconsideration this seemed rather dangerous, as it might prevent the retrospective action contemplated by the clause. A more ready means of meeting the objection of the member for Guildford (Mr. Rason) would be to provide by regulation for future admissions to the service. This power would vest in the Governor-in-Council, and would secure a safer method than any amendment of the clause. If, however, the clause were to be amended, better make it read "before or after the commencement of this Act."

MR. C. H. RASON: The clause already read "after the commencement of this Act." Under a previous clause it was optional with the Governor to admit to the public service persons not natural born or naturalised subjects of His Majesty; but by this clause we made it compulsory that any such person now in the service should at once become naturalised. Would the Premier give assurance that regulations would be drawn up to obviate any distinction?

THE PREMIER: Yes; the Government were anxious to do so.

MR. FOULKES: If the clause were passed as it stood, regulations could not be framed under it. There should be some provision by which power would be given to frame regulations under the clause.

THE PREMIER: Power to draw up regulations was not required in the clause itself, because the officers it was proposed to regulate would not come under this clause. The officers referred to in the clause were those already in the service. The regulations were required to refer to

officers who might be appointed after the Bill became law.

MR. RASON: It was expressly laid down in Clause 22 that persons not natural-born or naturalised subjects of His Majesty might be admitted to the public service. Clause 57 provided that such persons already in the service must at once take out letters of naturalisation.

THE PREMIER: It would be better to recommit Clause 22 and bring it into line with this clause.

Clause put and passed.

Clause 58—Rent charged to officers residing in Government buildings:

MR. NEEDHAM moved an amendment that the following be added as a subclause:—

This section shall not apply to teachers.

The object of the amendment was to preserve certain rights and privileges now held by teachers. Though the Premier gave assurance that teachers would not have their present privileges curtailed, yet by this clause they would lose certain of their present privileges. The salaries of teachers were somewhat misleading. By charging teachers with rent we would bring about a reduction of salary, and would inflict an injury on teachers. An increase in salary would mean an increase in rent without any corresponding increase in the value of quarters. Some quarters were not worth ten per cent. of a teacher's salary.

THE PREMIER: The amendment could not be accepted. It was not proposed to make any reduction in salary. There was no greater justification for exempting teachers from the operation of the clause than for exempting any other officers who occupied Government quarters. The object of the clause was simply to enable Parliament, when it voted a certain provision for an officer's salary, to know that what it voted was the full salary the officer was receiving. It would be better to increase the salary of the officer in proportion to the annual value of the quarters occupied, than to set down a specified salary which was not the actual salary but which was added to by the addition of quarters. It was better to treat every public servant alike and to charge rent to those for whom we provided house accommodation.

MR. MORAN: The officer would not have any choice, and would be com-

pelled to live in certain premises. Some premises were pretty tough places to live in.

THE PREMIER: Immediately a school was established it was regarded as the right of the teacher that accommodation should be provided. The reason in the first instance for having quarters attached to a school was that there was no suitable house in the neighbourhood available for the teacher. If the clause were carried it would be necessary for the Education Department to build suitable houses; and the rents would count as part of teachers' salaries. Sometimes quarters were built for a single teacher; and when a married teacher was appointed afterwards a large expenditure was required from the educational vote to provide better premises. Sometimes premises were erected for a man with a couple of children. Subsequently a man with six children was sent along, and the premises being then found unsuitable, there was no end of trouble and expense.

DR. ELLIS: Supposing a bachelor came along after a family man, would the bachelor have to pay the rent that the family man had paid?

THE PREMIER: If a house were provided, a reasonable sum would be charged. There would not be such pressing demands on the department to find increased accommodation if the increased accommodation meant increased rent. This principle was recognised in all the Public Service Acts in Australia, and if we recognised it, what justification could there be for exempting teachers? The amendment would strike a blow at the clause. The clause was a wise one, and he could not agree to the amendment or to the clause being removed from the Bill.

MR. W. NELSON supported the amendment. There was a distinction between teachers and other officers of the service. Teachers almost invariably had accommodation, and the Government provided that accommodation. It was desirable that teachers should live near their school, and exercise a kind of care over the building. Teachers should have decent surroundings. At first he was inclined to look on the clause as not dangerous to teachers, because he understood it was essentially of a formal nature, and that what the teachers would

lose in extra house accommodation they would gain in salary. But the Premier, unconsciously, had let the cat out of the bag, because he said the system would considerably abate the demand of the teachers for increased accommodation. Under this new system teachers were not likely to get the accommodation they now received; therefore there would be a substantial reduction in their remuneration. Teachers were very unanimous on this matter, and taking all points into consideration and the fact that accommodation for teachers seemed to be a recognised principle of the department, the addition suggested to the clause would not be claiming for the school teachers any special privileges, but preserving certain conditions which, on account of their peculiar work, teachers were entitled to.

DR. ELLIS: The statement of the Premier did not commend the clause to members. Was it proposed to increase the salaries of teachers and all others inhabiting houses belonging to the Government by an amount equal to the rent to be charged, and on what basis did the Government intend to make the valuations? These were important questions. Then arose the important question of making residence in a house provided by the State compulsory, whether the house was suitable or not. Supposing a man with 10 children was followed by a bachelor; would the bachelor have to pay the same rent as the man who had 10 children, although it was not necessary for the bachelor to have such accommodation?

MEMBER: That was a bachelor tax.

DR. ELLIS: There was no objection to a bachelor tax, if it was put straight to the House.

MR. HOPKINS: It was a fault the bachelors could grow out of.

DR. ELLIS: Teachers were not in such a happy position that they could find persons willing to share it with them. He would like to know what the Premier intended to do in view of the position stated by himself, and how much it was intended to raise officers' salaries, also on what basis the Government would fix the rent for Government quarters; because some of the quarters on the goldfields were erected in days when it was expensive to put up buildings, and a tax on the

capital value would not be fair in such cases. He took it that this would not be a tax on the salary, but on the house; therefore he would like a definite statement on the points raised.

MR. HOPKINS: Was it not a percentage on the salary?

DR. ELLIS: "A sum not exceeding 10 per cent. of the salary." The Government would not be able to charge more than 10 per cent. of the salary, but the clause did not say that the Government should charge on the salary at all, but on the house up to 10 per cent. of the salary.

MR. MORAN: The Premier and the Government were surrounded with a great difficulty. It had always been a troublesome matter in regard to providing residences, because obviously a place increased and grew in importance, and a house erected for an officer drawing a salary of £400 a year might later be occupied by one drawing £200 a year. The Premier, in moving the second reading, gave the Committee to understand distinctly that teachers under this clause were to be in no way interfered with, and that no existing privileges would be attacked. From the Premier's remarks now, it appeared that teachers were to be injuriously affected by the clause. The two speeches made by the Premier did not coincide. It was well to consider the views of the teaching staff on this question; and their ideas had been placed very succinctly before members. The teachers called attention to the fact that although graded up to £450 a year, there were only two teachers in the State receiving as much as £375 a year. Teachers were not well paid in Western Australia. [MEMBER: They were better paid than formerly.] In the past it was a scandal to see the small amounts placed on the Estimates for the teaching staff, whilst every other branch of the service was paid well. In Western Australia the Education Department was scandalously neglected, the salaries paid being less than those paid to teachers in the most miserable States, financially. He knew something about the salaries paid to teachers in Australia, and he could say that teachers were well paid in the East. When a State came on hard times one of the vines pruned first was the Education Department. Teachers in Western Aus-

tralia were not paid too well; they were hardly paid in keeping with the prosperity of the State and with the scale of salaries paid to other officials whose work was not of equal importance to Western Australia. The views of the teachers on the question of residence were entitled to some consideration. In the past the teachers had been neglected. He could give instances of teachers who were expected to live and keep a family on £90 a year. The teachers pointed out that if the rent was to be computed on the percentage basis of salary several anomalies would exist. Teachers on different salaries would occupy the same type of residence but pay different amounts in rent. That showed that the proposition was not a commercial one, for an increase of salary would mean an increase of rent without a corresponding value in the property. In the backblocks on the goldfields, teachers would have to pay high rent for very inferior buildings.

THE PREMIER: That did not follow.

MR. MORAN: If not, what was the proposal? Supposing we left the matter entirely in the hands of the Commissioner, surely the Commissioner would be the best man to decide these matters. He (Mr. Moran) did not believe in hedging him round in little details like these. Was it contemplated to increase salaries in all cases where there would be a charge for rent?

THE PREMIER: The member for West Perth was mistaken in saying the explanation to-day was somewhat in conflict with that given on the second reading. When speaking on the second reading, the interjection by the member for West Perth related solely to the case of teachers who were at present in the occupation of quarters—[MR. MORAN: Yes]—and he (the Premier) then replied that their privileges would be protected. The amendment now before the Committee was one to entirely exempt teachers from the operation of this clause, which was quite a different matter. In speaking this afternoon he spoke solely to the amendment. His proposal was that teachers at present holding quarters should not be in any way adversely affected, and if any amount were taken off their salaries for quarters, that should be made up to them by increase of salary—[MR. MORAN: That was satisfactory]—so that they might be in as good a

position after this clause had come into operation as before.

MR. MORAN: Would that be observed by succeeding Governments?

THE PREMIER could not answer definitely for any other Government; but he thought the tendency always on the part of Governments was to deal liberally, to go a little beyond justice in the direction of generosity, as a rule, in dealing with the claims of any body of Government servants. Some members seemed to think not; but that was his experience, and he had read through a great number of files at one time or another. It was obvious from the wording of the clause that the intention was to arrive at some valuation of the premises occupied. The amount chargeable for rent was limited, and it was in favour of the occupant. It could not be more than 10 per cent. on the salary the officer was receiving. His impression was that no teacher received more than £350, but taking the maximum at £370 the amount charged for rent could not be more than £37 a year, and he thought members would agree that was a very moderate sum for the quarters teachers occupied; at all events for those quarters built at any recent date. If a teacher had £200 a year, no matter what the house he occupied might be worth, he could not be charged more than £20 a year, or about 7s. 6d. a week. These remarks applied to the whole service. They applied equally to resident magistrates, who would be more affected by this clause than teachers, because every resident magistrate was provided with quarters; whereas only head teachers of the larger schools, and not the head teachers of infant schools, were provided with quarters. The clause would above all things enable the Committee, when voting salaries for officers of the public service, to know they were voting precisely the amount, and the whole amount, any officers were receiving. He trusted therefore it would be passed without amendment.

MR. RASON: The amendment was to add that the clause should not apply to teachers. This seemed at once to be creating an injustice to officers other than teachers. Members who were in the previous Parliament would be aware the Government had striven to arrive at the actual amount a member of the public

service received. The Government had shown each salary and other emoluments, quarters, or whatever they were, and had extended them into the total sum, endeavouring to give the House a fair idea of the total. If the position were as it used to be, A might receive, according to the Estimates, £150 a year, and B might receive £150, but A might also have quarters, light and fuel, and several other things, making the salary a great deal more than really appeared on the Estimates. If this clause passed as it stood, an officer receiving £300 a year might have quarters honestly worth £40, and would have to pay £30 as rent. This officer might be followed by another whose salary was only £150, and the value of the quarters would not be reduced in any way, but as the salary of the officer was reduced, the rental would become only £15. The 10 per cent. proposal seemed a precaution quite in favour of the officer. If we had the assurance of the Premier that this clause was not to inflict injustice upon one branch, namely the teaching staff, he (Mr. Rason) wanted an assurance also that it should not inflict injustice upon any other branch. He did not follow the argument that, if this clause passed, it would be compulsory to provide quarters. He would like to say also—and this was a reflection upon past Governments rather than the present—he had known several instances where teachers' quarters had been disgraceful; manifestly unfit for those who occupied them. But he had always found this to be the case, that whereas they were quite sufficient for the previous occupant, perhaps a bachelor or a spinster, the department in its wisdom sent along a married man with a large family, and of course those quarters which were quite sufficient for the previous occupant became wholly unsuitable for the one who followed. That was due to faulty administration rather than to the architect. Again, the department could not always provide against the increase of a teacher's family; hence quarters once sufficient became gradually cramped. The clause seemed fair to the service, provided that existing rights were safeguarded. We should not agree to anything which while favouring one branch would do a manifest injustice

to all others. Officers who were not teachers suffered greater disabilities as to quarters. Some railway officers were compelled against their will to occupy quarters and to pay rent. If we exempted the teaching staff from paying rent, why not exempt railway servants? We had the Premier's definite assurance that the Government did not intend to interfere with existing rights.

MR. HOPKINS: According to the Premier, an officer now distinctly privileged as to quarters would continue to enjoy that privilege. But by the Bill, the Commissioner was to rectify injustices such as overpayment and underpayment; yet he, according to the Premier, would have no power to interfere with an officer unjustly in possession of quarters. This would be good for the service, and would relieve the Commissioner of a great load; but what of the interests of the Crown?

MR. MORAN: It was a new suggestion that we should refrain from passing a law because of the Premier's assurance as to the future action of Governments. To make this certain, one Government would have to be confirmed in office for ever. In this matter we were hedged in by anomalies; but we should not discriminate between one department and another. Provide that the Bill should not affect the *status quo*.

MR. HOPKINS: Why not leave the matter to the Commissioner?

MR. MORAN: Rather leave it to him than rely on the Government to take a view favourable to the officers affected.

THE PREMIER: The action of the Government would follow on the Commissioner's recommendation.

MR. MORAN: No. The cases would be settled by the Commissioner, or by officers appointed for the purpose by the Governor. The Commissioner might be ignored. Why not strike out the clause, and throw the responsibility on the Commissioner? True, he might have great and recurring trouble as officers shifted about; but he would soon fix on a fair basis. Again, we might strike out the words "or by officers specially appointed by the Governor," or insert as a sub-clause, "This clause shall not in any way affect existing rights."

THE PREMIER: The words recommended to be struck out were rather

valuable. An officer occupying quarters at Broome could not be visited by the Commissioner for the purpose of valuation; and an officer appointed by the Governor would fix the rent payable.

MR. F. F. WILSON supported the clause. If the matter were left to the Commissioner, his whole time would be taken up with disputes as to rents. The clause should operate throughout the Commonwealth, every person paying rent in proportion to his income. Some people outside the service, receiving £2 10s. a week, paid 15s. a week for rent.

THE CHAIRMAN: The hon. member could not deal with that.

MR. F. F. WILSON: It was said two teachers with different salaries, occupying the same class of house, would by the clause pay different rents, and that this would be an anomaly. But surely the teacher with the higher salary could pay a higher rent. Though some of the quarters were inadequate, yet in many places teachers were far better provided for than outsiders with smaller incomes, working under less favourable conditions. By the clause a teacher in Perth with £350 a year would pay only £35 rent, though his house would in open market be worth £78 per annum, giving him an advantage of £43 over an outsider.

MR. A. J. WILSON: Teachers should receive sufficient salaries to enable them to pay fair rents. It was surprising to hear Labour members advocating special privileges for a section of the service. Pay teachers well, and see that they paid adequately for their quarters. We should not say that because an officer lived in extravagant quarters he should pay a higher rent. Civil servants, if given the option, would choose an adequate remuneration in place of privileges. The clause should provide that the Governor might, on the recommendation of the Commissioner, direct that a fair and reasonable sum as rent should be charged for Government premises. It was wrong to deduct sums from any employee's wages for counter services rendered by the employer or State.

DR. ELLIS: The civil service should be well paid consistently with the work done; and State servants occupying quarters should be charged a proper fee when properly paid, but not if they were compelled to occupy premises for the

convenience of the State. In the Education Department there were many disadvantages attached to living in houses close to the schools. Teachers were expected to look after the schools and their surroundings, and the service so rendered should be sufficient to cover rent. Privileges were bad in themselves; and the State should not lower salaries in an indirect method by having privileges to cut at. We should hand this matter of rents over to the Commissioner, who could take into consideration the character of the premises and the general circumstances of the man who was appointed to any post. We gave the Commissioner a free hand in everything else. Why shut his hand in this? We should not leave the matter to the vagaries of the political head of a department. The Commissioner would be above suspicion. If rent were to be charged only up to 10 per cent. of teachers' salaries, the Education Department would take this fact into consideration in the construction of teachers' dwellings, and would not be inclined to put up bigger quarters than would be reasonably covered by the 10 per cent., which would create injustice. In some parts of the State it was important that quarters must be of good character in order to get good work out of the State employees. We could not treat our public service too well. The better the wages and the better the conditions, the better the work done, and the more right we would have to insist on good work being done. One of the curses of the civil service in the past had been that we could not insist on good work because we did not give good salaries or good quarters sufficient to justify our demanding a good value of work. The same law prevailed in the civil service as in private work. The man who believed in raising wages to the highest possible standard was doing a permanent good to the State.

MR. NEEDHAM: Though the Premier stated it was not intended to abolish existing privileges, Governments did not go on for ever, and we should safeguard the interests of our employees. The amendment might be waived if the Government were prepared to raise salaries; but the clause meant a reduction in salaries. We should deal with the clause with an eye to the future. The present

Government had at heart the welfare of all public servants, but future Governments might not be so favourable.

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

Ayes	3
Noes	28

Majority against ... 25

AYES.	NOES.
Mr. Needham	Mr. Angwin
Mr. Troy	Mr. Bolton
Mr. Nelson (Teller).	Mr. Daughish
	Mr. Ellis
	Mr. Gill
	Mr. Gordon
	Mr. Gregory
	Mr. Hardwick
	Mr. Heilmann
	Mr. Henshaw
	Mr. Hicks
	Mr. Holman
	Mr. Hopkins
	Mr. Horn
	Mr. Isdell
	Mr. Johnson
	Mr. Layman
	Mr. McLarty
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Moran
	Mr. Mason
	Mr. Scaddan
	Mr. Thomas
	Mr. Watts
	Mr. A. J. Wilson
	Mr. Diamond (Teller).

Amendment thus negatived.

MR. W. NELSON moved an amendment, that the following new subclause be added:—

This section shall not be construed to deprive a civil servant of any rights or privileges.

The object was to give something like definiteness to the promise of the Premier. He agreed that the Premier did not contemplate depriving teachers of any privileges. The idea was merely to so alter matters that when speaking on the Estimates, or when the salary of a teacher was referred to, we should know exactly what the salary was. The value of the house accommodation should be added to the salary, but the teacher should pay from his salary the value of the accommodation enjoyed. Supposing a teacher received £250 per annum and he occupied a house worth £30 per annum, in future that teacher would be represented as receiving £280. The Premier assured the Committee that the intention was not to deprive teachers of any privileges and not to reduce their present remuneration, and that officers entering the service after the passing of the Bill would not be deprived of any privileges enjoyed by

those already in the service. At present the clause was so obscure that any future Government might interpret it differently. It was absolutely unjustifiable to seek to confer on any part of the service privileges denied to other portions of the service. The reason he supported the amendment just decided was that teachers working under special conditions should have special privileges, but he did not desire that they should obtain privileges that others were denied.

THE PREMIER: The subclause was not necessary, and if it were desirable to insert a provision of that nature the subclause might have a more far-reaching effect than was anticipated. He had explained plainly to the Committee his views on the subject, and they were that those in occupation of quarters should not be deprived of any portion of their income by the operation of the clause.

MR. MORAN: That private expression of opinion was not worth the words used in giving it.

THE PREMIER: The hon. member must bear in mind that even in a court of law, where a case was being decided on the interpretation of an Act, the intention of Parliament was taken into consideration.

MR. MORAN: Only as a last interpretation.

THE PREMIER: No.

MR. MORAN: That was so.

THE PREMIER: If an amendment was desired, then it should be of a more definite character than that proposed; because it might be held to be the privilege of any pupil teacher or monitor beginning in the service to work up to a position in which he or she should be entitled to quarters.

MR. MORAN: That would not be a privilege now enjoyed.

THE PREMIER: The amendment read that the section should not be construed to deprive a civil servant of any rights or privileges.

MR. NELSON: The word "existing" should go in.

THE PREMIER: There would be a great danger that the Committee would simply be destroying the operation of the clause by introducing the amendment. He believed the purpose of the hon. member was to provide that the provisions of this clause should not apply to any officer

already in occupation of quarters. If the hon. member desired to move in that direction, it would be much better to make the amendment specific.

MR. NELSON: That was not the intention.

THE PREMIER: Then the amendment must be opposed.

MR. NELSON would take what he could get.

THE PREMIER: A subclause reading as suggested by him (the Premier) would really carry out the undertaking already given to the Committee; but as to the subclause proposed by the hon. member, one did not know where it would lead.

MR. MORAN: The hon. member should adopt the suggestion of the Premier. He (Mr. Moran) was quite content to take it.

MR. NELSON: Yes.

Amendment by leave withdrawn.

MR. NELSON moved an amendment, that the following be added as a subclause:—

The provisions of this section shall not apply to any officer already in occupation of quarters.

MR. RASON: Apparently some members desired to go far enough, but they were now going too far. Was it to be optional with the Government of the day whether they would direct or not direct that rent should be charged? Presumably there should be one system throughout the whole service, that rent would or would not be charged for quarters. If the clause was to be operative, rent would be charged; but this amendment would provide that it should not be charged to anyone who occupied quarters at the present time. One person occupied to-day and another would occupy to-morrow; so the one occupying to-day would not pay rent, but the one occupying to-morrow would. That was not what the Committee wanted. The Committee wished to make it perfectly clear that no existing civil servants' rights should be interfered with, and apparently they were not obtaining that object by the proposed amendment. The Premier should agree to recommit the clause.

THE PREMIER said he was going to suggest that if the amendment were withdrawn he would go into the matter between now and the passing of the Bill, and endeavour to draft an amendment

which would meet the intention of members.

Amendment withdrawn, and the clause passed.

Clause 59 — Services of incapable officer may be dispensed with:

MR. HOPKINS moved an amendment—

That the words "may refer the question to the Governor, and if" be struck out, and "shall inquire and determine whether" be inserted in lieu.

If the amendment were passed, the obligation would be thrown upon the Commissioner to inquire and determine whether an officer was unfit to carry out his work. The clause would thus be more easily operative.

MR. MORAN: The power of dismissing an officer would still remain with the Governor.

MR. HOPKINS: Yes; but if the amendment were adopted, there would be a quicker method of doing business than would otherwise be the case.

THE PREMIER: The whole clause was permissive, and it was copied, not in its full details but in its permissive nature, from the Commonwealth Act. He did not know that there was any necessity for the reference to the Governor. The intention was that the Commissioner when making that reference should likewise make a recommendation, because on that recommendation the Governor would deal with such officer. No objection was offered to the amendment, which would necessitate, however, a subsequent addition of the word "and" after "office."

Amendment passed.

MR. HOPKINS moved a farther amendment:—

That the word "Governor," in line 2, page 21, be struck out, and "Commissioner" inserted in lieu.

THE PREMIER: This would alter the whole effect of the Bill.

MR. HOPKINS: There was an appeal board.

THE PREMIER: Throughout the Bill the power of dismissal and the whole responsibility for management of the service were retained in the hands of the Governor. The amendment must therefore be opposed by the Government.

MR. HOPKINS: The futility of pressing such a point was obvious.

Nevertheless, suppose an officer was reported incapable; the Commissioner inquired, said he was incapable and must go; then the officer, dissatisfied with the determination of the permanent head and the Commissioner, appealed, and the appeal board said he was incapable and must go. Still, the duty of dismissing him was imposed on the Governor. It was reasonable that the Commissioner should have power of dismissal. Were not officers adequately protected?

MR. A. J. WILSON: The Commissioner should determine whether the officer was to be transferred or retired.

THE PREMIER: Throughout the Bill the Commissioner recommended and the Governor acted. This clause corresponded with other clauses already passed.

THE CHAIRMAN: If the Premier wished to follow the course taken with the last clause, the words "on the recommendation of the Commissioner" should be inserted after "may," in line 6.

THE PREMIER: The Commissioner had to inquire and report; therefore the Governor could do nothing until appealed to by the Commissioner.

MR. A. J. WILSON moved a farther amendment:

That the words "on the recommendation of the Commissioner" be inserted after "may," in line 6.

The clause did not provide that the recommendation should be at the discretion of the Commissioner.

MR. HOPKINS: On condition that the Premier accepted this amendment, he (Mr. Hopkins) would withdraw his amendment.

Amendment (Mr. Hopkins's) by leave withdrawn.

Amendment (Mr. A. J. Wilson's) passed, and the clause as amended agreed to.

Clauses 60, 61—agreed to.

Clause 62—Annual leave for recreation:

MR. MORAN moved that the following be inserted as Subclause 5:—

The period of leave of absence for recreation which may be granted to officers stationed in places remote from large centres of settlement, or whose duties cannot ordinarily be performed within regular hours, shall not necessarily be limited to two weeks, but shall be limited as may be prescribed.

This provision, taken from the Commonwealth Act, was more necessary here

than in that Act, and would appeal to members representing outside centres. Officers whose duty could not ordinarily be performed within regular hours included such as warders in gaols. The Commissioner would thus have power specially to favour extraordinary cases; and in so large a State as this the power was necessary. Was two weeks' leave to a man in Yalgoo the same as two weeks to a man in Perth?

MR. NEEDHAM: Were gaol warders and hospital nurses within the scope of the Bill?

THE PREMIER: Yes. Full power was given the Governor to grant special leave throughout the departments, and apparently special cases had in the past been adequately treated. The provision for extended leave to officers in remote places was unobjectionable; but if it were granted to those whose hours were irregular, we should have endless applications for special favours from officers of every department. If that portion of the amendment were excised, he would not object to the preceding portion. An officer in a place so remote as Broome, or in a place like Black Range, far from railway communication, should have longer leave than one working in Perth; but longer leave in respect of overtime might lead to working needless overtime. A man might work overtime because he was a slow worker or did not assiduously attend to his duties; and his want of industry might thus give him a right to longer leave than was granted to a more industrious officer.

DR. ELLIS supported the amendment. The Premier, while considering one section of the service, was ignoring another. The amendment was permissive, and simply recommended the Commissioner to consider favourably officers in remote places and officers overworked at certain times of the year. He (Dr. Ellis) had, in treating typhoid patients, been obliged to work nurses from 12 to 14 hours a day for from three to five months. The nurses were then completely knocked up, and some of them had their health permanently injured. The Bill should make it clear to the Commissioner that Parliament favoured long leave to such servants. What was the difference between the hardship of living in a remote part of the State and

the hardship of being forced to work extraordinarily long hours? A large number of officers was now being unfairly treated as to leave. During a slack time, nurses, for instance, should have long leave so as to prepare them for the next busy season. In this and similar employments the busy times of the year were fairly accurately known.

THE PREMIER: Provision was already made to deal with officers serving in the tropics.

MR. MORAN: But there were places like Lake Way, and other districts towards the South Australian border.

THE PREMIER: This clause gave every officer an indefeasible title to a fortnight's annual leave. It was not permissive. If the words "or whose duties could ordinarily be performed within regular hours" were expunged from the amendment, it could be accepted. There was no necessity for these words, for the Commissioner would always take all the circumstances into consideration.

MR. MORAN: No. There was no permission to give long leave unless it was provided for.

THE PREMIER: There was full power to make regulations to provide for special cases.

MR. MORAN: Under what clause could we deal with the case of nurses?

THE PREMIER: could not say. There certainly was a claim for long leave from persons who had to work long hours during certain periods of the year; but if overtime were recognised on the one hand, undertime must likewise be taken into consideration.

MR. FOULKES supported the amendment. The Premier was wrong in saying that regulations could be framed to meet the cases mentioned by the member for West Perth. Unless the power was specified in the Act, regulations on these matters would be *ultra vires*. Power was given to make regulations in the case of sick leave, but that was not the same thing.

THE PREMIER: "Illness or other pressing necessity."

MR. FOULKES: Such words must be read with the context.

MR. MORAN: What were we to do if a new mining field broke out? There would be a sudden rush of work, and the officers of the Mines Department who

would have to work night and day ought to be entitled to some compensation when times got quieter. Two weeks' leave of absence to an officer in a remote district was not sufficient. The time would be spent in travelling down to the coast.

MR. RASON: The amendment might have been dangerous, but it was sufficiently safeguarded. Provision was made in the Bill for more than two weeks' leave of absence for officers serving in the tropics only; and a fortnight's leave was not sufficient to an officer working in a remote district in other parts of the State. The officer would not be able to leave his district because of the time required for travelling, and thus would not get change of air. The amendment gave the Commissioner the power of recognising extraordinary circumstances; and if the civil servant was entitled to more than two weeks' leave the Commissioner could give it; but there was nothing compulsory about it. The amendment might do good, but could not possibly be utilised to do harm.

MR. MORAN: The Commissioner in all applications for leave for overtime should sternly refuse them. If the intention of the Legislature was to be taken into consideration, the clause was to be taken as bearing on extraordinary cases and not on ordinary cases of overtime.

Amendment passed, and the clause as amended agreed to.

Clause 63—agreed to.

Clause 64—Deduction of pay for unauthorised absence:

MR. A. J. WILSON: Would this clause be construed that officers could stay away for an indefinite period on the forfeiture of pay, or that an officer could extend his holiday merely by the forfeiture of pay?

THE PREMIER: There was no danger of that occurring. An officer would be liable to a penalty if he were absent without a reasonable excuse. This clause simply took away any claim an officer might have for pay for a period during which he was not present to fulfil his duties.

Clause put and passed.

Clauses 65, 66—agreed to.

Clause 67—Long-service Leave:

MR. MORAN: The member for Pilbarra and the member for Kimberley regarded as most important the fact that

officers working in the tropics should have the right of demanding a removal to a more temperate district after three years. In any Public Service Act a humanitarian clause providing that no officer should be compulsorily made to serve in the tropics for more than three years should be inserted. The Commissioner might be trusted to deal with this matter; but we ought to make it permissive that the officer working in the tropics should have an absolute right to demand a removal to temperate latitudes. It was a crying shame that many men working in the tropics had been applying for a removal from the North and could not get it. They existed through the summer heat and the discomforts of the North, and in such cases life was hardly worth living. So that it might not be made compulsory, he would point out that there were civil servants who did not care to live outside the tropics. Residence there unfitted people for residence in more temperate climates, but there was a general desire on the part of civil servants, more especially married men with young children, to demand removal south after three years' service. This point was not quite germane to the clause, but he asked the Premier's opinion on it.

MR. ISDELL: Civil servants in the northern portion of the State could not take advantage of any of the holidays granted under the Bill. Take an officer at Hall's Creek for instance. It took a fortnight to reach Derby, then three weeks to come to Perth, and three weeks to go back again. Public servants should have the right of removal after three years' service. Under the Police Act a constable had the right of removal after three years' service in the North.

THE PREMIER: There was no question that officers living in the tropics suffered under great disadvantages that might have serious effect on some constitutions right through the term of life. The difficulty that faced every Government department was that there were comparatively few officers willing to serve in the North, and the trouble arose when it was desired to transfer an officer from the tropical district to the south, that it was difficult to find an officer to replace him. One officer married a wife and therefore could not go; another had

children requiring to be educated, and a third had a mother or father or some other relative who could not be taken up North, and the income was not sufficient to keep the officer there and maintain his relative down south. The trouble in every department was to find an officer to replace the man up North. He quite saw the necessity of making provision to protect officers having to serve too long a term in the North, and between the present time and the final passage of the Bill he would see if it were possible in any way to frame a clause that would be effective in this direction. At the same time members must realise the difficulty in getting officers, especially those in the higher positions, to go up North.

MR. MORAN: If officers entered the service under the conditions they must do their duty.

THE PREMIER: The way to get at it was to issue an order and make compliance with that order compulsory. There was an order at the present time, but often influence was brought to bear so that the order was not enforced. He hoped it would be possible for the Government or the Commissioner to enforce transfers to the North or to any other portion of the State. He would confer with the Crown Solicitor and see if it were possible to draft a clause embodying the suggestions.

MR. TROY: When the Premier was considering this matter he might also look into the question of officers in the back-block goldfields districts being transferred. On the Murchison some of the officers were as badly off as those in the northern portion of the State.

MR. MORAN: The tropics were the tropics.

MR. TROY: The conditions of life on the Murchison were worse in some cases than in the North.

MR. MORAN: There was nothing known of fever and ague on the Murchison, where the climate was very fine.

MR. TROY: There was no such thing as fever and ague at the Gascoyne. He wished the Premier to take this matter into consideration.

MR. DIAMOND: In 1886 he went to Derby, and if the conditions were to-day similar to what they were in 1886 he would not like to be a Government

officer in that district. The post office in Cossack was on top of a sandhill, a place most uninhabitable, and the heat was terrific. The officer in charge had no assistant, not even a messenger boy to deliver telegrams. One did not think the conditions on the Murchison were so bad as those in the tropics, although the civil servants on the Murchison deserved consideration.

MR. MORAN was quite willing to accept the suggestion of the Premier. He could conceive no possible excuse for leaving a clause of this kind out of the Bill. All the exceptions given by the Premier were of officers who had used their influence to dodge going to the North. We desired to stop such influence and absolutely stifle it altogether. Men should go where they were transferred, for there were men in the North clamouring for removal and not able to get it.

MR. NEEDHAM moved an amendment:

That Subclause 3 be struck out.

The clause dealt with long-service leave. The chief benefit the teachers would derive from the passing of the Public Service Bill was long-service leave being extended to them. It was desirable to make the Education division as attractive as possible. Already difficulty was experienced in obtaining competent teachers. It was admitted that the schools were closed for seven weeks of the year, but one of the weeks included six schedule holidays, and another week was taken up in attending special classes, etcetera; in fact a great portion of the six weeks was devoted by teachers in attending to drill. Teachers were expected to do their mechanical work in their spare time. Officers joining the service at 18 could obtain 15 months' short-service leave and 18 months long-service leave during their term of office, while teachers could only obtain six months on short or long leave. He suggested that the Premier accept the amendment. He failed to see why teachers should be denied the privileges mentioned in this clause. We had already to-day stipulated that we would not have any special class legislation.

MR. MORAN: The ordinary term for long-service leave was, he thought, fourteen years under paragraph (a). Was it worth while raising the term for teachers to twenty years? There was no

more onerous occupation in life than honest and conscientious teaching. The teacher stood still whilst the stream of humanity passed by at the earlier stages, and he never got beyond training the young idea. The holidays were not given for the teacher, but specially for the pupils, and examinations took up a fortnight of that time. The teachers had a few weeks every year, but they could not travel to educate their minds. Where a teacher had served well for fourteen years the State would not be injured by giving long-service leave. If the term were made twenty years, how many would get long-service leave, especially women?

THE PREMIER could not accept the amendment. The great danger our educational system suffered under was that it might become so expensive that the public would rebel against it. [DR. ELLIS: There was no sign of it yet.] The expense was growing year by year. In the ordinary public service this leave was so liberal that now, when it was taken fair advantage of, the departments were beginning to feel the pressure of its operation. It meant that after seven years an officer might be away for six months on half pay or three months on full pay. In addition to the ordinary annual leave, every teacher got at least seven weeks' leave in the year in the shape of holidays. Though that was because the schools were closed, the fact remained that this recreation holiday was available. Holidays were granted to so recuperate the system of the public servant as to keep him fit to efficiently discharge his duties. The member for West Perth talked about giving the leave after 14 years. If paragraph (b) were struck out, the effect would be that teachers would be entitled to three months' leave every seven years. [MR. NEEDHAM: Quite right.] It was very easy to say "quite right," but the department could not stand this strain of having a very large proportion of the staff absent. The leave was the most liberal of any State in Australia. Year by year, one might almost say month by month, the number of teachers taking advantage of it was increasing, and in some departments there was great difficulty in finding means to meet the strain. If the amendment were carried, it would

mean a very considerable increase of staff.

DR. ELLIS: About one in 50.

THE PREMIER: One in 28.

DR. ELLIS: There were the female teachers.

MR. NEEDHAM: Sixty per cent. were females.

DR. ELLIS: More than half of them dropped out of the service in the time.

THE PREMIER: A very large proportion did not drop out of the service. Many girls who entered the vocation of teaching remained teachers to the end of their days.

DR. ELLIS: How many would be affected by this?

THE PREMIER: It was impossible to answer off-hand questions so readily asked. It was possible to go too far in liberality towards public servants. Independently of the recreation leave, members of the teaching staff got sick leave on full pay; a thing which had been stopped in several of the other States. They got liberal holidays, they had annual leave, and now we were asked to increase their leave by long-service leave. The proposal was unreasonable, and he hoped the Committee would not agree to it.

DR. ELLIS was strongly in favour of giving this extra leave. He did not see why teachers should be in a more disadvantageous position than anyone else, by preventing them from having the opportunity to travel. If there was one person more than another who wanted to travel, it was a teacher. One would almost make it compulsory that every teacher should go to the other States at least once in seven years. [MEMBER: They had seven weeks now.] He had not heard any part of the State object to any money spent on teaching; on the contrary, everywhere the people were in favour of money being spent on it. Anything which made teachers bright and brilliant and taught them what was going on in the rest of the world was highly advantageous to the State. The whole of the rising generation came under the domination of teachers. Nothing tended to make people so monotonous as teaching. Teachers got a bad tone of mind; they got dictatorial, and became objectionable as a class. He did not hold the view that we gave holidays purely to get the greatest amount

of work out of the teachers. As to the number who would be affected by the proposal, he very much questioned whether it would be one in twenty-five of the present staff. He thought that if inquiry were made, it would be found to be more like one in seventy-five, and we might stand that extra expense.

On motion by the PREMIER, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at half-past 6 o'clock, until the next Thursday afternoon (the National Show intervening).

Legislative Assembly,

Thursday, 27th October, 1904.

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THE SPEAKER took the Chair at 3:30 o'clock, p.m.

PRAYERS.

QUESTION—MINING INJURIES, KALGOORLIE.

MR. SCADDAN asked the Colonial Secretary: How many persons have been admitted to the Kalgoorlie Government Hospital during the present year, suffering from injuries received on the Kalgoorlie mines?

THE COLONIAL SECRETARY replied: During the present year, up to 30th September last thirty-one persons suffering from injuries received on the Kalgoorlie mines had been admitted to the Government Hospital at Kalgoorlie,