been a demand from time to time for a change in our Parliamentary system. Although the Bill does not go as far as we would like, it will afford an opportunity of testing the sincerity of members who pretend that they want justice for the people as a whole. The Bill provides a step in the direction of reform. I am afraid that some of the members on the Government side who have spoken on this question are not sincere.

Mr. Brown: Try them.

Mr. TROY: I believe the hon. member is sincere. I think he is on the wrong side of the House.

Hon. W. C. Angwin: He should have been over here all along.

Mr. Brown: Let us go to the division now.

Mr. TROY: If members on the Government side desire to adopt full adult franchise, we will support them. I hope to see the one Chamber system adopted, for the Legislative Council is the greatest obstacle in the way of reform that we have at the present time.

On motion by Mr. Willcock, debate adjourned.

House adjourned at 10.56 p.m.

Legislative Council,

Thursday, 18th November, 1920.

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

MOTION—ELECTRICAL ENERGY.

To Inquire by Royal Commission.

Hon. J. EWING (South-West) [4.31]: I move—

That in the opinion of this House the Government should appoint a Royal Commission to inquire into the feasibility of generating electrical energy at Collie and transmitting the same from there with a view to reducing the cost of the supply of power for industrial and domestic purposes at centres where it is required.

I have to thank you, Sir, and the House for the courtesy extended to me on two occasions in agreeing to a postponement of the motion. My reason for moving those postponements was that I was particularly busy at the time and, being of some importance, the matter required considerable attention before it could be placed before the House. The present is an age of electricity and it is the duty of the Government to anticipate the future and make provision for all developments, and for the ever-increasing requirements in respect of electrical energy. My aim is to endeavour to point the way by which power can be generated at Collie, or any other centre in Western Australia which would be better than Collie—Collie is the only one we know of at present—at the minimum cost and transmitted to Perth. By adopting such a scheme we should be advancing the interests of this great State and developing our natural industries. I do not for a moment pose as an expert in this matter. In fact, I am only too well aware that my knowledge of electricity is somewhat limited, but from a study of what is going on in other parts of the world, especially Canada and America, and of what is going on in the Commonwealth of Australia, I hope to be able to convince the House of the necessity for the proposed inquiry. Moreover, I hope to induce other members with a greater knowledge than I have of this important question to place that knowledge before the House and so help me to secure a Royal Commission or an advisory board which will thoroughly and exhaustively inquire into the question. The Victorian board to which I will refer later on was a board of experts. I have no intention of asking the Government to appoint any but experts who thoroughly understand the question and who will be able to place before us a report which shall be equally valuable to Western Australia as the report which I have in my hand has been to Victoria. I have from time to time advocated private enterprise, and I have no intention whatever of asking the Government to take up this enormous question themselves or to find the necessary money in order to generate electricity at Collie and transmit it thence to Perth. What I ask them to do is to incur the initial expenditure for this inquiry. That expenditure will be considerable, because the inquiry must not be carried out in any half-hearted manner. Then, when the data has been collected and is available, I am convinced from what I know of people in the old country and in America that if a reasonable scheme is put before them the money will be forthcoming to develop this great enterprise for the

benefit, not only of those who invest that money, but of the people of Western Australia.

Hon. R. J. Lynn: You mean to hand it over to private enterprise?

Hon. J. EWING: That can be considered later on. I think such conditions could be laid down as would make it perfectly safe to allow private enterprise to handle this great concern, handle it perhaps better than the State could do. The Minister for Railways on the 24th August made an interesting statement in the course of which he sounded a pæan of praise of those responsible for the establishing and operating of the present power house. I am convinced that that praise is quite justified, that those connected with that scheme have given of their best, and that the result has been as satisfactory as the existing conditions would allow. But it would be imprudence in this or any other Government to think that the last word has been said in regard to electricity and its transmission and use in Western Australia. Personally, I am of opinion that we are just at the dawn of this great question, and that the years to come will show that my prediction is correct. I wish to impress on the Government the great necessity there is for considering the position thoroughly. That is shown by what happened 17 years ago. We took no heed of it at the time, but had we done so it would have enabled us to save a considerable amount of money. The Minister for Railways said—

> The latest figures disclose very satisfactory results and evidence the importance of electric power in Western Australia. I desire to emphasise this importance largely from the point of view of the fact that electric current is in reality Collie coal turned into a form of heat, power and light as against the production of gas, which is imported coal turned into similar commodities. What this means to Western Australia is apparent when I mention that last year we used 31,000 tons of Collie coal at the power station. From that standpoint alone the use of electricity is of great importance to our local coal industry.

Surely this is eloquent testimony to the great value of the coal fields of Western Australia. It certainly shows the striking relationship there is between those great deposits and the industrial life of Western Australia. As Perth advances, so will the consumption of Collie coal at the power house increase, and I venture to say that the time is not far distant when the Government will have to consider the economic question, the advisability of generating their electricity at the seat of the coal measures and transmitting it to Perth or wherever else it may be required. I have not been able to go technically into this question, to tell the House exactly what the scheme will be and at what price electricity will be supplied in Perth. That is beyond my knowledge, but I think I shall be able to make out a case to satisfy the Government that it is not economical to carry coal 125 miles when it can be utilised at the coal centre to far greater advantage. The report of the working of the Government railways and tramways for the year ended the 30th June last contains a statement in respect to the electrical department showing that of the general costs of administration 75 per cent. was for the purchase of coal fuel. If I am wrong, if electricity cannot be generated and transmitted at a much lower cost, at any rate I shall be able to make out a case that will call for investigation. There is in that report a paragraph showing that the fuel was costing them 6s. 11d. per ton at the pit's mouth and that they have to add to that the freight, which brings it to 13s. or 14s. During the financial year the coal rose in price to 9s. 6d. owing to an award given in the Eastern States. That was a very serious factor in raising the cost of production. But what is the position to-day? The price of coal has gone up another 3s. or 4s. per ton and the Government have nearly doubled the railway freights. I venture to say that a ton of Collie coal cannot now be landed in the power house at East Perth at less than 24s. or 25s. What is going to be the cost as the years go by? The cost of the coal may go up again and wages may go still higher. The economic position is unsound, and I am sure that after investigation we shall come to the conclusion that we are wasting the people's money right and left. The cost at the power station last year amounted to £14,862. Of that cost no less than £11,029 was caused through the rise in the price of Collie coal, or, at any rate, by the extra price that had to be paid for it. The operating costs at the power house were as follows: Management .05d. per unit, generation .49d. per unit, distribution .02d. per unit, antiquation .08d. per unit, which is a very large sum. I am not quite clear what antiquation means. Probably it means that they had obsolete and poor machinery when starting this enterprise, and that from time to time they have replaced it and in consequence have had to find a large sum of money. The interest amounts to .25d. per unit. No sinking fund is provided. That means that every unit generated at the power house is costing .89d. Coming to the selling price, the tramways pay .957d. per unit and the city council .75d. per unit. The selling price in comparison with the cost of production works out at .869d. per unit, showing a loss of .25d. per unit, or approximately £1,800 per annum. The city council receive their supplies at .75d. per unit, which means that a loss is being incurred of .14d. per unit of the current supplied. When the position is analysed we find that this means a loss to Western Australia, through supplying

current at that price, of something like £3,750 per annum. The other night the Minister for Education in addressing the House showed clearly that a contract had been entered into between the Government and the Perth City Council for a period of 50 years. The supply at present is at the rate of .75d. per unit, and represents this loss of £3,750. That was the cost for last year. The cost for this year will, I venture to say, be much more. It will be found that they will not be able to sell at the average price of .869d., but that it will be considerably over 1d. a unit for bulk supplies. I think it will be found that the generation of electricity in Perth is being done as cheaply now as it will ever be, because the cost of fuel is going up and the cost of labour is going up, and we cannot expect to be in a better position than we are now. Provided there is no further consumption, the minimum loss will therefore be in the region of this sum of £3,750 per annum. We are looking forward to the development of this great country. We expect in, say, 10 or 12 years that there will be a very considerable consumption of electricity. If this development does take place, it means that on every additional unit sold there is a loss to Western Australia of .14d. It is easy to imagine that at the end of a few years, with a vast improvement going on in the State and a great development, we shall be losing a huge sum of money, merely that we may supply the Perth City Council for a period of 50 years at .75d. per unit.

Hon. J. Duffell: You infer that the overhead expenses will increase accordingly?

Hon. J. EWING: I know the cost of fuel and the cost of labour will not decrease for many years. If that is the case, and the consumption increases, as it certainly must do if we go ahead, there is going to be a huge loss to Western Australia. Even on the basis of the present loss it will mean a loss of about £200,000 or a quarter of a million pounds in 50 years. I am not going to probe into the question as to why this concession was granted——

Hon. J. Nicholson: It was not a concession; it was an agreement.

Hon. J. EWING: Nor into the question of how it was granted, because it does not affect my argument. The fact remains that this arrangement has been made. If it was an agreement, it was a bad agreement. Those responsible for making it are not deserving of the commendation of members because they did not look ahead as wise rulers of the State. We are faced with this loss through supplying the Perth City Council at a reduced price, and we have to do something to overcome the difficulty. The only way to overcome it is by generating electricity at a lower rate, and bringing down the cost so that it may be possible to eliminate the loss. I hope, as the years go by, that we shall not only eliminate the loss but also be able to supply current to the Perth City Council at a lower amount than that at which it is now being supplied. I am satisfied that my motion is fully justified on the ground that we are faced with this very serious position. The citizens of Perth may benefit by being able to get this cheap power, light and heat, but all the other people who are trying to develop the State and work up our industries have to pay an increased rate for current over and above what they ought to be paying, in order to make up the loss sustained through supplying the city at an unreasonable and unfair rate. There is no doubt that the ultimate result will be a serious one. It is our bounden duty, and it justifies me in taking up the time of the House, to go into this question. I ask hon. members to support me in my endeavour to obtain the sympathy of the Government to create this advisory board which I hope, and truly believe, will point the way to our overcoming the difficulty. It will be within the knowledge of members that some 16 years ago a very illuminative and valuable paper was read before the engineers' association of Western Australia by Mr. Edmiston. I know the gentleman and have a great regard for his opinion and ability. He was, at the time this paper was read, a Government officer. I have been surprised to find how closely his work compares with the work of the advisory board appointed in Victoria. His figures are very close indeed to theirs, and I will place them before the House. We did not look far enough ahead 15 or 16 years ago when dealing with this question. Had it been probed to the bottom at the time, and had we ascertained what wonderful coal we had in Collie, and what a wonderful supply of most suitable water for condensing we had there, we might have avoided the great expense we have incurred at the power house. If the Government had gone into the question at that time, the position would have been such that they would probably not have gone to the expense of erecting works at East Perth at a cost of probably half a million pounds. The power house would, instead, have been erected at Collie and we would to-day have been reaping the benefit of that foresight. I regret to say that apparently Mr. Edmiston did not make sufficient impression upon the engineers in charge, or the Government of the day, for he and his report were brushed to one side. The result is that we have an expensive power house at East Perth generating current at a high cost. Fifteen years ago Mr. Edmiston pointed a way out of the difficulty but we did not take advantage of his knowledge. He said that the value of a cheap and unstinted supply of electrical energy would mean the salvation of our State. He also said that we had no snow-clad mountains or falling streams, such as exist in other countries, and by means of which so much electrical energy has been developed in other parts of the world. He also pointed out

that it was the duty of the Government to seek their supplies of energy from the actual seat of the coal deposits at Collie. What Mr. Edmiston said at that time is true to-day, namely, that it is possible to produce in Collie electrical energy which will cost less than it would when produced in Perth. Even if it cost a little more, the system could gradually be built up with great benefit to the State. The time would then arrive when no further expenditure would need to be made in Perth at the present power house. I have no hesitation in drawing attention to the need for developing the wonderful gifts that nature has given us at Collie. It will not be long before the power house at East Perth will be inadequate to supply the requirements of Perth and its environments. Are we going to spend more money there and build up a huge industry in East Perth to the detriment of the people of Western Australia, when it is not possible to reduce the cost of generating the energy required, or are we going to arrest the position and determine that we have gone far enough in that direction? It is not anticipated that it will be many years before we shall require five times as much energy as we are now using for the development of our secondary industries. It is time that inquiries were made so that we might know the whole position. If it is found from these inquiries that we can more economically generate electricity in Perth, I shall be quite satisfied with the result, provided that we have on the board men who are determined, in the interests of the State, to probe the matter in a thorough and efficient manner. At the time Mr. Edmiston read his paper, using a load factor of 35 per cent., he said he could deliver 60 million units in Perth at a price of .8d. per unit for an expenditure of £1,766,000. That is practically the same as another report I shall refer to later. He also pointed out—and I dare say Mr. Lovekin will be able to substantiate this—that if 50,000 people in the city of Perth, Fremantle, and surroundings had all their cooking done by electricity, it would require the consumption of a further 15 million units to supply their needs. Further, if we had the natural corollary to the establishment of the industry at Collie, namely the electrification of our railways, that work would certainly be carried out as economically as it is now being done in Victoria. The generation of large bulk supplies of power at Collie would provide the necessary energy for factories, woollen mills, and a thousand and one other things, and this would also mean increasing the load factor at the power station. An increase in the load factor would mean a reduced price of current. I have here a very interesting document. I know it is in the possession of the Government, because the State Mining Engineer has read it, and most of the Government officials have also read it. If, however, they have read it, it has not made very much impression upon them, unless in the ordinary course of their work they have placed it before the Government. I refer to a report to the Victorian Government in connection with the supply of cheap electricity. It was found that electricity had become so dear that it was necessary to make inquiries into the position. The chief reason for doing that was to see if it was possible to utilise Newcastle coal in Melbourne as opposed to the use of their own Brown coal. Brown coal is very inferior coal to Collie coal. They spent considerable time analysing the position thoroughly, and the board which made the inquiry came to the conclusion that the only thing they could advise the Victorian Government to do was to erect a power station at Morwell, where these huge deposits of Brown coal exist, and generate electricity there and transmit it to Melbourne, a distance of 82 miles. I believe the report so satisfied the Government that they appointed Sir John Monash to take complete charge of the supervision of this plant. The work is now going on. It was estimated by this board, which reported to the Victorian Government, that 50,000 kilowatts, equal to 189 million units, with a volage of 110,000 could be produced at a cost of .267d. per unit. Mr. Lovekin has quoted some costs in America and Canada. I think he will admit that if they can generate electricity at Morwell at this price, and transmit it to Melbourne over such a distance, they are in advance of what has been done elsewhere in Australia.

Hon. J. Duffell: Have you the estimate of the cost?

Hon. J. EWING: All the particulars I have here the hon. member is welcome to. I am looking forward to receiving his support to my motion. The capital expenditure was estimated to be £1,855,000. Mr. Edmiston some 15 years ago estimated that he could produce and deliver practically the same quantity of current for an initial expenditure that was within £100,000 of the Victorian figures. This is very creditable to Mr. Edmiston, and I am pleased to say that his figures have been borne out in this way. His costs were a great deal higher than the costs stated here. The reason for this I cannot say. I believe it will be found, upon investigation, that we have facilities here equal, if not superior to, those appertaining to Victoria, and that the transmission of energy from Collie to Perth can be carried out as cheaply as it can from Morwell to Melbourne.

Hon. A. Lovekin: What power did he propose for transmission?

Hon. J. EWING: I think it was 50,000 horse power. Provision has been made, according to the Victorian report, for a double line for the transmision of up to 100,000 volts. Only one line will be used for the present until it is ascertained that a greater voltage is needed to meet the requirements. It might very naturally be said that an estimate of £1,855,000 made in 1917 is not what the scheme would cost to-

day. That point would appeal to me too. One would think that the capital cost would be so much higher seeing that costs generally have gone up so much and one would naturally question the application of those figures to-day. But the men who framed this report were keen sighted and efficient. They were far seeing men, for they realised that the war was proceeding and therefore made an allowance of 44 per cent. to cover the increased cost of machinery, as well as other costs that have gone up so considerably, That percentage is included in the capital value of the plant which it is estimated will allow a unit of energy to be delivered in Melbourne at the price I have mentioned, compared with the estimated cost of .870d. per unit in Western Australia. This will show that there is a huge fortune awaiting us here. The City of Melbourne has been producing power at about .499d. per unit, without provision for any capital charge being made against the plant. It was estimated that, adding 10 per cent. to the cost for contingencies, the Morwell scheme's electricity could be supplied to Melbourne at .326d. per unit, thus representing an appreciable saving. That is a very important aspect. I do not think there is much more to be said. If the Morwell scheme proves as successful as it is suggested, it will mean that in Melbourne much plant will be scrapped in order that they may take advantage of the operations of that scheme and the cheap current which will be supplied. We must look ahead here in Western Australia. If we are to stand still for 10 or 20 years to come, we will not need cheap electricity for our requirements. We must impress this aspect of the State's development upon the Government for there is enormous wealth to be put to use. The inquiry I asked for will have the effect of covering many of these features bearing upon the future welfare of the State. There is another very important factor in connection with electricity, the importance of which I did not realise until it was brought home to me within the last day or two. I refer to the load factor which may be stated as representing the percentage ratio of the average demand throughout the year, to the maximum demand in the same year. It is rather a surprising position, because the power depends largely upon the load factor. I have said that the report showed that the supply of current to Melbourne was estimated at .326d. per unit. If they were to receive a greater demand for their electricity increasing the load factor to 80 per cent., they would be able to supply at .200d. per unit. That point makes all the difference in the production of energy. On the other hand if there was a load factor of 15 per cent. it would cost .800d. per unit. Members can see from this that it is essential that the public should be encouraged to use electricity in every direction for the development of manufactures and for domestic use as well. All these aspects would come within the scope of the inquiry which I am seeking to have made. The report regarding the Morwell coal supply dealt naturally with the question of the suppy of fuel. Morwell would appear to be the centre which was regarded as the best from which the supply was to be drawn and the information furnished so far seems to justify that scheme and to bear out the statements that they will produce cheap current. Those framing the report point out that it is only the nucleus of a larger scheme. It is simply the beginning of a proposal to supply the whole of the requirements of Victoria with cheap fuel. That is a splendid object to aim at. When hon. members consider that the small State of Tasmania is generating her electricty by water and that at the present time ores requiring treatment are taken to that State because the power supplied there is so cheap, they will realise how important this matter is. New South Wales with enormous coal deposits can act in a similar way and no doubt that State will also embark upon some such scheme. Victoria has gone in for the scheme and not only does she desire to satisfy local claims for cheap power, but aims at producing that power at so low a cost that it will encourage the other States to send their primary products there for treatment. Not only Victoria but New South Wales and Tasmania will generate cheap power and aim at making that factor such as to encourage people to send their products there for treatment. Is it not possible that in Western Australia we should be able to compete with those States? If this problem is investigated thoroughly, it is quite possible that we will discover that there are huge possibilities ahead of us. Power has been transmitted successfully over a distance of 300 miles. In Ontario, at the Niagara Falls, as well as elsewhere, the electrical power company which is largely supplying the electric power, are coping with the requirements for 172 big undertakings and they are doing it at a very cheap rate. At Toronto with its population of 463,000, the people are being supplied with electric current at very low rates and the most significant part of the scheme there, is that villages with 300 or 400 inhabitants, can get all the benefits which the huge cities secure in the direction of electric current for power, lighting, and domestic purposes. Hon. members will see what possibilities there are ahead of the scheme for Western Australia if it were seriously undertaken. If the people in the State are encouraged to use electricity, not only will they be able to get the current still more cheaply, but they will encourage the establishment of industries which will work for the benefit of the State. The chief aim in connection with the Canadian supply is to make it available to the people at actual cost. The authorities do not aim at making money beyond providing for interest and sinking fund—probably only interest—but their aim is to build up industries by providing cheap power and that is the only means that I know of by which industries can be built up. This is a great point re-

garding the possibilities of Canadian industries in the future. There is another important question to which I would like the leader of the House to direct his attention. We have huge iron deposits at Yampi Sound. The State Mining Engineer has reported very favourably upon them and the Queensland Government had reports regarding the iron ore at that spot. The Queensland Government have bought a very considerable portion of the deposits and intend taking the ore from there to Queensland. What are we doing in this State? I am aware that I will probably be told that there are ample supplies left at Yampi Sound for all the requirements of Western Australia, as well as for other countries. The fact remains that Queensland is going to develop her Bowen coalfields at the expense of Western Australia. What are we going to do about it? We have not only the iron ore deposits, but we have very valuable manganese deposits as well. The latter deposits have so impressed the Government that they have decided to authorise the construction of a railway to connect up that field with the existing railway. It has to be said to the credit of the Government that they are doing everything possible to assist in the development of the manganese deposits. What do we require for the manufacture of steel? We want power, iron and manganese. There we have the essentials for the manufacture of steel. The report of Mr. Edmiston shows that at Collie, we have an excellent centre for the manufacture of power, well situated and well watered. With a power house at Collie, we could bring down the iron ore to either Collie or Bunbury, and bring down the manganese as well and manufacture steel on the spot. What is to prevent us doing that? In other parts of the world iron ore has been smelted successfully with the aid of electricity and what man has done, man can do. If we look into the position thoroughly and analyse it from all standpoints, if we give it that attention which it deserves, I am sure some scheme will be evolved by which we can successfully achieve this result. We have technical men of high standing and if only the Government will give those men full rein, they will evolve a scheme for the establishment of steel works, which will prove a very important industrial development in this State. It is very gratifying to know that the importance of the great deposits of coal at Collie is recognised within this State. The Minister for Education, as one who has watched the interests of the State for a long time, can tell hon. members how it has saved the situation for a long time and that it has kept the wheels of industry going. Quite apart from myself, Mr. Lynn and others connected with the Collie coal industry, everyone realises that these deposits are most valuable to the State and if they were in existence in America or some other such country, a power scheme would be developed with energy and rapidity. Why cannot that be done here in order to further the interests of this great industry and at the same time the interests of the State? I have told hon. members what can be done regarding the Collie coalfields. The Victorian Government are so satisfied with what can be done with the Morwell coal that they are spending two millions of money in connection with that field in order to develop the power scheme I have directed attention to. They are satisfied that they will be able to get the power much more cheaply than they are getting it at the present time. In order to impress members with the valuable nature of our Collie coal, I will give one or two figures which are very significant. The percentage of moisture in Morwell coal is 53 per cent., and that percentage of water has to be driven off before combustion can be obtained, making the coal available for power purposes. Collie coal possesses 18 per cent. of moisture. The calorific value of the Morwell coal ranges from 6,000 to 7,000 British thermal units, while the best Collie coal has a calorific value of from 10,500 to 11,000 British thermal units. It has been proved that in its dry state Collie coal is almost equal to the best Newcastle coal and runs up to a calorific value of 13,000 British thermal units. The superiority of Collie coal over that of the Morwell article will amply justify me in saying that we will generate a higher power from our local article than from an inferior coal and I contend that we can get twice as much from a ton of Collie coal as from a ton of Morwell coal. What constitutes a very serious matter at Collie is the amount of waste coal. We do not know how this waste will be utilised in the future, but in the past it has cost the companies thousands of pounds. It has to be mined by the miners at ordinary cost and then taken away from the collieries and deposited, and no return is obtained from it. Something like 30,000 or 40,000 tons of waste coal has to be handled in this way annually, and all this could be utilised for the generation of electricity. This in itself is a very considerable factor to be remembered when debating this question. I have had a plan prepared showing the places of importance within various radii from Collie, but, unfortunately, I omitted to bring it with me. The plan, with Collie as the centre, shows the places within 25, 50, 75, 100, 125, and 150 miles. Even the greatest of these distances is a small one over which to transmit electricity when considered in conjunction with the statements I have made. The plan well demonstrates the wonderful position that Collie occupies geographically. It seems as if the Almighty had placed it there to distribute heat, power, and energy to many of the most important centres of the State.

Hon. R. J. Lynn: Is there any chance of transferring the capital there?

Hon. J. EWING: The hon. member knows that every word I have said is true, but I

am afraid that its favourable position is not generally appreciated. If a Royal Commission is appointed, and within the next six or seven months reports favourably to the Government, there will be no difficulty in getting the necessary money to develop the scheme. The places within 25 miles radius from Collie include Harvey, Mornington Mills, Brunswick Junction, and Wellington Mills. The places within 50 miles radius are Bunbury, Busselton, Greenbushes, and Bridgetown, four very important centres. Within 75 miles of Collie are Pemberton, Wagin, and Narrogin, and there are some members of Parliament who would not hesitate to say that these are the most important places on the face of the earth. Within 100 miles of Collie are Perth, Fremantle, Katanning, and Armadale, and members will observe that I am naming only the more important ones. Within 125 miles radius are Nornalup Inlet, which we expect to rise to a position of great importance, Northam, which is of world-wide fame and which is represented by the Premier, of whom we are all very proud, York and Avon. Within 150 miles of Collie are Albany and Meckering, two more very important centres. Members will therefore realise the wonderful prospects before Western Australia if this scheme could be brought to fruition, for there is nothing like cheap power to develop our industries. I am afraid we are not giving sufficient attention to secondary industries. I have heard members of this House speaking of secondary industries. Certain people believe to a great extent in developing our primary industries. I am with such people, but I realise, too, that we must develop our secondary industries without loss of time. If we are going to get a large population in Western Australia we must have secondary industries. I trust that I have been able to make out a case which will justify me in hoping that the Government will take this matter up. I have no doubt that if a recommendation from this Chamber is endorsed by another place the Government will do something which will be greatly to their credit and, I feel satisfied, greatly to the advantage of the State of Western Australia.

On motion by Hon. R. J. Lynn debate adjourned.

BILLS (2), THIRD READING.

1, City of Perth Endowment Lands.

Returned to the Assembly with an amendment.

2, Public Service Appeal Board.

Passed.

BILL—GUARDIANSHIP OF INFANTS.

Report of Committee adopted.

BILL—FACTORIES AND SHOPS.

Second Reading.

The MINISTER FOR EDUCATION (Hon H. P. Colebatch—East) [5.22] in moving the second reading said: This Bill is the chief measure of the session, not only because of its size—it contains 157 caluses and seven schedules—but because it is a Bill that more or less intimately affects everybody in the community. It directly affects all persons engaged in manufacturing, and all trades. It affects the employer and the employee in all industries, and it also affects the general public. We take it for granted that a measure of this kind needs very careful consideration. It is essential to the well-being of the country that the conditions under which people manufacture goods shall be such as will encourage the establishment of new factories and facilitate the operations of those already in existence. It is also necessary that the conditions governing shops shall be such as will enable people engaged in trade to carry on their operations profitably, and to convenience the people. At the same time it is essential that the conditions from the point of view of the employee shall be such as to protect the employee from the unscrupulous employer, and also such as shall ensure equitable conditions as between employers themselves. I need not stress the importance of the Bill from the point of view of the general public. I wish to make it clear that, although this is a very big Bill, it cannot be contended that other than sufficient opportunity has been afforded for its consideration. It has received very complete consideration indeed. The existing Factories Act was passed in 1904, and it has not since been amended. A Bill to amend the Factories Act was drafted in 1913. I think it will be realised that, with the tremendous changes which have taken place in the last 16 years, the Factories Act passed in 1904 must necessarily be out of date. The same applies to our Early closing Act. Our legislation in both these respects is absolutely out of date and far behind that of the other States, and is in urgent need of amendment. The amending Factories Act was drafted in 1913. It was passed through the Legislative Assembly and was rejected in this House, because of certain provisions to which this House objected. One of those provisions, I think, prescribed that baking should be done only in the day time, and very strong exception was taken to it. No provision of that kind appears in this Bill. The Bill was rejected in 1913, and in the following year the war broke out, and during the period of war, by common consent, all legislation of this kind was allowed to remain on one side. The Early Closing Act was passed in 1902, or two years before the Factories Act. It was subjected to several minor amendments during the succeeding years, and in 1911 there were fairly comprehensive amendments deal-

ing particularly with the question of taking a poll in the different districts as to the particular day when shops should close for the half holiday. After the 1911 amending Bill had been passed the Early Closing Act was reprinted, and its sections were re-numbered, and it was published as it exists to-day at the end of the Statutes for the year 1911-12. Since then a further amendment has been agreed to. The Bill of 1917 related to the closing hours of hairdressers' shops and provided that in those districts where other shops closed on Saturday afternoon the same should apply to hairdressers. These are the only amendments that have been made to the Early Closing Act since 1911. A Bill was presented to this House in December, 1918, to amend the Early Closing Act in certain particulars, but it was not passed. I shall make further reference to this later on. The present Bill was drafted in 1918, though not entirely in this form. At that time a Factories Bill which have been drafted in 1913 was amalgamated with the new draft of the Early Closing Bill, and the two were combined in a comprehensive measure as a Factories and Shops Bill. The war continued until towards the end of the 1918 session, and the Bill was not introduced. However, it was introduced in another place during the session of 1919, but the Government deliberately took up the attitude that this was not a Bill to be presented to Parliament and passed through Parliament in a single session. The course followed was that the second reading of the Bill was moved in the Assembly. This served a double purpose. It attracted public attention to the matter and enabled everyone interested to ascertain what the Bill was about. It also removed any constitutional objection which otherwise might have been raised regarding the free circulation of the Bill amongst persons and bodies particularly interested. The second reading of the Bill having been moved it was laid aside deliberately until the following session. As soon as the second reading had been moved copies of the Bill were widely circulated. Everyone who applied for a copy received it, and copies were sent to organisations and people who had not applied for them. In September of this year the Bill was again submitted to the Legislative Assembly. The second reading passed with very little discussion, and the Bill was referred to a select committee, the idea being that all people interested and the public, after having had eight or nine months to consider the provisions of the measure, would be able to give evidence before the select committee and thus make known their wishes to Parliament. Directly the second reading was passed and the select committee had been appointed, Mr. Bradshaw, the Chief Inspector under the Factories Act, who was appointed as secretary to the select committee, further distributed the Bill amongst all parties interested; so that nobody should be missed. Now I want to refer at this stage to one section of shopkeepers from whom a petition will be presented to the House: I understand members have already been circularised on behalf of that section.. I want to make that reference because the question might be asked, why is it that these people did not make their representations to the select committee? So far as the select committee is concerned, a desire was expressed by some members of this House that it should be a joint select committee, members of this House sitting with members of another place. That course was not adopted, but the select committee of the Legislative Assembly did sit and made very exhaustive inquiries, taking evidence not only in Perth but also in other parts of the State. The report of the select committee, with the whole of the evidence attached, was placed before every member of this Chamber on Tuesday last. Now, why was it that the small shopkeepers, who have circularised members, and who I understand intend to petition, did not make their wishes known to the selet committee? That is due partly to the fact that at the time the select committee sat they had no organisation. However, the secretary to the select committee, being thoroughly conversant with the position and knowing that the small shopkeepers had no organisation, sent one of his inspectors round amongst them to tell them exactly the provisions of the Bill and afford them an opportunity of attending before the select committee if they so desired. None of them did attend before the select committee. Now, in case it might be argued that that fact suggests that they were entirely satisfied with the provisions of the Bill, it is necessary for me to point out that the select committee, and subsequently the Legislative Assembly on the suggestion of the select committee, amended the Bill in one particular insofar as it relates to the small shopkeepers. There are three points in which the present Bill differs materially from the existing Act as it applies to small shopkeepers. One is the question of who shall be eligible to obtain registration as small shopkeepers. The second is the matter of mixed businesses, and the additional restrictions that are imposed with regard to mixed businesses. The third point refers to the hours of trading. I will deal with those matters in detail later, but I want first of all to make clear the position of the small shopkeepers in relation to the select committee. The provisions of this Bill, as they stand at the present time, regarding those who will be able to register as small shopkeepers were in the Bill when the inspector showed it to the small shopkeepers and invited them to attend before the select committee if they were in any way dissatisfied. Similarly, the provisions in regard to mixed businesses were in the Bill at that time. But the Bill did not at that time propose to interfere with the trading hours of small shopkeepers. Under our existing Act those trading hours are from 7 a.m. to 8 p.m. on

four days of the week, and from 7 a.m. until 10 p.m. on Friday, and from 7 a.m. until 1 p.m. on Saturday. In the Bill as it stood at the time the small shopkeepers were invited, if they so desired, to give evidence before the select committee, those hours remained unaltered. Subsequently the select committee made an alteration which has been approved by the Legislative Assembly and is in the Bill as we have it before us. The alteration is that the trading hours of small shopkeepers shall be from 7 a.m. till 8 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday, and from 7 a.m. till 1 p.m. on Saturday—the sole difference being a reduction of two hours per week in the trading hours; that is, as regards the hours of 8 p.m. to 10 p.m. on Fridays. That is the only alteration which has been made in the Bill since the inspector submitted it to the consideration of the small shopkeepers and invited them to attend before the select committee if they so desired.

Hon. J. Ewing: But that is not the provision in the Bill now?

The MINISTER FOR EDUCATION: Yes, that is the Bill now as regards small shopkeepers. Their hours are reduced on Friday night, but not otherwise. I have received a circular letter from the small shopkeepers, and I notice the letter states—

> It would seem the position of the small shopkeeper has not been clearly defined in the evidence before the select committee.

I have already explained that no small shopkeeper gave evidence before the select committee, although a number of small shopkeepers were invited to do so.

> It is therefore the duty of this association, representing as it does some 1,400 small business people, to place before you our case, and pray you to assist us before it is too late.

It is entirely my desire that hon. members should give the closest consideration to the claims of all sections of the community, but I really think that the small shopkeepers do not quite appreciate the position. The statement that 1,400 small business people are concerned may be correct, though I am inclined to doubt its accuracy, because in the whole of the metropolitan area, from Fremantle to Midland Junction, the total number of small shops registered is only 259. There are other small shops registered in other parts of the State, but in view of the fact that in the metropolitan area there are only 259 small shops registered, I can hardly think there are anything like 1,400 registered in the State. However, exact information on that point can easily be obtained. In connection with this Bill I think I should be only wasting the time of the House if I talked on the general principles of factory legislation and early closing. I conceive it to be my duty to place before the House, as clearly as I can, exactly what the Bill proposes to do, and every particular in which the Bill proposes to vary the existing legislation. Therefore I do not intend this afternoon to say anything in the way of argument in favour of these alterations. That can be done later on. It may be desired by hon. members that the law in other parts of the Commonwealth and in New Zealand should be referred to and compared with this legislation which is now proposed. I shall in the course of my explanation of the Bill give some indication as to where the clauses are original, and where they are in line with the legislation of the Eastern States and New Zealand; but I have here a complete summary setting out in tabulated form every clause of this Bill as compared with the corresponding sections of the Acts of every one of the Eastern States and New Zealand. I have here also the factories and shops legislation of the whole of the Eastern States and of New Zealand, so that if in the course of this second reading debate there is any point on which any hon. member desires to be informed exactly what is the law in any Eastern State or in New Zealand, he can be supplied with that information. It would, of course, take up an unnecessarily long time to show exactly how each clause of the Bill compares with the corresponding section of each of the Eastern States and New Zealand Acts; but I have the information carefully tabulated, and as regards any point on which a member desires information in that respect he can be supplied with the information without delay.

Hon. J. E. Dodd: Could that tabulation be distributed amongst members?

The MINISTER FOR EDUCATION: I do not know that that course would serve any very useful purpose. The legislation right through Australasia is on very much the same lines. It is only on points of detail that there are differences. Any member who desires information of that kind on a point of detail, will be supplied with it in typewritten form. The purpose of this Bill is to repeal the Factories Act of 1904 and also to repeal the Early Closing Act of 1902 and all its amendments. Further, the Bill proposes to legalise all offices, appointments, regulations, rules, registers, records, registrations, etc., and all acts of authority, which originated under either of these Acts. It proposes to amend and amplify the definitions of a number of the terms expressed throughout the Acts. For instance, "boy" under the existing Act means "a male under 14 years of age." It is proposed by this Bill to extend the age to 16 years. The hours of employment for boys are in each case, as regards both factories and shops, limited in the same way as are the hours of employment for women. Under the existing Act a boy under 14 years may not be employed at all in a factory, unless exempted from school attendance; but the working hours of boys over 14 years are not at present subject to any limitation. The effect of the alteration proposed in this Bill will be to enable boys to be employed in factories, just as they now are, at the age of 14 years, but up to the age of 16 years they will be restricted as regards their working hours in the same way

as women. Women and boys will have the shorter hours together, and a boy, instead of being deemed to be a person under 14 years of age, will be deemed to be a person under 16 years of age. I do not think much argument is necessary to satisfy hon. members that that is a wise provision. Another important alteration in the definitions is as regards a factory. At present a factory is defined as "a place of manufacture in which six persons are employed." This Bill proposes to reduce the number to two.

Hon. J. Duffell: Two including the proprietor?

The MINISTER FOR EDUCATION: The Bill defines a factory as "any building, premises, or place in which two or more persons are engaged, directly or indirectly, in any handicraft" and so forth. This is in conformity with similar provisions operating in every one of the States of the Commonwealth and in New Zealand.

Hon. J. E. Dodd: Is there any difference as regards the number of persons in the case of Asiatics?

The MINISTER FOR EDUCATION: No. There is a special provision dealing with Asiatics. Under the existing legislation, the employer who employs five persons, which with himself makes the total of six, is required to register his factory, and the employees in that factory are entitled to the protection and benefits of the existing Factories Act; whilst the factory of a man who employs four or a lesser number is entirely exempt. There may be some room for argument in the matter, but I think it is desirable that factories should be placed on a common footing irrespective of how many persons they employ. Part II. of the Bill is devoted almost entirely to machinery clauses. Clauses 5 to 16 practically all deal with matters of administration which I do not think it necessary to refer to at any length. As regards Part III. of the Bill, the Factories Act of 1904 and the Early Closing Act of 1902 apply only to those districts which have from time to time been proclaimed by the Governor-in-Council by notice in the "Government Gazette." It is the policy of both the existing Factories Act and the existing Early Closing Act that they shall apply only in districts thus proclaimed. As a matter of fact, the Factories Act has been applied to all that portion of the State which is comprised within the boundaries of the South-Western Industrial District and the Eastern Industrial District. This means practically that the Factories Act has been proclaimed for the whole of this State with the exception of the North-West. The Early Closing Act has not been applied in anything like the same general way, but it has been applied to 40 defined districts—in some cases electoral districts, in others the areas of municipalities, and in still others road board districts and townsites. But it is not general in its application. This Bill, however, will make the operation of shops and factories legislation general throughout Western Australia. It will apply everywhere, but provision is made that any particular portion of the State may be exempted from the operation of the whole of this measure, or from the operation of any part of it. The Bill really reverses the present practice, which is that no portion of the State comes under the Factories Act or the Early Closing Act until such Act has been proclaimed as applying to that portion of the State. If the Bill is passed the position will be reversed; every portion of the State will come under the Factories and Shops Act unless any particular portion should be exempted in its entirety, or exempted only from certain portions of the Act. The existing Early Closing Act has been applied in the town of Northam, but not in the neighbouring town of York; it applies to Wickepin and Pingelly, but it does not apply to Narrogin. There does not seem to be sufficient reason why this should be the case. It is not because one town is larger than another, because Narrogin, where the Act does not apply, is a very much larger centre than Wickepin. The initiation is left to the people in the district, and in the case of Narrogin they have not been fit to apply for the proclamation of the district. A very important proposal in the Bill is that which provides for the raising of a certain amount of revenue, not for revenue purposes, but in order that the administration of the Act may be provided for. At the present time, the fees collected from factories amount to something like £400 per annum. Hon. members will find the figures set out in the annual report of the Medical and Health Department which was presented to Parliament a few days ago. The cost of administering the department is something over £1,500, practically four times the amount of the revenue received. It is intended that the revenue shall be sufficient, not only to meet the present cost of the department, but to meet any expanding cost that may result from extending the operations of the measure throughout the State. That revenue is to be derived by charging a fee for the registration of all shops and factories. It is partly because of that provision to charge a fee for the registration of shops and factories, that it is necessary to give the measure a State application, and it is probable that in a good many instances in remote districts in which it is not desirable, in the interests of the community there, that such portion of the measure relating to the closing of shops at certain hours shall be applied, even in those districts it is contemplated that a portion of the Act relating to registration shall be applied, so that they shall pay their share towards the administration of the legislation. In the third part of the Bill, Clauses 18 to 24, inclusive, are purely machinery clauses which do not require any comment at this stage. Clause

25 provides for the annual registration of all factories, and here again we are merely bringing the Bill into conformity with the Statutes of all the Eastern States. At the present time under our existing Act, all Asiatics are required to register annually, but in other classes of factories it is only necessary to register once and that covers them for all time. It is proposed, as I have said, that every shop and factory shall register every year, and by that means revenue will be derived sufficient to provide for the administration of the law. It is not intended that exorbitant fees shall be charged. The fees are set out in the second schedule and it will be seen that where the maximum number of persons employed, or to be employed in the factory, does not exceed three, the fee shall be 2s. 6d.; where the number exceeds three but does not exceed seven, the fee shall be 5s., where the number exceeds seven but does not exceed 15, the fee shall be 10s.; where the number exceeds 15 but does not exceed 30, the fee shall be 21s.; and where the number exceeds 30 the fee shall be 50s. As an annual registration fee I do not think any of those I have quoted can be considered at all excessive. At the present time other Acts such as the Offensive Trades Act and the Dairies Act require an annual registration. Clauses 26 and 27 are also machinery clauses and deal with the registration and re-registration and the voidance of registration. Clause 29 regarding the registration of Asiatics has been taken from the existing Act. Coming now to Part 4 of the Bill, Clause 30 is a machinery clause relating to records in factories. Clause 31 proposes to limit the ordinary working hours of male workers over 16 years of age employed in factories to 48 hours per week, and 8¼ hours per day. At the present time there is no limitation to the working hours of these workers, but the reform is not a very important one, because most of the workers are already covered by agreements or arbitration awards which provide for 48 hours. Clause 32 proposes to limit the ordinary working hours of women and boys to 44 per week and 8½ per day, except as provided for in Clause 37 which permits the working of a limited amount of overtime by women and boys. One of the objects of Clause 33 is to make it possible, where an employer desires it, to work the employee the 48 hours in five days. This is a provision that has been asked for by the owners of the factories as well as by the employees. The power given by the Minister will enable the employer to work his men a little longer on other days in order that they may get their 48 hours into the five days and not work on Saturday. The clause does not give the Minister the slightest power to dictate that the factories shall not work on Saturdays. It is not a matter over which either the Bill or the Minister will have any real influence. Whether a factory is worked on Saturday or not will depend on the employer. The provision has been inserted at the request of the Chamber of Manufactures, who waited upon me by way of deputation and asked for this, amongst a number of other matters. The clause makes reference to the question of closing on Saturday; all that it does is to give the Minister power to allow the hours to be extended.

Hon. J. Nicholson: Must they work the overtime?

The MINISTER FOR EDUCATION: No. A factory employer might say, "I wish to be exempt," and he can get his exemption and work the longer hours if he so desires. If hon. members turn to Clause 33 they will find that it says—

> The Minister may, by notice under his hand, exempt any factory from the operations of Paragraph (b) of Subsection 1 of Section 31, and Paragraph (b) of Subsection 1 of Section 32, but such exemption shall not operate to render legal the employment of a male worker for more than 10 hours on any day or more than 48 hours in any week, or of any woman or boy for more than nine hours on any day, or for more than 44 hours in any week except as hereinafter provided.

Paragraph (b) of Clause 31 provides that a male worker shall not be employed for more than 8¾ hours, excluding meal times, in any one day, or for more than 48 hours in any one week, and Paragraph (b) of Clause 32 provides that a woman or boy shall not be employed for more than 8½ hours, excluding meal times, in any one day, or for more than 44 hours in any one week. So that exemption can be given from these two provisions which will enable the employer to get his 48 hours work into five days. In New Zealand women and boys are restricted to 45 hours a week in factories. Clause 34 ensures the workers in factories a sufficient time off for meals at stated intervals. Clause 35 proposes to fix the working hours for Asiatics employed in factories to similar limits to those prescribed for Europeans, but it does not permit over-time to be worked by Asiatics. On other factories overtime rates may be worked but Asiatics will not be permitted to work overtime. Under the existing Factories Act Asiatics may be employed in factories between the hours of 8 a.m. and 5 p.m. and overtime is prohibited, so that in that particular we are not altering the existing legislation. Subclause (4) of Clause 35 is one to which I wish to direct the attention of members. It reads—

> No occupier of a factory or warehouse, and no shopkeeper shall employ as a night watchman any person of the Asiatic race.

I do not know why that provision was inserted in the Bill. It was not in the Bill as drafted. I believe it was recommended by the select committee, but I do hope that the House will strike it out. I cannot see the slightest reason why an Asiatic should be prohibited from following the very humble and necessary occupation of night watchman.

There are reasons why Asiatics should be excluded from this country, but when they are here I cannot understand why they should not be allowed to earn their living. I caution those who think that this provision is one worth fighting for. We have to remember that the word "Asiatic" includes a large number of British subjects.

Members: Hear, hear!

The MINISTER FOR EDUCATION: I warn hon. members who do not take this view that if the Bill is passed with this provision in it, difficulties that they probably do not anticipate will arise.

Hon. J. Dodd: That also applies to other parts of the Bill.

The MINISTER FOR EDUCATION: I do not think so. I do not know that any other part of the Bill departs from our existing legislation. When we recollect that this clause would prevent the employment as night watchmen of a number of British subjects, I will ask hon. members who favour the clause as it is to consider whether fighting for its retention is worth while. Clause 37 restricts the overtime of women and boys employed in factories to two hours of one day, two days in the week, two consecutive days in any week, and to 52 days in the year, and prohibits overtime on holidays. The alteration is not very great, but I think it is preferable to the existing conditions. Clause 39 permits the extension of overtime during certain periods of the year in jam factories. That is entirely necessary owing to the frequent heavy supplies which come in in the small fruit season and in the factories they have to work overtime from half an hour upwards. It has been agreed that the provision is necessary. Clause 40 contains a general provision for extended hours. This will apply chiefly to confectionery, cake and biscuit establishments before the Christmas holidays and also at times to supply orders for Singapore, and the East, orders which have to go by certain boats. For purposes of that sort is this intended. Nothing should be done under this measure which would drive trade and commerce away from the country. Clause 41 requires the occupier of a factory to notify the chief inspector within 24 hours that he has availed himself of the overtime provision of the Act. Clause 42 secures to women and boys employed in factories six paid holidays during the year. Under the existing Act it is not compulsory to grant to women and boys employed in factories any paid holidays during the year. Clause 44 makes exceptions as to newspapers. This is designed to meet the special circumstances of the trade. Clause 45 is a new departure. It fixes a minimum wage for employees in factories, commencing at 10s. per week and rising to 35s. The question of payment of wages is not dealt with in the existing Act. Instances have been noted where girls have been employed for from six to 12 months for 2s. 6d. weekly, and in some cases without remuneration at all. The proposal is in operation in New Zealand, in New South Wales, and in other States, although I confess I am not sure which of them. Clause 46 prohibits the payment of a premium for employees in a factory. This proposal is copied from Acts in operation elsewhere. Clause 47 provides for a certificate of employment. This proposal is made to ensure that a young person, after having served a period with one employer, shall be given credit for the time so served when securing engagement from another employer. Clauses 49 to 51 relate to sweating in factories. They are an amplification of Section 38 of the existing Act and provide for (a) the keeping of records of out workers in textile and shoddy trades; (b) the quantity and description of work given out and (c) the remuneration paid therefor. They prohibit subletting by piece work and are designed generally to prevent what is known as the sweating evil. The provisions now in operation are not sufficiently comprehensive, and do not operate against drapers and others who do not occupy factories, but who give work out to women to be made up in their own homes. Clauses 52 to 57 restrict the employment of young persons at certain trades and processes which are known to be dangerous and injurious to health. Those trades and processes are set out in Part V. of the Bill and include the silvering of mirrors, the making of white lead and a number of other injurious employments. Similar provisions are in operation under the existing Act and in other countries. Clause 58 is a machinery clause. Clauses 59 and 60 relate to certificates of fitness, and are similar to legislation existing in New Zealand and other States, but are not so drastic. The object of the proposal is to ensure that no young persons shall be employed in trades for which obviously they are physically unfitted. The clause empowers an inspector, by notice in writing, to require a boy or girl to produce a certificate signed by the medical officer of health of the district, certifying that the boy or girl has been examined and found to be physically fit to perform the duties of the occupation. I think the clause will commend itself to all hon. members. Clause 61 renders the parent or guardian liable for the illegal employment of a child in a factory. Clause 62 is similar to those now in operation, but also ensures the provision of sufficient natural light in workrooms. Clause 63, in regard to rules to be observed, is already in operation. Clause 64 prohibits the use of workrooms as sleeping places. Clause 65 prohibits the taking of meals in workrooms where a manufacturing process is being carried on, and requires the provision of lunch rooms where necessary. There is no such provision under the existing Act. The result is that although certain shops do provide lunch rooms, yet as it is done purely voluntarily, they do not come under the control of the inspectors, as they will

do under the Bill. Of course we cannot expect to have our factories situated in the agreeable surroundings of lawns and gardens; still it would be very much better if the employees could have their mid-day meal in the open air when the weather permits. However, that does not alter the case, and wherever necessary the provision of a luncheon room will in future be insisted upon by the inspector. I believe that all the other States have the same provision. Clause 66 gives power to require the provision of changing or dressing rooms for women in factories where deemed necessary. Clause 67 prohibits the employment in a factory of any woman during six weeks prior or subsequent to her confinement. The existing Act prohibits employment only for four weeks after confinement.

Hon. J. J. Holmes: You can fix the date after confinement easily enough, but how are you going to fix the date before?

The MINISTER FOR EDUCATION: I do not know that it can be fixed exactly. The clause prescribes, "No woman shall knowingly work, etc." I do not know that you can get any nearer to it than that. Clauses 68 to 74 restrict the employment of women and young persons at or about dangerous machinery, hoists, lifts, etc., and require precautions to be taken against accidents. Clause 75 requires the provision of sitting accommodation for females employed in factories. This provision is general throughout the States of the Commonwealth, but is not in our existing legislation. Clauses 76 to 80 are similar to those already in operation, and are designed to secure the provision and maintenance of suitably constructed, cleanly and sanitary workrooms and to prevent the spread of infectious and contagious diseases amongst workers in factories. Clause 81 relates to prevention of accidents from fire. These proposals are similar to those now in operation, excepting that at present they apply only to factories in which 25 persons are employed. It is now proposed to reduce this number to 15. Clauses 82 and 83 embody a new proposal empowering the chief inspector to prohibit the employment of persons in a factory during the progress of structural alterations or additions. The necessity for this was borne in upon us when during the winter of 1911, whilst the addition of a new storey to a large factory was in progress, a brick wall 40 feet long by 14 feet high collapsed and crashed through the roof into a large workroom. Providentially it happened on a Sunday, when the room was unoccupied, otherwise many must have been killed. Under this clause the chief inspector may prohibit work during structural alterations. Clauses 84 to 91 require, (a) the occupiers of factories to report accidents, (b) empower the inspector to inquire into the cause or causes of accidents, (c) empower the Minister to direct an inquiry to be held before a magistrate, (d) empower the inspector to require dangerous receptacles to be fenced, (e) to require the provisions of bandages and first aid appliances, (f) to require a clear space to be kept for dangerous machinery, and (g) to attend inquests or inquiries and examine witnesses. Officers of the department do not possess any of the above mentioned powers under the existing Act, although similar provisions are in operation in the other States. Clause 92 is a re-enactment of Section 45 of the existing Act. It gives power to justices to direct compliance with the Act. Another important provision is contained in Clauses 93 to 96 dealing with the stamping of furniture. Under the existing Act only furniture made wholly or in part by Asiatic labour is required to be stamped. The operations of this provision in the existing Act have always been unsatisfactory. It is now proposed to require all furniture, whether made by European or by Asiatic labour, to be stamped in such a manner as to disclose the name of the manufacturer and the class of the labour engaged in such manufacture. This altered provision is requested by all sections excepting probably those running Asiatic factories. The contention is that at present, when only the Asiatic made furniture has to be stamped, the stamp may not be seen, may be overlooked; and it is held that those buying furniture are entitled to know whether or not it is made by Asiatic labour. Clause 97 proposes to partly exempt from the operations of the Act laundries which are conducted as reformatories and other institutions for charitable purposes. In regard to that, certain amendments were made as the result of the inquiries of the select committee. I think it will be necessary to redraft to some extent the interpretation clause and also this clause. The interpretation clause provides that "factory" shall not include any prison or industrial or reformatory school, whereas Clause 47 contemplates that those institutions shall be subject to certain provisions of the Act, but not all. So if the wish of the other House is to be observed, it will be necessary to amend paragraph (a) of Subclause 8 of Clause 4 by striking out the words, "Any industrial or reformatory school," and in Clause 97 to strike out any reference to prisons, and then go on and set out just which clauses shall apply to these industrial or reformatory schools and other institutions. The Act proposes to make them liable to the provisions in regard to working hours, to the keeping of registers and to inspection. If hon. members will turn up the report of the select committee they will see that representatives of those institutions gave evidence before the committee. I do not think those representatives are opposed to this provision. Clause 98 proposes to extend the operations of the Act to factories conducted by the Government. Those factories are not now subject

to the provisions of the Factories Act, but the Government have no objection to complying with any Act of this kind which the Government impose on other people.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR EDUCATION: Prior to the tea adjournment I was dealing with the Factories and Shops Bill so far as it applied to factories. Part 8 of the Bill relates to shops. Clause 99 legalises proclamations etc. now in force under the provisions of the existing Early Closing Act. Clause 100 fixes the general closing time for shops, not mentioned in the schedule, at 6 p.m. on five days in the week and at 1 p.m. on Saturdays, thus abolishing the late shopping night and introducing the general Saturday half-holiday. These are probably two of the most important provisions in the Bill. They abolish the late shopping night and establish the Saturday as a general half-holiday. Under Clause 155 certain powers are vested in the Governor-in-Council by proclamation to suspend the operations of the Act in any place and at any time. The intention of that is that for occasions such as Christmas Eve the operations of the Act may be suspended, and the late shopping night may be permitted at the discretion of the Governor-in-Council. Generally speaking the late shopping night is completely abolished, and Saturday is made a general half-holiday. As to the application of this in the country districts and other places, I will explain the provisions later on. It is competent for the majority of the shopkeepers in any locality to petition for the substitution of some other day than Saturday as a general half-holiday. What the Bill practically does in that regard is to reverse the present procedure. In the present case the half-holiday now obtaining continues until some action is taken to alter it. This is to say, in districts where it has been the practice for years past to observe Wednesday as a half-holiday that continues unless some action is taken either by petition from the majority of the shopkeepers in a district or else by petition for a poll, and the result of the poll altering the early closing day from Wednesday to Saturday. Under this Bill exactly the opposite condition of affairs will obtain. Saturday will be the general half-holiday unless the people in any particular district, by petition or the majority of the shopkeepers, request that a half-holiday shall be established on some other day than Saturday.

Hon. J. Duffell: That will not do in the country where they are only storekeepers.

The MINISTER FOR EDUCATION: What would happen, I take it, in the country districts, where at present they observe Wednesday as the half-holiday, is that immediately on the Bill coming into force the majority of shopkeepers in a district would petition that, instead of Saturday, Wednesday shall be observed as a half-holiday as at present. That petition would be given effect to, but it would be competent after that petition had been given effect to, and they had been permitted to observe Wednesday as a half-holiday, for any individual shopkeeper to keep open on Wednesday and close on Saturday. It would also be competent for the people in a district to petition for the taking of a poll, just as they can do now. At present the matter is fixed either by petition of a majority of the shopkeepers, or if there is a poll demanded the poll is taken, and the result of the poll is final, even though it may be in opposition to the wishes of the majority of the shopkeepers. When this Bill is passed Saturday will be the half-holiday unless action, similar to the action contemplated under the exising law, is taken to make it Wednesday.

Hon. A. H. Panton: There is no provision in the Bill for a petition for a poll.

The MINISTER FOR EDUCATION: Yes, undoubtedly there is. Shopkeepers in many country districts, including Wagin, Katanning, Greenbushes, Pingelly, and Narrogin, have recently expressed their desire for the introduction of Saturday as the half-holiday. I am not referring to the shop assistants or the public voting by poll. But a majority of shopkeepers sufficient to comply with the provisions of the Act have asked that Saturday be the half-holiday. These petitions have been given effect to pending the passing of this Bill.

Hon. J. Duffell: Is that in evidence in the report?

The MINISTER FOR EDUCATION: It is a fact at any rate. The petitions can be produced. At present the Early Closing Act applies only to certain specified districts. It applies in the district of Northam, but not in York. It also applies in Pingelly, but not in Narrogin. It is proposed, under Part 10 of the Bill, to provide for the annual registration of shops and warehouses on similar lines to those existing in Victoria and South Australia. In regard to factories and shops there is provision for an annual registration fee which will bring in a revenue sufficient to cover the cost of administering the Act. It is for that reason that the Bill is given a State-wide operation. Although it may be considered desirable to exempt certain districts from some of the provisions of the Bill, it is also considered fair that every shop and factory in the State should pay a modest annual registration fee, so that money may be provided for the administration of the Act. Clause 101 fixes the closing time for registered small shops. It would be well if I drew the attention of hon. members to the evidence given before the select committee on the question of the abolition of the late shopping night on Friday. There can be no doubt, I think, that the evidence was overwhelmingly in favour of the abolition of the late shopping night. A few years ago

the general feeling seemed to be that whilst a majority of the employees desired the abolition of the late shopping night the majority of the employers considered it would make such a serious inroad into their business that they opposed it. Now the great majority of the employers have joined hands with the employees. Apparently they take the view that the extra expense in the matter of lighting and carrying on their shops at night does not recompense them for the amount of business they do.

Hon. A. H. Panton: Only one shopkeeper gave evidence against the late shopping night.

The MINISTER FOR EDUCATION: There was a large number of shopkeepers who gave evidence in favour of its abolition, not only from the metropolitan area but from other districts. It is the general opinion that the trading requirements of the community can well be met without the late night. If that is so I do not know that there is any particular reason for continuing it. Clause 101, as I have said, fixes the closing time for registered small shops. I have read some of the correspondence that has appeared in the newspapers in regard to this question of small shops. From a number of the letters it would appear as though this Bill was taking away all the privileges at present enjoyed by small shops of any kind. So far as the closing hour of small shops is concerned, the only difference this Bill makes is that whereas these small shops can now be kept open until 10 o'clock on Friday night they will, when the Bill becomes law, have to close at 8 o'clock on Friday night, otherwise their trading hours are the same as under the existing Act. So far as that point is concerned, I think it will readily be admitted that if we are going to abolish the late night with regard to shops in general, there would be no longer any sense in allowing small shops to keep open later on Friday than any other night. At present the trading hours of small shops are from 7 o'clock in the morning until 8 o'clock at night from Monday to Thursday, inclusive, and from 7 o'clock in the morning till 10 o'clock on Friday night, and from 7 o'clock in the morning till 1 o'clock on Saturday afternoon. The only difference this Bill makes is to make their trading hours from 7 in the morning until 8 o'clock at night on every night in the week except Saturday, when they are to close at 1 o'clock in the afternoon. From the point of view of the closing time of small shops, therefore, this Bill can do no injustice to and inflict no hardship upon the small shopkeeper.

Hon. J. Duffell: Does that apply to refreshment rooms?

The MINISTER FOR EDUCATION: They are dealt with under exempted shops, In the Fourth Schedule, Part 2, which re- in the Fourth Schedule, Part 2, which re- coffee palaces, and refreshment shops.

Hon. A. H. Panton: Are you speaking of registered small shops?

The MINISTER FOR EDUCATION: Yes. There can be none but registered small shops. A small shop which is not registered has to comply with the ordinary provisions of the Act, that is, close at the same time as the big shops.

Hon. A. J. H. Saw: But it does not apply to shops kept by cripples and widows.

The MINISTER FOR EDUCATION: That is one of the changes made in the Bill, as compared with the existing legislation. I am dealing now purely with the question of the closing time of registered small shops. Judging by the letters in the Press, some people desire to create the impression in the minds of the public that the trading hours of small shops are being greatly cut down by the provisions of this Bill. Such is not the case. The trading hours of small shops are interfered with only to the extent of compelling them to close at 8 o'clock on Friday night instead of 10 o'clock.

Hon. J. J. Holmes: If a registered small shop sells cool drinks it must close at 8 o'clock.

The MINISTER FOR EDUCATION: A refreshment shop trading under the privileges of Part 2 of the Fourth Schedule would not be a registered small shop. Clause 102 does make an important difference in regard to the people who may be registered as the proprietors of small shops. Section 6 of the Early Closing Act, as it is printed at the back of the statutes for 1911-12, relates to small shops. Under this section the registration of a small shop is entirely at the discretion of the Minister. That is the position at present. The provision is that—

> No person shall be registered or employed as an assistant unless such person is the husband, wife, child, grandchild, sister, niece, grandparent, or parent of the shopkeeper.

That restricts the small shops to those shops in which no person is employed except a near relative of the proprietor. This Bill provides the qualification for the registration of a small shop in regard to the keeper thereof and his assistant. It is frequently occurring, and does so in many places, particularly in the suburbs, that a man is conducting a shop with one assistant, who is a member of his family. He obtains registration as a keeper of a small shop and is therefore allowed extended hours of trading. Another business, however, that is no larger and may indeed be smaller and have less capital behind it, is run by a man who has not a member of his family to assist him and who, therefore, employs perhaps one assistant. Consequently he cannot obtain registration as a small shopkeeper and is compelled to observe the ordinary hours of trading. This has furnished a fruitful

source of complaint that the trading conditions are not fair. The purpose of the Bill is to restrict the persons to whom the privilege of carrying on the small shops shall be granted. As a matter of fact, the alteration is not nearly so great as might be considered at first glance. As I have already said, under the existing Act, as under this Bill, the Minister's discretionary power is absolute and it has not been the practice of the Minister to grant registration for small shops unless the circumstances seem to warrant it. Under the Bill the right to conduct a small shop can only be granted to certain persons, the idea being that this special privilege—undoubtedly it does give an advantage in some directions over competitors—shall only be enjoyed by persons suffering from disabilities which justify the extension of them. The qualifications for registration are set out in the Bill and the intention is to limit registration to persons who are widows, to old people, to those who are physically disabled, and in cases of hardship. I have already told the House that although it is said in the circular letter which has been issued to members that there are 1,400 small shops registered, the total number registered is 259.

Hon. J. Duffell: Where are those registered?

The MINISTER FOR EDUCATION: In the metropolitan area from Fremantle to Midland Junction inclusive. It is estimated by the Chief Inspector of Factories, and he is undoubtedly the man most competent to form an opinion on the point, that of those 259 small shopkeepers not more than 50 would be thrown out as a result of the provisions of the Bill. The other 200 odd are shops kept by people who would be eligible for registration as small shopkeepers under the provisions of this Bill, being widows, old, physically disabled, or cases of hardship. I notice that among those protesting against the provisions of this Bill is the Returned Soldiers' Association, who protest in the interests of maimed men. I desire to point out that maimed men would be specially qualified under this Bill and they would really be in a better position than under the existing Act.

Hon. J. Duffell: They are specially catered for, in fact.

The MINISTER FOR EDUCATION: Exactly, because while the existing Act gives the Minister power to grant registration to anyone who employs only a member of the family with him, if the Bill is agreed to, the only persons who can be registered as small shopkeepers will be those suffering from the disabilities I have mentioned. The effect of this is that it really extends special privileges to those who come within that category. From that point of view, the position of the returned maimed soldiers will be far better under the Bill than under the existing Act because it will create a sort of close preserve for people who are suffering from these disabilities.

Hon. A. H. Panton: Quite right.

The MINISTER FOR EDUCATION: I think so too. It would be competent, of course, for Parliament to insert an amendment protecting the interests of those persons who are registered at the present time.

Hon. A. J. H. Saw: Why not?

The MINISTER FOR EDUCATION: I make the suggestion because Parliament may consider that if a person has been carrying on his business as a small shopkeeper for years he should not be interfered with. It will be quite competent for any member to move an amendment so that the Minister in his discretion may permit that person to continue.

Hon. J. Cornell: Some of those persons are in a very good position and their wives are carrying on the shops.

The MINISTER FOR EDUCATION: It may be true that there are a number of persons registered as small shopkeepers who should not be so registered. I throw out the suggestion that there are many ways by which protection may be afforded to these people. I want to remove the impression that the Bill materially cuts down the hours. In point of fact, it only cuts down the trading hours by two, which is less than the hours which have been cut off the larger shops. I also want to remove the impression that the Bill will prejudice the interests of returned soldiers who are disabled. The Bill will make the position better for the aged, for the widows and for people suffering from physical defects or from hardship. This proposal to limit the rights of small shopkeepers is not confined to this State. It is included in the Victorian Factories and Shops Act at the present time. Clause 104 provides for the taking of a poll regarding the weekly half-holiday and is a re-enactment of Section 9 of the Early Closing Act. Provision is made for the Governor to declare any specified locality within the State to be a district for the purpose of taking the poll. At the present time great difficulty is experienced in taking the poll in country districts. The present Act provides for a municipal area or part of a municipal area, a road board area or part of a road board area or an electoral district but, for some extraordinary reason or other, the most natural of such areas, a municipality and surrounding road board district is not provided for. A poll cannot be taken in the municipal area and in the surrounding road board district, yet obviously that is the best combination because if we take the municipality and the road board area surrounding it, then we have, in any vote that is taken, the views of the people who trade and the people of the surrounding districts who trade with them. The alteration means that the Minister may prescribe a suitable area for taking the poll so that the people may give a proper expression of their opinions. Clause 105 deals with the closing of chemists' and druggists' shops, and provides that medical prescriptions, surgical appliances and medicines may be supplied at any time. Under the existing Act

these shops may be kept open until 8 p.m. on four days, 9 p.m. on Fridays, 1 p.m. on Saturdays, and may open from 6.30 to 8 p.m. on Saturdays, Sundays, and public holidays, and from 10 a.m. to 1 p.m. on Sundays and holidays. The original proposal in the Bill was that these shops should be closed at 6 o'clock. Representations were made to the select committee with the result that 6.30 was substituted. I shall be able to present to the House sufficient evidence to convince hon. members of the advisability of closing these shops at 6 o'clock. The persons who protested before the select committee were Messrs. Scurlock, Arnold, Spencer and, I think, Danker. Since the alteration was made, Mr. Scurlock on behalf of the others has written to the Perth and Suburban Chemists' Association withdrawing their objections. He writes—

> I consulted Mr. Arnold and Mr. Spencer and we are of opinion that we do not want to stand in the way of the majority attaining the ideal of early closing. We are therefore agreeable to 6 p.m. as the closing hour on condition that the clause in reference to the supply of medicine by chemists after 6 p.m. should, in the interests of suburban residents, be given a liberal interpretation and we suggest that the word "necessary" replace the word "urgent," because "urgent" can be construed as meaning a matter of life and death whereas "necessary" implies distress only, if not supplied. I beg also to remind you that we suburban residential chemists are the safety valves for any public dissatisfaction regarding the measure.

It has been pointed out by the association that the poll which decided in favour of 6 o'clock was taken by the master chemists only and not the employees. It was taken all over the State and the decision in favour of 6 o'clock closing was by a 4 to 1 majority. I think the Committee at a later stage will be with me in my suggestion that it would be better to revert to the original provision in the Bill and make the hour of closing 6 o'clock. Clause 106 fixes the closing times for certain exempted shops. It provides that the closing time for bakers, newsagents, tobacconists, and others shall be 8 p.m. on five days, 10 p.m. on Saturdays, and on the days preceding Christmas Day, New Years' Day and Good Friday. These shops now remain open till 9 and 10 o'clock respectively. Clauses 107 and 108 are re-enactments of Sections 11 and 12 of the Early Closing Act of 1902. Clauses 111 and 112 provide another debatable question regarding mixed businesses. It is proposed that shops in which more than one class of business is carried on and in which the closing of one portion is fixed for an earlier hour than for the other portion, shall be closed at the earlier hour. That is the proposal in the present Bill. Under the existing Act the shops remain open until the latest hour for closing, provided that the various goods which should not be sold are separated by a substantial partition. The interpretation of that phrase "substantial partition" has given great trouble in the past. It has been a constant complaint by the traders' association that shops having the right to close off a portion of the business, although they have done so, have in fact sold the goods so closed off up to a later hour, with the result that undoubtedly unfair competition has continued. It is proposed to empower the Minister, if he is satisfied that the businesses are properly separated, to exempt the shops from the provision for closing at the earlier hour. We are following the Victorian legislation in this respect and instead of partitions being erected which must satisfy the court, it is provided that it shall be within the province of the Minister to say whether he considers that the different classes of trade are sufficiently separated to make it safe. Clause 113 deals with the closing hours of shops where the hour has been fixed by the Arbitration Court or an industrial agreement which has been made a common rule. It fixes the closing time of shops in accordance with the decision of the court or as contained in the agreement as the hour at which shop assistants are required to cease work on any day. Members will remember that towards the end of the session in 1918 I introduced a Bill amending the Early Closing Act in certain particulars. I do not think that any of the provisions of the Bill were objected to apart from the one aspect. It was intended to provide for the difficulty which then existed between the master butchers, the employees in the butchering trade and what were known as the city or Barrack-street, butchers. The purpose of that Bill—I think it was Clause 6 of the measure I referred to—was to provide that where an award of the Arbitration Court or an agreement which had been made a common rule, limited the hours at which assistants should be required to work, then that also should fix the closing time for those particular shops. It was pointed out that the passing of the Bill would not settle a dispute then existing because the award had not been made a common rule, but that it would be competent for the parties to go to the Arbitration Court and, if they could secure a common rule, the shops would be closed.

Hon. J. J. Holmes: The principal objection was that the Arbitration Court was usurping the functions of Parliament.

The MINISTER FOR EDUCATION: Yes. Clause 114 prohibits the sale by auction during prohibited hours of goods sold by shopkeepers. That is a fair proposal. Clause 115 empowers the Governor to proclaim a public holiday either generally or in any specified locality and makes the closing of non-exempted shops on a public holiday compulsory. At present there is no power given to the Governor in Council to proclaim a public holiday, and when a bank holiday is proclaimed, it is competent for shopkeepers to please themselves whether they keep open or

not. It frequently happens that some shopkeepers of grasping character keep their shops open when others are closed, and again we have unfair competition. Exempted shops, of course, may keep open on public holidays. Clause 116 proposes to permit the employment of shop assistants on overtime for 12 days in each half-year. The object of this is to facilitate the taking of stock. A similar provision exists in the present Act. Clause 117 requires the shopkeeper to notify the inspector if he employs his assistants at overtime. This is not the case under the present Act, but it is desirable that such provision should be made. Clause 118 provides that overtime shall be paid for. This is a new proposal. It is intended to require the payment of time and a quarter to assistants for overtime and tea money in addition. The first proposal is in conformity with an award of the Arbitration Court and the provision for tea money is a modified copy from the New South Wales Act. Clauses 119 to 121 re-enact Sections 15, 16, and 17 of the Early Closing Act, 1902. Clause 122 proposes to limit the working hours of shop assistants in the case of adult males to 48 per week and in the case of women and of boys under 16 to 48 hours exclusive of overtime permitted by Clause 116. This clause was amended as a result of the inquiries made by the select committee, and I think it will need slight re-drafting without interfering with the intention. The clause originally provided for 52 hours for men and 48 for women and boys, but it was decided to make the hours uniform, and therefore there is superfluous verbiage in the clause. Under the existing Act the hours are 56 for adult males and 52 for women and boys, but these hours are inclusive of overtime. Under the Bill 48 hours is provided for, but overtime may be worked within the limits set down. Clause 123 requires the provision of seating accommodation for female assistants. This is not in the existing Act, but it is in force in the other States. Clause 124 provides for the payment of wages at not longer than fortnightly intervals. This is a new and desirable proposal, and it is in operation in the other States. Clause 125 prohibits the payment of premiums for employment in a shop or warehouse, the same as in a factory. Clause 126 is an amplification of Section 23 of the Early Closing Act, and will meet the requirements of the various awards of the Arbitration Court and of the Bill. Clause 128 requires the posting of a roster in exempted shops where assistants are employed. This is a new proposal. It is desired to overcome the difficulties experienced with regard to keeping records in hotels, tearooms, restaurants, etc. I do not think that any exception can be taken to it. These premises are allowed to remain open for longer hours than they may employ their assistants, and it is only reasonable that in such circumstances there should be a convenient method whereby the inspectors can ascertain whether the assistants are being employed over and above the number of hours permitted.

Hon. A. H. Panton: That is in our agreement too.

The MINISTER FOR EDUCATION: In the case of hotels this is already covered by the Arbitration Court award. Clause 130 proposes to provide for the annual registration of shops and warehouses and the payment of registration fees. This system is in operation in Victoria and in other States. Clauses 131 and 132 relate to the sanitation of shops and warehouses. It is taken from the New Zealand Act, and similar provisions are in operation in the other States of the Commonwealth. Clauses 133 to 139 are machinery clauses. Clause 140 provides for a general penalty for offences, and a daily penalty for continuing offences. Clause 141 provides for minimum penalties of 10s. and £2 for first and second or subsequent offences respectively. This provision is desirable. It is not a new departure; our Health Act stipulates a minimum penalty. In some cases the courts have imposed penalties that do not act as a deterrent. Where an offence is committed the penalty should be something that will make people careful not to repeat the offence. The minimum penalties provided are not high. Clauses 142 to 144 are machinery clauses. Clause 145 empowers the Minister to cancel the registration of a factory on conviction for a third offence. Clause 148 places the jurisdiction over power-driven machinery in factories under the Inspection of Machinery Act, 1904. Clause 149 is a new provision inserted by the select committee. It provides for record books, forms, etc., to be uniform, and to be printed by the Government Printer and to be obtainable only from him or from an inspector at a prescribed fee. I do not think it was ever intended that the forms should be charged for. I think the intention of the committee was that the record books should be charged for. It may be contended that, so long as a man has a record book in proper form, he should be able to get it printed where he likes. I would be inclined to sympathise with this view, but the idea of the select committee, I believe, was that these books could be printed in large numbers and supplied more cheaply than if printed in small numbers to the order of individual firms. I do not think it was intended that a charge should be made for the forms or anything except the record books, although the clause does provide for such charge. Clause 150 requires the provision of a rest room for female employees in restaurants, tearooms, etc., if required by an inspector. Clause 151 permits of a shopkeeper or occupier of a factory or warehouse selecting periods to constitute his half year or week. This will meet the desires of certain employers whose financial

year closes on various dates. Clause 152 provides for awards of the Arbitration Court or industrial agreements which have been made a common rule taking precedence over the provisions of the Bill. This is an important clause and has been inserted chiefly at the desire of the employers. At the present time an award of the Arbitration Court would prevail over anything in this measure if it happened to be in the interests of the employees. If the court fixed seven hours a day as the maximum working hours, the fact that eight hours a day was permitted under this measure would not relieve the employer from the obligation of acting in accordance with the terms of the award, but if the court saw fit to make the working hours 10 per day, which of course is not likely, the award could not be brought into operation because the Factories and Shops Act would prohibit employment beyond the number of hours set down in the measure. The intention is to remove limitations from the Arbitration Court to settle industrial disputes. I do not know that it is particularly important. I cannot conceive of any circumstances in which it would be of advantage to the employees, and I doubt whether in many cases it would be of advantage to the employers. Clause 154 empowers the Governor to exempt any portion of the State from the operations of the Act or any portion thereof. Subsequent clauses exempt bazaars and fairs, and the last clause provides for an annual report as under the existing Act. With regard to the matter of exempting a particular portion of the State, the select committee provide that any proclamation made under this provision may be annulled by a resolution of both Houses of Parliament. I hope that when this clause is under consideration in Committee this provision will be amended. It has two faults; there is no limit of time. I think the intention was that if the Governor issued a proclamation precluding any portion of the State from the operations of the Act, or any part of it, Parliament might, within a certain period, object to the proclamation just as it can object to regulations under other Acts. As the clause stands, the proclamation might be issued and Parliament might take no notice of it, and a year or two later objection might be taken to the proclamation. I do not think that was intended; neither would it be desirable. It would not be desirable, either, that the matter of annulling proclamations should be subject to the decision of both Houses of Parliament. We have fought out this matter with regard to regulations framed under other Acts, and this House has always insisted that, just as it takes both Houses to approve of any Act of Parliament, so it should take two Houses to approve of anything done by way of regulation which has all the force of an Act of Parliament. I hope that when the clause is in Committee it will be amended and made subject to the same conditions as regulations made under other Acts as prescribed by the Interpretation Act. The Interpretation Act provides that within a certain period either House may disallow a regulation. I do not think there is anything more I can say to make this measure clear to hon. members. I have not sought to labour any point or to satisfy members that a particular clause or procedure is right, but I have endeavoured to tell the House exactly what each provision means and the particulars in which it departs from our existing legislation, and to indicate generally where it conforms with legislation of other States. I repeat that if there is any particular feature on which members desire to know the law in the other States, I have a tabulated return from which I can very quickly satisfy them. I move—

That the Bill be now read a second time.

On motion by Hon. A. H. Panton debate adjourned.

BILL—OPTICIANS.

Second Reading.

Debate resumed from the previous day.

Hon. J. DUFFELL (Metropolitan-Suburban) [8.17]: It is at some personal inconvenience that I attend to night to further the progress of this Bill. I had a previous engagement, but as the desire is to make progress, I have remained to offer a few remarks on the measure. The present session of Parliament will, I think, long be remembered as a session which gave a great deal of consideration to measures relating to close corporations. Indeed, so much was forecasted in the Governor's Speech, which made mention of a Dentists' Bill and an Architects' Bill. Since then various other interested persons have introduced legislation to protect their particular preserves. However, I cannot conceive of any measure having a stronger tendency in that direction than has this Bill. I listened attentively to Mr. Nicholson's speech in moving the second reading; but the hon. member failed to convince me of the necessity for the measure. Various speakers on the Bill have expressed themselves doubtfully as to the need for it. One can hardly wonder at that after reading the Bill clause by clause. Indeed, the more one considers the measure, the more convinced does one become that it is unnecessary. At the very outset the Bill sets up a smoke screen in the definition of the word "optician." Reference has already been made to the proper definition of that word. The definition in Clause 2 of the Bill causes one to be very cautious regarding possible results. The smoke screen I have alluded to increases in density when Clause 4 is reached, the Clause providing for the establishment of a board of opticians. The provisions re-

lative to the establishment of the board are vague in the extreme. However, the purposes for which the board is to be created, and the powers to be granted to it, are by no means vague, but are highly specific. Generally, one must come to the conclusion that the Bill has been very badly thought out.

Hon. J. Nicholson: What about medical boards and legal boards?

Hon. J. DUFFELL: Medical boards are of a very different nature from the board here proposed. The powers sought to be conferred on the board of opticians are very far-reaching. The measure has been introduced at a very late period of the session, and therefore has but a slender chance of reaching the statute-book. Clause 15 provides that the board may examine witnesses on oath, and that the chairman or registrar of the board may summon any person to attend before the board to give evidence or to produce documents, and that if any person so summoned either fails to attend or, attending, refuses to be sworn or examined or to produce any documents required, he shall be liable to a fine of £10. Those are pretty serious powers to confer on a board constituted as proposed by Clause 4. Let it be borne in mind, too, that this board of six persons will be selected out of a total professional membership of ten. Such a board is to exercise such powers. I have to point out that there is more than one optical society operating in Western Australia at the present time. In addition to the society who have promulgated this Bill, there is another society; and what are those other fellows going to do who have not seen eye to eye with the society sponsoring the Bill? Differences have existed between the two societies for some considerable time. Must the members of one society be left out altogether?

Hon. J. Cornell: The two societies will form a coalition.

Hon. J. DUFFELL: There will be very little chance of the other society being allowed to coalesce with the society promulgating this Bill, if this Bill passes. The measure proposes to confer still further powers. Clause 18 provides that if any registered optician shall be adjudged by the board to be incompetent or to have been guilty of misconduct as an optician, the board may remove his name from the register. What will constitute misconduct? I fear that the very fact of an optician having been opposed to the particular society promulgating the Bill would be held to constitute misconduct. Again, under Clause 21, unless an applicant for registration by the proposed board has been a resident of this State for three months prior to this Bill becoming law, he cannot hope to become registered at all. Paragraph (c) of Clause 21 refers to a "prescribed examination" to be passed by apprentices in order to become registered. Mr. Dodd yesterday drew attention to this "prescribed examination." No one in this Chamber has the faintest idea what the examination is going to be. Clause 22 is one of the most deadly provisions of the Bill. Subclause 2 thereof provides that—

> After the expiration of six months from the commencement of this Act, no person who is not a registered optician shall practice optometry or dispense medical practitioners' prescriptions for spectales. Penalty: Fifty pounds.

And then there is Clause 23, which prohibits persons who are not registered opticians under this measure from assuming any title implying that they are registered opticians and so forth. The penalty for an offence against that provision is fixed at £20. Under Clauses 22 and 23 a firm like Levinson & Sons, who have a business in Barrack-street, and who, I believe, have taken the trouble to call the attention of hon. members to this Bill, will have to cut out from their letter heads any reference to the fact, now displayed thereon, that they are opticians. Again, there is Mr. Robert Reid, who describes himself as a chemist and optician, carrying on business in Piesse-street, Boulder, and who announces that he deals in optical goods, tests eyesight, and fits glasses. These clauses would compel him to delete all references to eye testing, sale of optical goods, and preparation of glasses from his bill heads. He will have to delete that if the clause goes through, and several others as well. The fact remains that Clause 24 says that no registered optician shall solicit business or engage in the hawking of spectacles. That does not say that the members of the board will not employ travellers who are not members of the board and who are not registered. To my mind one of the most objectionable clauses of the Bill is that which applies to persons who are not in the State at the time the Bill comes into operation. In other words, anyone residing in the Eastern States and who has been in the habit of sending travellers to Western Australia to sell his wares, will no longer be permitted to do so.

Hon. J. Nicholson: Who said so?

Hon. J. DUFFELL: Clause 28 provides that no registered optician shall practise who has not an established place of business within the State of Western Australia. I ask Mr. Nicholson whether that does not imply what I said just now.

Hon. J. Nicholson: No.

Hon. J. DUFFELL: I contend it does.

Hon. J. Nicholson: The clause says "practise."

Hon. J. DUFFELL: It means that no one, unless he be a member of this board, will be able to indulge in the grinding of lenses or the fitting of lenses or the testing of the sight, or earn a living in that regard in Western Australia. If further proof be required I will ask members to look at the schedule, which provides "Every appointment and every order, notice, certificate, or other document of the board relating to the

execution of this Act shall, except where otherwise provided by this Act, be sufficiently authenticated if signed by the chairman or registrar or any two members of the board.'' The fourth paragraph of the schedule provides that all powers vested in the board may be exercised by the majority of members present at any meeting and all questions shall be decided by a majority and by open voting. That same paragraph also provides that if a member refuses to vote, his vote shall be counted for the negative. A further paragraph sets out that if any member refuses or neglects to attend any meeting of the board all lawful acts of the board shall be as effectual as if they had been authorised by the full board. From this it will be gathered that the Bill cannot be other than, as I said at the commencement, a measure to provide a close corporation, a corporation of a dangerous type. The whole thing is bristling with anomalies and I feel sure it will not be allowed to go through the Chamber. It provides, amongst other things, that if any person has sold spectacles to another in the country, the seller is not even given an opportunity to sue for payment after a certain period unless he be a member of the board. Can anything more drastic be imagined? This is a clumsy measure altogether. There are no references in the marginal notes as to where the clauses came from. We were told by Mr. Nicholson that they were gleaned from Queensland, South Australia, and Tasmania.

Hon. J. Nicholson: I did not tell you anything of the sort.

Hon. J. DUFFELL: We were also informed that a similar measure was under consideration in South Australia. We were given to understand that the Bill was not one of very great importance and that it should be allowed to pass the second reading without much opposition. But from the anomalies which appear in the Bill I cannot see my way clear to support the second reading. If we agree to the second reading it is tantamount to saying that we are in favour of the system. I am not going to favour any system which is going to limit free trade, which is going to hamper people who are not so favourably circumstanced for obtaining a pair of spectacles without having to journey to Perth to get them, and then have to pay considerably more for them under the proposed close corporation.

Hon. J. Nicholson: Who said so?

Hon. J. DUFFELL: The Bill is too cunning; there is not the shadow of doubt. That is the top and bottom and the beginning and the end of the whole thing.

Hon. J. Nicholson: Oh no.

Hon. J. DUFFELL: The Bill is going to create a close corporation and it will have the effect of limiting the supply, and that supply will be less than the demand. It will have the effect of putting out men who are just as capable of conducting an optician's business as any member who would be appointed by the Governor under Clause 4. In the circumstances there is no alternative but to vote against the second reading of the Bill, and if Dr. Saw calls for a division I shall support him.

On motion by Hon. T. Moore, debate adjourned.

House adjourned at 8.38 p.m.

Legislative Assembly,

Thursday, 18th November, 1920.

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

RESIGNATION, Mr. G. J. FOLEY.

Mr. SPEAKER [4.32]: I have received the resignation of the hon. member for Leonora (Mr. Foley). His letter reads—

> The Hon. the Speaker. Sir, I hereby resign my seat in the Legislative Assembly as the member representing Mt. Leonora electorate in the State of Western Australia. George James Foley, 17th November, 1920.

The PREMIER (Hon. J. Mitchell—Northam) [4.33]: I move—

> That in consequence of the resignation of the member for Leonora, the seat for the electoral district of Leonora be declared vacant.

Question put and passed.

QUESTION—"JOURNAL OF AGRICULTURE."

Mr. JOHNSTON asked the Premier: 1, Have the Government yet given the promised further consideration to the question of re-establishing the "Journal of Agriculture"? 2, What decision has been arrived at?

The PREMIER replied: 1, Yes. 2, Not to issue the journal at present.