

to be any different from the others and therefore you are discharged for having been sober on this occasion." Speaking seriously, I do not believe that the police inspection is sufficient. No one can tell me that all the 25,000 drivers of motor vehicles in the metropolitan area are capable and sober people.

Hon. C. B. Williams: They manage to get licenses at very short notice.

Hon. Sir EDWARD WITTENOOM: I raise no objection to the motion, but I consider that the method of granting licenses should be tightened up.

On motion by Hon. E. H. Gray, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 1).

Order Discharged.

Order of the Day read for the second reading.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East) [5.7]: It is not intended to proceed with the second reading of this Bill because the Government propose to submit a more comprehensive measure during the next session which will begin in the near future. The present session, it is expected, will not last much longer, and no advantage will be gained by going on with this Bill. I move—

That the Order of the Day be discharged.

Question put and passed.

BILL—COLLIE RECREATION AND PARK LANDS.

Received from the Assembly and read a first time.

House adjourned at 5.8 p.m.

Legislative Assembly,

Tuesday, 26th May, 1931.

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

PERSONAL EXPLANATION.

Hon. A. McCallum and the Workers' Compensation Bill.

HON. A. MCCALLUM (South Fremantle) [4.35]: I desire to make a personal explanation. The other night, when speaking on the Workers' Compensation Bill, I said the only difference between the Queensland, New South Wales, Commonwealth, and our own Second Schedules was that New South Wales provided £1,000 as against our £750. Since then I have taken an opportunity to refresh my memory, and I find there are three or four items in the Queensland Second Schedule which make that schedule different from our own.

QUESTIONS (2)—BUNBURY HARBOUR.

Condition of Jetty.

Mr. WITHERS asked the Chief Secretary: 1, Which engineer, if any, is responsible for seeing that the Bunbury jetty is maintained in safe condition to carry railway rolling stock? 2, Has any inspection by an engineer been made during the last twelve months? If so, what was the reported condition? 3, If there has been no inspection, will he direct that an inspection be made at an early date and a full report on the general condition of the jetty made available?

The CHIEF SECRETARY replied: 1, The Engineer-in-Chief is consulting engineer to the Bunbury Harbour Board, or in his absence the Engineer for Harbours and Rivers, of the Public Works Department. 2, No. 3, Yes, if requested by the Bunbury Harbour Board or by the Government Railway Department.

Sale of Board's Property.

Mr. WITHERS asked the Chief Secretary: 1, Is the replaced property of the Bunbury Harbour Board disposed of by tender or by private sale? 2, What amount has been received by the board for such sales, including used electric cables, crane falls, and timber and steel bars recovered by the grab?

The CHIEF SECRETARY replied: 1, By tender and private sale. 2, £18 7s. during the current financial year.

QUESTION—HONEY TREES.

Mr. SAMPSON asked the Minister for Agriculture: 1, Has his attention been drawn to the statement by the president of the W.A. Beekeepers' Association that the marri (redgum), one of the best, most prolific and dependable of our honey trees, is being extensively slaughtered by workers under the control of the Forests Department and others? 2, In view of the national wealth thus destroyed, will he take up the question and prevent further loss in this direction? 3, Further, in view of the honey value of many of our indigenous trees, particularly the marri and certain other eucalypts, will he give consideration to the protection of these trees on stock routes and elsewhere by the addition of a clause in agreements affecting Crown lands, to provide for the retention of a reasonable quota per acre?

The MINISTER FOR AGRICULTURE replied: 1, No. 2, This matter will be taken up with the Forests Department, with the object of preventing any unnecessary destruction of honey-producing trees. 3, These matters will be taken up with the department concerned.

QUESTION—STATE GOVERNOR'S ESTABLISHMENTS.

Mr. MARSHALL asked the Deputy Treasurer: 1, What is the estimated capital value of the Governor's establishments at Albany and Perth respectively? 2, What is the estimated annual value of both establishments respectively?

The MINISTER FOR LANDS replied: 1, Albany £6,000, Perth £195,000. 2, Albany £400. There is no basis upon which an annual value can be assessed, as Government House is upon a Class A Reserve and cannot be leased.

QUESTION—RAILWAYS, ECONOMY.

Mr. J. I. MANN asked the Minister for Railways: 1, What is the amount paid yearly in pensions to retired railway officers? 2, What is paid to them for sickness? 3, What is the cost of the Railway Commissioner's yearly inspection, including conductor? 4, What is the cost of inspectors travelling about for the purpose of trying to economise by reducing the wages staff? 5, How many officers have been reduced or dismissed in relation to the recent dismissal of over 1,000 wages men?

The MINISTER FOR RAILWAYS replied: 1, £15,719. 2, £4,018. 3, Approximately £1,300. 4, Nil. Inspectors carry out this work in the course of their ordinary duties. 5, Retrenched, dismissed, etc., 119; reduced from salaried to wages positions, 19; reduced in salary, 6.

QUESTIONS (2)—CANNING STOCK ROUTE.

Reconditioning.

Mr. MARSHALL (without notice) asked the Minister for Works: 1, Has the reconditioning of the Canning Stock Route been completed? 2, If so, what is the total cost? 3, If not, at what date this year is it expected the work will be completed, and what will be the approximate cost thereof?

The MINISTER FOR WORKS replied: I am not in a position to answer the question offhand. I suggest the hon. member give notice.

Mr. Marshall: Do you not know whether the work has been completed?

The MINISTER FOR WORKS: No.

Mr. Marshall: Well, why did you not answer "No" to the first question?

Overlanding of Stock.

Mr. MARSHALL (without notice) asked the Minister for Agriculture: Is it a fact that his department has framed a regulation which in effect prohibits the overlanding of stock by the Canning Stock Route because of the risk of pleuro.

The MINISTER FOR AGRICULTURE replied: No. The regulation is in force, but was framed by the previous Government.

BILL—COLLIE RECREATION AND PARK LANDS.

Read a third time and transmitted to the Council.

BILL—SPECIAL LEASE (ESPERANCE PINE PLANTATION) ACT AMENDMENT.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York [4.42]: I move—

That the Bill be now read a third time.

HON. W. D. JOHNSON (Guildford-Midland) [4.43]: I regret that through illness I was not present when the Bill was being discussed. Had I been here I would have taken exception to the Bill and recorded my opposition to it. The Bill is to continue the control by a private company of a large area of country in the Esperance district. Originally the 45,000 acres was given to this company for a special purpose. It is evident from the Minister's speech that the company made no close investigation to see whether they were capable of doing what they proposed to do when they made their original representations to the Government. The Minister admitted that a sample of the subsoil disclosed that the planting of pines as originally intended was impracticable. Yet without the slightest investigation, even into an analysis of subsoil to see whether the pines would grow, the company had not only approached the Government with the object of securing a grant of the land, but they had also induced the public to subscribe capital

to enable them to carry on that which they assumed they could do, but which, after very little work, was found to be impracticable. They failed to carry out that which they had undertaken to do. In the original Bill there was provided a penalty to be imposed in the event of failure on the part of the company. The company have failed, but no penalty has been imposed, there has been no finalisation of the authority of Parliament for the company to use the land for a pine plantation. When the company found they were unable to go on with their original undertaking they made representations to the Government that they might still hold this large tract of country, and use it for other purposes. I want to protest against the alienation of land under practices of this kind. Originally Parliament agreed to the land going for the planting of pines, and a case was made out to justify that. Now, the company having failed in that object, instead of the whole thing being declared a failure and the grant cancelled, the company, if this Bill passes, will have the right to use the land for agricultural and pastoral purposes. In this State for many years we have had an established practice by which people can acquire land for pastoral and agricultural purposes. The Land Act definitely lays down what shall be done, and there have been very few instances of the alienation of land by other means than those laid down in the Land Act. In my experience, where departures have been made they have not been very happy for the State. As a general principle, I object to people getting control of large tracts of country and having the right to make a profit by alienating the land under a system of their own. The Minister said that, generally speaking, when these people exercised the right to alienate 20,000 acres, which they could subdivide and dispose of, they would when disposing of it be subject to the Land Act. But the qualification "generally speaking" indicates that the Land Act will not be applied, and that it will be applied, if at all, only generally speaking. Even if the Act were to apply, I would still protest against the transaction. We have all the experience of the past to guide us as to what is best in the way of land settlement, and we have State offices to control that sort of thing.

Mr. Corboy: It establishes a precedent for getting around the Land Act.

HON. W. D. JOHNSON: That is why I am protesting. I am not agreeable to land being disposed of in this way. The Bill goes

outside the Act and gives a private company the right to dispose of land. It is wrong that Parliament should endorse these private ventures. Evidently some person approached the Government of the day, claimed that a profit could be made, and that an asset would be created for the State as well as the owners if a pine plantation were established on this land. He seems to have convinced Parliament that it was a highly practicable proposition, and so sound that it was going to save the State large sums of money on the importation of softwoods. He was then given this 45,000 acres. Having got that he went to the general public, and on the strength of our endorsement he induced people to invest their money. The money invested in the proposition, we are told, has been lost. The Minister says that as Parliament has gone so far in the matter, we should give the original investors an opportunity to make good their losses. He wants to ensure that although they have lost their money, they should be given a second trial, not in the planting of pines, but by engaging in agricultural pursuits. One cannot get much satisfaction when opposing a Bill on the third reading. Had I been present during the earlier stages of the Bill, I would have opposed it strenuously. I now intend to vote against the third reading. It is not likely another place will view a Bill of this description with disfavour. No doubt it will appeal to members there, although I hope they will realise the danger of it and will defeat it.

HON. M. F. TROY (Mt. Magnet) [4.50]: I was not in the House on Thursday evening when the second reading of this Bill was carried. The Act was the result of a Cabinet decision which I was instrumental in securing when the Labour Government were in office, and I must therefore take the responsibility for it. The member for Guildford-Midland (Hon. W. D. Johnson) is wrong in his assumption that the company secured a certain acreage of land for a specific purpose but failed to carry out their obligations. The company certainly got the land, and spent a great deal of money in carrying out their obligations, but ultimately found the country was not suitable for the original purpose. The unsuitability of the land was determined by the officials of the department, amongst whom was the Conservator of Forests.

Hon. W. D. Johnson: Why was that not said before the shareholders put their money in?

Hon. M. F. TROY: I do not know. I am responsible for the matter being brought before Cabinet, and I accept the responsibility here. The company did fulfil their obligations to the State in the fullest degree possible, and there can be no reason except that of pure cussedness why a Bill of this nature should not be passed. To have precluded the company from the relief provided by this Bill would be unfair and wrong. A great service to the State has been done by the company. They have attempted to grow timber, but found that in some parts of the area that was impossible. In addition, the company have undertaken agricultural experiments with marked success. When we are aware that the State possesses millions of acres of a similar class of country, and that these vast areas are still in an uninhabited region, members will realise the value to the State of these experiments on the part of private persons, which may result in a large area of this uninhabited country being brought under the plough. When I traversed the area between Ravensthorpe and Esperance with the Migration Commission I put it to Mr. Gunn, the Vice Chairman of the Commission, that the Commonwealth Government should provide £10,000 for the establishment of an experimental farm in that area. I am sure there are possibilities about the district for, although it is sandplain country, it has a clay base. You, Mr. Speaker, were with me on that occasion. Unfortunately, Mr. Gunn would not agree to this. I am sure the results of such a step would have been of great value to the country. Bad times then came along and the money could not be found. This State has been well served by the company through the expenditure of their capital, and their attempt to develop that part of the State when there was no Government money available. Knowing all the facts as I do, and the service which the company have rendered to the State, and that they have done their utmost to carry out their obligations, I say that Parliament will do a reasonable thing by passing the Bill.

MR. MILLINGTON (Mt. Hawthorn) [4.55]: I did not speak on the second reading because there appeared to be no opposition to the Bill. Since, however, a meas-

ure of suspicion has been created I would say that, instead of its being felt that the company have received a concession and are under an obligation to the State, it should be put the other way about. The work carried out by the company has placed the State under an obligation to them. In the first place, when the Act was passed the agreement provided that the object of the company was to cultivate a pine plantation. These people put in their money, as did also the promoters. They then found themselves in difficulty, not only in regard to the soil, but when the pines were planted the scrub was only roughly cleared, and the Christmas tree, which is a parasite, set about killing the young pines. It appears hopeless to attempt to carry out the agreement and a waste of money to go on planting pines. Unless the agreement is altered, the company will be committed to plant a given area of pines each year. It would be ridiculous to force the company to carry out the agreement and a useless expenditure of money. Having practical and commonsense men at the head of affairs, the company tried other experiments, and these will be of very great use to the district if they are successful. I think the company are taking on something that no one here would be prepared to take on to any great extent. It is true these people have been successful in their experiments in respect to pastures, but they have not yet proved that this is a commercial proposition. In the growing of pastures they must have regard for the expense entailed. I have visited the area, and am not satisfied that these pastures can be successfully grown as a commercial proposition. Those that have been grown have been at the expense of very heavy fertilising. The country is practically useless and is available at a very low figure. I would not have it at any price. The area of 45,000 acres is not really very large because there are many times that number of acres running coastwise close to it. It would be a fine thing for the State if the company were successful in demonstrating that pastures could be grown as a commercial proposition. The company are doing work which ordinarily would be done by a State experimental farm, and it will be a wonderful thing for the district if it turns out a success. I saw growing there Tangier peas, a fine crop of lupins, clover

of different varieties, and oats and other fodders.

Hon. W. D. Johnson: Surely you are contradicting yourself. You say the land is no good and now you say it is growing valuable crops.

Mr. MILLINGTON: The hon. member is so prejudiced that he is not following me. I said these lands had been growing these things with the aid of heavy fertilisation. Would the hon. member say it was a commercial proposition if it took a pound's worth of fertiliser to grow a shilling's worth of crop?

Hon. W. D. Johnson: I am not concerned about details, but about the principle.

Mr. MILLINGTON: The hon. member does not know. It is a question whether or not these fodders can be produced without too much money being spent on fertiliser. It is, of course, possible to grow anything, we are told, at the South Pole if people are prepared to spend enough money. The company have produced some pastures and the next point is whether this can be done on a sound commercial scale. Until this can be proved, those who are investing their money are risking it. Naturally, having discovered that to produce a softwood forest was not a commercial proposition, they endeavoured to put the land to some other use, and quite rightly. In order to do that, they have to be relieved of their agreement, which entails the planting of pines. It would be ridiculous if we did not encourage the company to grow something else that would be of use to the State. The least that can be done is to relieve the company of the old agreement to a certain extent, and give them an opportunity of showing whether the land can be turned to some productive use. Could the State have afforded it, an experimental farm would have been established in that district, which comprises an enormous area with a rainfall of 30 inches, the water in many places being close to the surface. The natural growth there is useless; I do not think it would keep a snake to the acre. If the company can turn that land to commercial purposes, I hope those interested will not be viewed with suspicion by people who do not understand the position. Hundreds of thousands of acres are lying idle there, and it would be a fine thing for the State if the value of that land could be proved. Therefore I support the third reading, and I regret that

any suspicion is cast upon people who have been especially unfortunate in their endeavours to develop the State. The least we should do is to give them what encouragement we can, because the success of their efforts will be a great thing for that district and for Western Australia as a whole.

HON. T. WALKER (Kanowna) [5.3]: I am somewhat surprised that there should have been any opposition whatever to this measure. Towards the north of Esperance is a vast tract of what is apparently pure sandplain, but which experiments have shown to be marvellously productive. Through the agency of the company who started out to make a pine plantation, the desert has yielded almost as abundantly as those lands which are termed fertile. True, as has been stated by one hon. member, a great deal of money has been spent by way of experiments; but the company who seek to make fertile what has been hitherto classified as desert land have spent their money willingly for that purpose, and should not be treated as a national culprit, as an offender against the welfare of the State, but rather as a benefactor. This is not a company of opulent members, but a company whose funds come mostly from comparatively poor people.

Hon. W. D. Johnson: I suppose this debate will go into their prospectus.

Hon. T. WALKER: There may be wealth in it. Why not? Whatever increases the value of an area of country may profit individuals, but profits the State more abundantly. It is for the benefit of the whole State that a comparatively barren tract of country, as it has been considered hitherto, should be rendered into a fertile district. The whole of the people benefit by such a process. It is good not only for those who undertake the work, but for the children of this State when we shall have passed away. Therefore, instead of discouraging the company we should encourage them. This enormous tract of country, if brought into fertility as the company are proving it can be, will prove a genuine asset to the whole State. With perfectly good intentions, the company was formed to benefit the State by planting pines. The prolific nature of the enemies of pine plant life, however, rendered it impossible to make this a payable venture straight away. More

spade work has to be done, more cultivation has to take place. The plant life inimical to pine forests has to be removed, and this is a work of energy and of time and expense. Here we have a company undertaking to do that work for the benefit of the whole State, and are we to discourage the company because some formality of our laws would seem to prohibit what is proposed? We have got for the company a special lease, and the whole question is whether we are to throw that lease in the waste-paper basket, return the soil to its primitive condition, and allow that enormous tract of country to intercept commerce like a desert, or whether we shall try to have the desert turned into a paradise. That is what the company are doing. Their experiment is of value to the whole State and to the whole of Australia where similar conditions exist. I commend the enterprise of the company, and the ability, energy and foresight of the company's management. I also commend the Government of to-day for taking over the bequest of their predecessors in office for adopting a measure drafted under the direction of the previous Minister for Lands. I sincerely trust that no mere cavilling and technical objections will prevent a great object lesson being given to the people of Western Australia by the enterprising company who have asked for this Bill.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York—in reply) [5.8]: I regret that the hon. member who has raised this point on the third reading was unable to be present when the second reading of the Bill went through. It was clearly understood that the original lease was given to the company for a specific purpose. I hold that they were honest in believing that pines could be grown successfully in the district, having regard to the fact that just a little way from their leasehold a wonderful growth of pine trees exists. I am not too sure now that some day we shall not see in that country the growth of many pines. However, the parasites inimical to the growth of pine trees must be removed first. The company have spent £7,500 on their project already, a very worthy feature of the enterprise being that it represents an attempt to prevent money for pine plantations going out of Western Australia. Being unable to carry on their work owing to

the parasitical growths, the company have attempted to turn their attention to other aspects. I believe this House desires to give people who invest their money in such enterprises a reasonable opportunity of getting their money back. Moreover, there are millions of acres of similar country. The company have adopted the honourable method of coming to the House for a definite lease rather than doing the self-same thing in a round-about way that would be opposed to the law. I hope hon. members will agree to the third reading of the Bill.

Question put and passed.

Bill read a third time, and transmitted to the Council.

BILL—WORKERS' COMPENSATION.

Second Reading.

Debate resumed from the 21st May.

MR. KENNEALLY (East Perth) [5.11]: In dealing with this measure I wish to draw the attention of the House to the many serious alterations proposed by the Bill in its present form. I am wondering whether Ministers, including the Attorney General and the Minister for Works, are developing into humourists in their later years. When we were discussing in this Chamber the possibility of having the Bill referred to a Royal Commission, those Ministers repeatedly asked members on this side the question, "Are you prepared to say that you will vote against the second reading?" I do not know whether the explanation is that Ministers are developing a humorous strain, or that they wish to impress on members sitting on this side of the Chamber that there is a possibility of getting from the Ministerial benches something that we certainly do not expect. Anything I can do to defeat the Bill on the second reading will be done. Now I propose to let the House know why that attitude is being adopted on this side. The Minister for Works, when moving the second reading, stated that this was not an employers' Bill, but a workers' Bill.

The Minister for Works: All workers' compensation measures are.

Mr. KENNEALLY: I propose briefly to analyse the position, and see whether the Minister's assertion can be borne out. In

explaining the measure the Minister said that he had had a committee before him to give him information with regard to it. He said that he had had the underwriters before him also. But he acknowledged that the people who were not represented before him were the workers.

The Minister for Works: Neither were the employers.

Mr. SPEAKER: The Minister must not interject out of his place.

Mr. KENNEALLY: In order to collect the material necessary for this workers' measure, the Minister interviewed representatives of all sections other than the workers. The Minister went on to tell us that the underwriters stated they had not formerly suggested any amendments to the Act because the Government then in power had been unsympathetic. Apparently, the underwriters now have a sympathetic Government because, subsequent to the present Minister taking office, the underwriters went back and suggested certain amendments. The inference I draw is, I claim, fair—the underwriters now consider that they have found a sympathetic Government or a sympathetic Minister. There has been considerable newspaper propaganda urging the introduction of this legislation. As soon as the Government took office, articles were published and statements appeared in the daily Press pointing to the tremendous drag on industry that workers' compensation requirements represented. Those who wrote the articles and contributed the statements published in the Press are apparently prepared to ignore the fact that workers' compensation is no new movement in this or in most civilised countries. It is a recognised form of insurance to make provision for those unfortunate persons who fall by the wayside in the pursuance of their respective callings. The Government have been prepared to accept the views placed before them through the channels I have referred to, and those of the deputation that was prepared to wait on a sympathetic Minister, as against adopting such a course with regard to the previous Government who were regarded, so the Minister says, as being unsympathetic. The result of the conference with the Minister, and of the altered attitude of the underwriters, consequent upon the sympathy exhibited by the Government, is to be found in the Bill presented by the Minister, who took care to

tell the House that it was not an employers' Bill.

The Minister for Agriculture: Do you suggest it is an underwriters' Bill?

Mr. KENNEALLY: The trail of those who are not workers are to be seen throughout the clauses of the Bill, and I propose to place facts before hon. members in the course of my remarks and I feel sure that at least some who sit on the Government side of the House will regard my statements as correct. If they then continue to claim that the measure is a workers' Bill, as asserted by the Minister, then I suggest it will be for those hon. members to demonstrate that it is a workers' Bill, rather than an employers' Bill, which was denied by the Minister. I think we can agree that industry should be called upon to bear the expense of its discarded human machinery, just as it has to make provision for the replacement of ordinary machines in the course of production. If we are agreed on that point, then it appears to me it becomes merely a simple question of determining what is a fair system and what is a fair amount of payment for compensation. I am convinced we could arrive at that basis without making such tremendous inroads into the existing Act as the Minister proposes in his Bill. I wish briefly to point out to the House directions in which I consider the Bill should be amended. In the first place, the Bill sets out to define what is a worker and provides, among other points, that a worker shall be a person in receipt of not more than £400 per annum. In view of the fact that the Bill proposes to set up a monopoly in connection with industrial insurance by bringing all operations under one central control, the time has come when we should give attention to the question of not limiting the benefits of workers' compensation to those only who are in receipt of £400 or less per annum. The Bill should be amended to allow a greater number of people to receive the protection of this legislation. It may be argued that a man in receipt of £700 or £800 per annum should not be protected, but, for my part, I claim that industry should be called upon to protect the whole of its workers. That should be a charge on industry for which industry should make provision. As a matter of fact, if there is an expensive machine used in production, it is not regarded as expensive because it cost a lot of money. That would never be accepted as a

proper reason for no provision being made in the financial arrangements of a company for the replacement of that machine when ceased to be of use to the company. What applies to an ordinary machine must surely apply to an individual worker. There should be no particularly strict line of demarcation between those workers who should, and those who should not, come under the provision of a Workers' Compensation Act. For this reason, I claim that the Bill should be amended so as to extend the benefits of this legislation to men in receipt of more than £400 per annum. In addition, provision should be made in the Bill whereby, seeing that we do not take overtime payments into consideration when computing the amount of money a man shall receive weekly if he is injured, we shall apply the same principle when ascertaining a worker's salary. It is only right that we should not take into consideration overtime payments in considering whether a worker is in receipt of £400, £500, or £600 per annum. That should be made clear in the definition of "worker," the clause is to be passed in its present form. Should a man be called upon to work overtime to any considerable extent, and the amount received brought his aggregate salary above £400, he would not be entitled to compensation under the provisions of the Bill, should he be injured, and it becomes necessary to arrive at the sum he should be paid weekly. The same principle should operate in each instance. If the consideration of overtime is to be excluded in the computation of the weekly amount, it should be excluded in computing the man's wages per annum in relation to the definition of "worker." The question of overtime should not be used to place a worker outside the scope of the Act. There is another important provision in the Bill relating to the decisions in cases when the point at issue may depend upon a knowledge of medicine or surgery. The Bill sets out that an interested person may ask that the case, a question of medicine or surgery is involved, shall be referred direct to the Medical Board, the members of which shall decide the issue, and their decision must be adopted by the court. If the Bill is passed in its present form, who will determine whether the case involves a knowledge of medicine or of surgery? The Bill is silent on that point. Seeing that the Bill makes provision that any person interested may

ask the medical board to arrive at a determination, I would like to have further information as to who would be regarded as "any person interested." Interested in what? Possibly in the determination! As the Bill stands now, this embodies a principle directly opposite to the previously prevailing idea of justice. Any person interested can ask for a case to be taken from the court and submitted to the medical board, the members of which shall deal with the case, provided it is one that depends for decision upon a knowledge of medicine or surgery. There is nothing in the Bill to say who shall determine whether the case is one that does or does not call for determination by someone with a knowledge of medicine or surgery, and there is certainly no definition of "any person interested." The main provision to which we must give attention is that in which it sets out that any interested person can ask that a case be taken before the medical board, who must arrive at a determination, which must be accepted. Thus the board members will be above the law itself. That is to say, if the case should go before the court subsequently, the court would have to accept the decision of the board already given. I hope the Minister will give us some further information on the two points I have raised. Will he first define what he means by "any person interested," and, secondly, will he say who will determine whether a case is one the determination of which involves a knowledge of medicine or surgery.

Mr. Raphael: The Minister will do that.

Mr. KENNEALLY: The words appearing in the Bill are, "Any person interested in any question depending upon a knowledge of medicine or surgery." It seems to me, in view of that verbiage, it would be almost impossible to select persons who would not be interested, because, after all, the person who pays the insurance premium is an interested person. It would be very difficult to define a person who could not be regarded as being in the category of "any person interested in any question depending for its decision upon a knowledge of medicine or surgery." The Minister has given no reason why a board so constituted should have the right to stand between the community and what I might term natural justice. Why are we to constitute a board which may have a case referred to it by the people mentioned or by any person interested, and

why should we give that board power to determine a question and then refuse to the individual the right to have a court of law review the decision of the board? Why should we make it possible for any person whose case is going before the court and who thinks he would have a better chance before the board, why should we give that person the right to say, "The case shall go to the board. I am an interested person and I want the case to go to the board rather than to the court"? Why should we give him that power to send the case to the board? Are members going to support a proposition to prevent the possibility of a man who considers he is aggrieved in that respect getting a determination in a court of law? If members are not prepared to support that proposition, they will have to see to it that an amendment is made to prevent the possibility of that occurring. If that clause goes through in its present form, any injured worker who falls foul of the board will be in a deplorable position and will not be likely to get much from the board. If we let that provision remain unamended, the board will be the final court; for it is provided that the court shall accept the decision of the board. Again, the Bill provides that the life of the board shall be during the Governor's pleasure. That, I think, is wrong.

The Minister for Works: I agree. It might well be limited to three years.

Mr. KENNEALLY: Whilst I think we should make provision for members of the board being removable if in the opinion of the Governor that is desirable, I think also the life of the board should not be beyond three years. Of course, members of the board should be eligible for re-appointment. This board will be a rather important body. It is going to be the custodian of a black list. It is to be authorised to prepare a black list of the medical profession, and given fairly complete powers in that respect. It will be able to say who shall have authority to deal with workers' compensation cases, and who shall not have that authority. It will have power to say to a medical man, "You may be the very best medical practitioner in this country, but your name is going to be removed from the list of those entitled to deal with workers' compensation cases." If we were to propose from our little citadel in Beaufort-street, the Trades Hall, the introduction of legislation provid-

ing for a black list in industry, there would be a roar from the other side of the Chamber against any such proceeding. Yet when the Minister proposes to introduce a system by which a board of three members shall be empowered to declare a black list in the medical profession, I am still waiting to see how far those members who would be loud in their opposition if the proposal originated on this side of the House will agree to the proposal coming from the Minister.

Mr. Panton: If it came from us there would be a protest like a clap of thunder.

Mr. KENNEALLY: I regard this as one of the serious provisions of the Bill. Of course I know it will be argued that some medical men would not be prepared to do the right thing under the Act. There may be those who do not hold the scales of justice evenly balanced between the fund and the employees; in the light of years of experience of the operations of the Act I am prepared to agree that some striking instances could be mentioned: but I say that in order to cure the wrong that might be done by a few members of the medical profession, it is not necessary to introduce a system giving power to a board of three members to place medical practitioners on a list of those entitled to deal with workers' compensation cases, or to take them off that list without giving any reason for their removal. The proposal is altogether too drastic and should not appeal to members of the House. If a doctor is practising in some little town at a distance from Perth, and if this board says to him, "Your name is to be removed, you are not to be any longer included in the list of those entitled to deal with workers' compensation cases," what is to be the position of that man in the community in which he lives and works? I contend the House should not countenance this autocratic authority which the Bill proposes to give to a committee of three men. If there are instances of medical men misbehaving themselves—and they are only human, after all—there should be a method by which action, if taken, is taken in the same manner as is followed in other cases of misdemeanour; and if a doctor against whom action is taken is not satisfied with that action, he should have the right to appeal to some tribunal that will properly hear the case and give a determination. We should not invest a body of three men with

the right to say to a medical practitioner, "You are not good enough to associate with those who are going to deal with workers' compensation cases," and make no provision for an answer being supplied when he asks for the reason for the drastic action taken. I ask members to give it their serious consideration before passing a provision that will place in the hands of three men the right to deprive other men of their livelihood. The measure as introduced had a double objection in that respect, for it provided that the life of the board should be during the Governor's pleasure. The Minister has since intimated that he is prepared to limit the life of the board to three years. But imagine the provision in its present form: This board is to be appointed during the Governor's pleasure, or in other words, for life, and is to have these drastic powers. I have already suggested that a patient who fell foul of the board would have a pretty bad time. I suggest too that this would apply, not only to men injured in industry, but also to a number of medical practitioners who possibly might be every whit as able and conscientious as the members of the board who, nevertheless, would be in a position virtually to deprive those medical practitioners of their livelihood. The drastic nature of the provision will, I hope, be obvious to members of the House. And then consider what is to happen to a man who has been struck off the list of those entitled to deal with workers' compensation cases. The Bill provides that in no circumstances shall such a man deal with workers' compensation cases except in emergency, when there is no listed member of the medical profession available to deal with the case. It may be said by the Minister that it is not intended altogether to prevent a doctor who has been struck off the list from attending to such cases, but merely that he shall not be paid from the fund. Naturally that means the doctor will not attend to the case for when we cut off the supply, the payment for work performed, naturally the work is no longer performed. So only those on the list will be attending to workers' compensation cases. If a blacklisted doctor were to attend to a workers' compensation case, the injured worker would not be entitled under the Bill to get his money, and so the doctor, except in an emergency case would not get any payment from the fund. Would members support a provision that

doctor's name must be put on a list and, if it was not on the list, he could not undertake certain work and could not obtain information as to why he was not on the list? The commission could refuse to put a doctor's name on the list without giving any reason whatever for their action. A medical man or any other man in similar circumstances should not be so debarred by three individuals, without rhyme or reason, and thus deprived of earning a livelihood. There should be some form of redress if the individual considered that the action of the commission was not justified. If a worker were injured, would the doctor be expected to run around trying to get information as to whether one of the favoured of the profession was available before giving the man the treatment he needed? If the Bill be carried in its present form, that position will arise. If a worker were injured and a doctor were present at the time and his name were not on the list of those entitled to attend compensation cases, he must first inquire to ensure that no other medical man was available whose name was on the list. If a doctor acted without making such inquiries, payment would not be made from the fund for his services, and consequently the responsibility for the payment would fall upon the injured man. Considerable alterations are proposed to the schedules of the Act. The alterations are such as to reduce greatly the benefits accruing to workers under the existing law. Why does the Minister propose, in the First Schedule, to reduce the age of children from 16 years to 14 years? The Act provides that the half-pay to accrue to an injured worker shall be supplemented to the extent of 7s. 6d. a week for each child under the age of 16. The Bill proposes to make the age 14. Consequently there will be no 7s. 6d. a week for children between the ages of 14 and 16. Even with that, the Minister is not satisfied. He proposes to insist that the children shall be wholly dependent upon the injured worker. The member for South Fremantle dealt with that aspect, but I should like to point out that the reduction of the age of 16 to 14 and the provision for the children being wholly dependent upon the injured man will eliminate benefits that have made it possible for workers to carry on when they have been injured. Relief will be denied unless it can be shown that a person has no source of income whatever—

Hon. A. McCallum: And no assets.

Mr. KENNEALLY: That is so. It reminds me of the action of the Government in allotting work to the unemployed. A man is not considered for employment unless he is on sustenance, and he cannot receive sustenance until he has shown that he is not possessed of any assets. Evidently the Government are attempting to put into operation in connection with workers' compensation the policy adopted in regard to unemployment. I hope members who have constituents likely to come within the scope of this measure will realise that to adopt the two provisions relating to children will be a retrograde step. It is not as if the State were ahead of other civilised communities in the conditions of workers' compensation. Some countries lag behind us, but many have more liberal legislation. The very wide powers to be given to the commission require careful consideration. It is proposed to empower the commission to direct that an injured worker shall be attended by a certain doctor. The penalty for not agreeing is severe; the man will receive no relief unless he complies with the directions of the commission. The selection of a doctor is a serious power to confer upon a commission. There is truth in the statement that a doctor in whom a patient has faith does more good than a doctor in whom the patient has no faith. A worker might have special reasons for preferring a certain doctor. He might have some antipathy to a doctor appointed by the commission.

Mr. H. W. Mann: Do you think that would affect the doctor in the attention he gave to the case?

Mr. KENNEALLY: It would affect the chances of the patient's recovery, and that is what I am concerned about; I am not concerned about the doctor.

Mr. H. W. Mann: That is the point.

Mr. KENNEALLY: I am concerned about the sufferer, who should receive the greatest consideration. While I would commend any action to prevent fraud, malingering or any other objectionable feature that has crept into workers' compensation, we should direct our attention to ensuring that the best relief, financially and medically, is given to the man who is the victim of industrial accident. The commission would have power to say to Jones, "Brown is your doctor, and to Brown you have to go."

Mr. H. W. Mann: Is not that the attitude adopted by the hospital authorities at present?

Mr. KENNEALLY: The hon. member does not seem to grasp the fact that we are not dealing with the question of hospital accommodation. It is a question of paying compensation and providing medical attention. If the hon. member's interjections can be taken as an indication of what he considers desirable, he would give power to three men who are not medical men to say to an injured worker, "Brown must be your doctor." What right have they to say to an injured worker, "You must go to Dr. so-and-so for treatment?"

Mr. H. W. Mann: If a man goes into a hospital to-day the authorities allocate him to the doctor they think most suitable for his case.

Mr. KENNEALLY: Those authorities are all medical men.

Mr. H. W. Mann: Are those who would select a doctor not also medical men?

Mr. KENNEALLY: No. The hon. member has not read the Bill. When he has done so he may withdraw some of his remarks.

The Minister for Works: All medical matters will be referred to the medical board.

Mr. KENNEALLY: The Minister may possibly know from inside information that it is the intention of the commission to consult the medical board.

The Minister for Works: You have already said so.

Mr. KENNEALLY: It is possible the commission and the board may work together. The thing I object to is the right being given to anyone to say who the doctor shall be.

The Minister for Works: All medical matters must be referred to the board.

Hon. A. McCallum: This is a matter of choosing the doctor.

Mr. KENNEALLY: The Minister has not yet shown who will determine whether a patient requires medical or surgical treatment. There is nothing in the Bill to elucidate that. What right have laymen to tell the injured person what doctor he shall consult? The Minister is talking of one part of the Bill, and I am referring to another. The commission, for instance, may consider it is necessary for a man to lose his leg or an arm. They would have the right to say, "If you do not submit to this operation you will get no further compensation, and you must also agree that Dr. Jones is the man to take off the limb." Despite that the

Minister told us this is a workmen's Bill and not an employers' Bill. He says he wants to shift the burden without reducing the amount received by injured persons.

Mr. H. W. Mann: I suppose you know the employers are the greatest opponents of the Bill, and yet you say it is an employers' Bill.

Mr. KENNEALLY: I will leave the hon. member to speak for the employers. I am not concerned about the support that may be accorded to the Bill, for I want to see it put in the waste paper basket.

The Minister for Works: You did say we had received our instructions from the Underwriters' Association.

Mr. KENNEALLY: No. I quoted the Minister to show that he said it. He said that representatives of the Underwriters' Association had informed him they did not suggest amendments to the Act because the previous Government were unsympathetic. He went on to declare that they submitted amendments later on. The natural assumption is that the Government then in office were sympathetic. The Minister has no right to complain of my statement because he himself supplied the information. He also said that some of the amendments submitted had been inserted in the Bill, and some had been omitted. He admitted that he had had before him representatives of every section of the community, bar the workers.

The Minister for Works: I did not say anything of the kind.

Mr. KENNEALLY: When he was asked why there was no representative of the workers, he said that one was not necessary.

The Minister for Works: I said nothing of the kind. I gave the House the personnel of the committee.

Mr. KENNEALLY: But they did not include any representative of the workers.

The Minister for Works: Nor of the employers.

Mr. KENNEALLY: That would necessitate a definition of "employer."

The Minister for Works: It is in the Act.

Mr. KENNEALLY: If we give the commission power to say that all medical and surgical treatment shall be carried out only by certain doctors, we shall be taking away from the workers many of the benefits which now accrue to them. I know of cases where people have gone to specialists for certain

treatment, and as a result of such treatment they have completely recovered. This Bill proposes to prevent a man from exercising that right. The Act as it is allows £100 for medical expenses, and makes it possible for an injured person to engage the services of specialists and so obtain the best possible chance of recovery. The Bill says that if an operation is considered necessary, compensation will be stopped until the directions given to the patient have been complied with. If I had taken medical advice in my early days, I would have lost my left arm, for I was told that I might lose my life if it did not come off.

Mr. Marshall: That is a long time ago.

Mr. KENNEALLY: Medical science has gone ahead in the meantime, and yet, I take it, it is still possible for a medical man to make mistakes. If an injured person refuses to allow a limb to be taken off by a certain doctor, he is to lose his compensation. Does the member for Perth support that sort of thing? The commission should have no right to say to the worker, "You obey the directions of Dr. Jones, or you will get no compensation." I hope the House will agree to alter that portion of the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. KENNEALLY: I hope that further consideration will induce the Minister to alter that aspect of the Bill to which I was referring before tea.

The Minister for Works: I have arranged as to that already.

Mr. KENNEALLY: I am pleased to hear it. We shall have to see the proposed amendment before dealing with the matter further. I trust the amendment takes note of the fact that human beings, when forced to come into contact with the medical profession, desire to choose their own attendant and not to be limited to one selected for them by a board of laymen. As to the waiting period, the Minister has not given any reason for its re-introduction. Our compensation law formerly stipulated for such a period, but experience taught us to abolish it. The Minister's objective, the prevention of malingering and consequent increase in amounts payable under the measure, will be defeated by the proposed waiting period of four days. I say four days because, if an accident happens early in the morning, the man will be off for four days without payment. Under

the Bill, unless he is off for 14 days, no payment will be made for the four days. I think I understood the Minister to say he was not wedded to the waiting period. Its effect will be the direct opposite of that desired by the Minister. The former waiting period of three days proved expensive to insurance companies and to other institutions affected, such as friendly societies and trade unions with accident funds.

The Minister for Works: Can you give any facts to substantiate that?

Mr. KENNEALLY: I believe they are on record. I have not figures with me, but the experience of trade unions and friendly societies was that the waiting period did not tend to reduce the amount payable for compensation. It would be against human nature to expect otherwise. Suppose a man meets with an accident and is unable to go to work for 10 or 11 days. If he resumes work on the tenth or eleventh day, he receives no payment for the first four days of incapacitation. If he waits another two or three days before going back to work, he is paid for the full time of his absence. Even without the facts and figures before us we can see that the natural tendency, under the proposal of the Bill, would be to transfer the two or three days during which a man need not be off work from the commencement of the accident period to its end. Moreover, the effect would be to deprive a large number of genuine cases of the opportunity of securing any compensation whatever for the first four days of incapacitation. The waiting period has been dropped in other countries, and in another Australian State. Payments for injury should run from the date of the accident rather than from the fourth or fifth day. The Minister and also the underwriters laid stress on the aspect of self-mutilation. The Press has dealt at length with alleged self-mutilation for compensation purposes. The statements refer mostly to foreigners. It is asserted that a number of foreigners have committed self-mutilation and drawn compensation which enabled them to return to their native lands as moneyed men. There may be some truth in those allegations; I do not know.

Mr. Sampson: If you read the newspapers, you will not doubt it.

Mr. KENNEALLY: That interjection comes from a newspaper man. Others who

read the Press look askance at some of the information printed.

Mr. Sampson: I think that is merely an alleged view.

Mr. KENNEALLY: I exempt the member for Swan (Mr. Sampson) from being the proprietor of any newspaper from which such information has been obtained. I do not know that his newspapers have the circulation warranting such a view. The allegations made apply largely to the timber industry. Certain clauses of the Bill propose that the commission to be appointed shall be empowered to deal with that aspect in either the timber or any other industry in which such an aspect becomes pronounced. The proposal is that the commission shall have power to charge different rates for different industries, and for different portions of an industry. Thus, if there is any truth in the allegations made, the Bill provides a means of dealing with the matter. Throughout the discussion on workers' compensation self-mutilation has been prominent. In fact, the whole argument has centred upon self-mutilation and the cost thereby imposed upon the community. If the House proposes to authorise the charging of higher rates on industries the managers of which persist in the engagement of foreigners to their own detriment, is it essential that the House should give attention also to self-mutilation as affecting the amounts payable under the Second Schedule? If we advance so far as has been indicated by the argument to rectify a wrong in existing legislation, a wrong which makes it profitable to certain people to mutilate themselves and leave the country, why does the Minister wish to reach out further and make the workers pay for the lack of funds in an industry caused by such people depleting the funds through acts over which they have perfect control? Under the provisions of the Bill, the Minister will be able to deal with that phase of industry, and if there is anything in the arguments we have heard that these alleged malpractices represent the great difficulty and occasion the added cost in connection with workers' compensation business, it should not be difficult for the House to agree to a Bill that would remedy the position. We have figures indicating the class of individual whose practices are said to have made the workers' compensation so difficult and costly, and yet there

are people who will insist on employing such persons in industry. If the Minister secures the authority he seeks in one clause that will enable him to deal with that phase, I hope he will not reach out further to deprive the workers of other benefits they now receive merely because of the malpractices alleged in the direction I have indicated. The authority the Minister seeks to acquire under the Bill is indeed extensive, and even so, it extends in directions the Minister did not mention when moving the second reading and in some instances contrary to what he led the House to believe. He proposes to make considerable inroads into the amounts now received by injured workers under the Workers' Compensation Act. I will leave that phase of the question, contenting myself by saying that if certain employers, particularly in the timber industry, choose to employ certain individuals whom they are exploiting, the Minister cannot ask other employers in the timber industry, and, in fact, in all industries throughout the State, to be responsible for the results accruing from the employment of such individuals and to buttress the employers I refer to in their continued policy of employing that class of labour: nor can the Minister at the same time blame those workers who are being so exploited, if they endeavour to get a little of their own back by means that would not appeal to the average Britisher. The remedy for this phase is not to be found in legislation such as we are asked to consider, but in employers giving preference of employment to the Australian born. Employers who prefer to indulge in what I might call this luxury, should be prepared to pay accordingly. If they are not prepared to do so, legislation should be introduced to compel them to pay an additional premium because of the employment of that particular class of labour, rather than to ask the workers generally to suffer throughout the State. I was particularly interested in the information supplied to the House by the Minister with regard to the operations of the private insurance companies as compared with those of the State Insurance Office. I believe this is the time and place to raise the question, and probably the Minister will be with me in my contention, seeing that the Bill proposes that this work shall be done through one office.

The Minister for Works: I suppose that is the only good thing in the Bill!

Mr. KENNEALLY: It is pertinent to ask whether it is necessary for 60 different insurance companies to be operating in Western Australia. The Minister will probably agree there is no necessity.

Mr. SPEAKER: Order! I am afraid the question of 60 insurance companies is not referred to in the Bill.

Mr. KENNEALLY: No, Mr. Speaker, but the question of the establishment of one insurance body is dealt with in the Bill and if you will permit me, I propose to show that it should be possible, seeing that it is sought to set up a commission to deal with industrial insurance, to go a little further and make similar provision with regard to ordinary insurance business. The proposal of the Minister is to do away with the State Insurance Office, but merely in name. In future it will be known as the insurance commission. On the figures supplied by the Minister himself, the insurance companies have been operating industrial insurance work at a loss.

The Minister for Works: They were not my figures, but those of the insurance companies.

Mr. KENNEALLY: The figures quoted by the Minister were those supplied to him. On the other hand, the companies have made considerable profits out of general insurance work. The Minister does not propose that the insurance commission shall touch general insurance. What he says to the commission to be set up is, "We will make you a present of the work carried out by companies at a loss, but which you, as the State Insurance Office, have been carrying on at a profit. We will limit you to the class of work that was unprofitable to the companies and prohibit you from embarking upon those branches of insurance work that prove profitable to them."

The Minister for Works: This is a Workers' Compensation Bill.

Mr. KENNEALLY: That is so. The Minister proposes to change the name of the State Insurance Office for fear, apparently, that it may be regarded as indicating that the office can engage in general insurance work.

The Minister for Works: There will not be a change of name; the State Insurance Office will go out of existence.

Mr. KENNEALLY: I will deal with that phase in a moment. The Minister told us that the premiums charged by the State Insurance Office were 20 per cent. lower than those charged by the insurance companies. In the course of his speech the Minister said, "I want to tell the House that when the Bill becomes law, the State Insurance Office will go out of existence as an insurance office. It will do no more insurance work if the Government have their way." The Minister makes that declaration, although he informs the House at the same time that the State Insurance Office charge 20 per cent. less for premiums!

The Minister for Works: That is for workers' compensation premiums.

Mr. KENNEALLY: I quoted the Minister's statement. He will not deny it. He fathered the statement. Let him stand to it.

The Minister for Works: I did not refer to premiums other than those relating to workers' compensation.

Mr. KENNEALLY: I have not said the Minister did. In view of the Minister's statement, is it not time to ask ourselves whether the Minister, under the guise of a Workers' Compensation Bill, is not simply making use of the measure to do away with the State Insurance Office for fear that later on it may reach out successfully for other insurance work and make a profit out of that too? I have a statement showing the administrative expenses and the profit and loss account of the State Insurance Office compared with the cost and profit and loss account of the insurance companies throughout the State. This should prove interesting to those members who are constantly speaking against the continuance of the State Trading Concerns. Possibly an analysis of the figures will be beneficial to them when called upon to deal with any proposal as a result of the State Trading Concerns Act Amendment Act passed last session. I find that the administrative expenses of the State Insurance Office for the year 1927 represented 4.5 per cent.

Mr. Hegney: The Minister said 5.5 per cent.

Mr. KENNEALLY: The administrative expenses of the insurance companies for the same year represented 39.18 per cent.

Mr. Marshall: These are your wonderful and efficient managers of business!

Mr. KENNEALLY: For that year the State Insurance Office showed a profit of

£1,417 and the private insurance companies showed a loss of £17,424. We shall be able to realise directly why the workers of Western Australia will be called upon to find, out of their own pockets, the wherewithal to pay for losses in industry. In the following year, 1928, the State Insurance Office administrative expenses were reduced to 3.6 per cent., whereas the private insurance companies' administrative expenses represented 34.61 per cent. During that year, the State Insurance Office showed a profit of £987, while the private insurance companies showed a loss of £19,218. In 1929 the administrative expenses of the State office were reduced to 3 per cent., while the administrative expenses of the private companies rose to 38.17 per cent. During that period the profits of the State office amounted to £842, while the losses of the private companies reached the total of £28,958. In 1930, the administrative expenses of the State office were reduced to 2.8 per cent, while those of the private companies fell to 37.22 per cent. The profits of the State office during the year were £2,949, while the losses of the private companies totalled £8,317. At the end of the four years the State office had earned an aggregate profit of £6,195, while the losses of the private companies reached £73,917, and all the while the State office was charging 20 per cent. less than were the private companies. And this is the State Insurance Office which the Minister says is to do no more insurance work if the Government have their way! The reason can readily be divined: the Minister has made up his mind in that direction. With a lower charge of 20 per cent. for industrial insurance the State Insurance Office made a profit of £6,195 while the private companies, although charging 20 per cent. extra, showed a loss of £73,917.

Mr. Marshall: What would the burden on industry have been had there been none but the private offices in operation!

Mr. KENNEALLY: Yes, one can imagine that. I may be told that the arguments I am adducing are strongly in favour of the constitution of a commission which will have a monopoly of industrial insurance. But that can be secured without asking the workers injured in industry to pay the piper. If the record of the State Insurance Office shows that on an amount of £23,857 it was able to operate with administrative expenses

of 4.5 per cent., and that when, in 1930, the amount had risen to over £53,000, the administrative expenses were reduced to 2.8 per cent., it is easily seen that if the State takes a monopoly of industrial insurance, not only will industry be relieved of the £73,917 losses made by the private companies, but in addition it will be relieved of the 20 per cent. extra being charged to-day by those companies. Since the State office can show that with an increase of business its overhead charges are reduced, it can reasonably be assumed that if we give this monopoly to the State, industry will be considerably relieved and there will be no necessity to dip into the pockets of maimed people, as the Minister proposes, in order to have the accounts rectified. The Minister produced a very interesting document dealing with the rates charged in the various States. The argument I am adducing is borne out in this document also, for in States that have embarked in State insurance, the premiums charged are low, and the records of those States show that in addition certain moneys have been remitted in the way of bonuses to the people injured, and so the insurance has been even cheaper than appears on the quoted rate.

The Minister for Works: That is not in Australia.

Mr. KENNEALLY: Yes.

The Minister for Works: But there are no bonuses in workers' compensation in Australia.

Mr. KENNEALLY: No, but in Queensland there have been concessions. There have been three reductions in the premiums charged, and they have given tremendous relief to industry in that State. The figures quoted should be sufficient to suggest that this State should not only adopt the system of a monopoly in industrial insurance, but also should create a system by which under that monopoly we could attend to general insurance as well, whether through a State insurance office or through a commission, as proposed in the Bill. Certainly we should not attempt to confine the State operations to the less profitable form of insurance.

The Minister for Works: The Bill deals only with workers' compensation.

Mr. KENNEALLY: Yes, on the face of it. It would not be right to suggest that it might be regarded by unkind people as a measure devised indirectly to throttle the

State Insurance Office. I am taking the Minister's statement for that, since he said that if the Bill becomes law the State Insurance Office will cease to exist and will do no more insurance work. Some unkind people might interpret that to mean that, under the guise of workers' compensation, an effort is being made to close down the State Insurance Office so that it may not successfully compete with the private companies. I am inclined to class myself amongst those unkind people. The Bill proposes to combine workers' compensation, employers' liability and common law responsibility. That being so, I think it would be only right for the Minister to give attention to the question of allowing the State Insurance Office to have a little of the profitable business as well as that branch of the business which the private companies cannot run except at a loss. I suggest that a reduction in administrative costs from 37.22 per cent. to 2.8 per cent. would represent considerable assistance to industry.

The Minister for Works: But we cannot get it down as low as 2.8 per cent.

Mr. KENNEALLY: If the Minister says it cannot be done, I suppose his next act will be to ask permission to amend the statement he made in this House when he said the State Insurance Office had reduced administrative expenses to 2.8 per cent.

The Minister for Works: But I mean it cannot be done under the Bill.

Mr. KENNEALLY: The Bill does not propose any additional charges on industry. It does not propose to liberalise the compensation paid to injured workers. So if the business can be done for 2.8 per cent. at the present time, and if the Bill does not propose to increase the costs by liberalising the compensation payable, but on the other hand proposes to make tremendous cuts in that compensation, where is the justification for saying it cannot be done in the future? As a matter of fact, if the Bill becomes law, the insurance will be compulsory.

The Minister for Works: Which it is not to-day.

Mr. KENNEALLY: No, the Minister himself has said that certain people are not paying their insurance premiums to-day. But if the power asked for in the Bill is granted, there will be an enormous number of additional premiums coming in, while there will be less going out in compensation. So where is the justification for the Minister

saying that although the State office in 1930 managed its business at a cost of 2.8 per cent., it is not going to be so cheaply managed in the future? The State office has shown that with an increase in business it was able to reduce its overhead expenses from 4.5 per cent. to 2.8 per cent., and logically if it is given the whole of the business offering it will at least be able to keep somewhere near its present overhead charges—that is to say, if it is not given any trouble in that respect by the Minister at present in power. We know what the present Ministry's attitude has been towards State insurance. That is why we are justified in viewing askance any proposal by the Minister to give a monopoly to the proposed board or commission. Even in moving the second reading the Minister could not refrain from letting us see what is in the Government's mind, for he told us that if they have their way, the State Insurance Office will not do any more insurance in this State. We are justified in endeavouring to ensure that effect shall not be given to the Minister's suggestion. The remedy for the trouble regarding self-mutilation does not lie in taking money out the pockets of men who are genuinely injured in industry. If there are men prepared to do what is right and others who are without conscience, it is no remedy to penalise the men who do right and make them pay for the faults of the others. The remedy is to compel those without conscience to pay for their faults. That is why I suggest that, if people insist on employing men who have been a burden on workers' compensation, while Australians anxious and willing to work are passed over, such employers should pay for the luxury. If they have to pay for it, their love for the foreigner as against the Australian will not be as great as it is to-day. I wish to refer to statements made by the Minister, particularly with regard to the Second Schedule. When dealing with the measure previous to the second reading, I stated, "I know it is impossible for the Minister to promise, once the Bill emerges from the melting-pot, that the measure will be of as much use to the workers as in its present form." The Minister replied, "I can promise you that." That was one promise.

The Minister for Works: I promised it would not be.

Mr. KENNEALLY: The Minister can put it that way if he chooses. Another statement he made in reply to an interjection. I said,

"We are justified in anticipating that a measure introduced by the Minister will not be of the same benefit to the workers as the existing Act." The Minister replied, "You will be horribly disappointed when you see the Bill." The Minister cannot have it both ways. If he intended his first remark to apply in the opposite way, the second remark contradicts him. Let us see whether we shall be horribly disappointed with the Bill. The Minister said it could probably logically be said that if a worker was injured in the course of his employment, he should receive compensation for life according to the disability, but the question was what could industry afford. The reply to that is to be found in the Second Schedule of the Bill. The Minister said that one of the purposes of the Bill was to reduce the burden, but that the Bill sought to do very little in the direction of reducing the compensation that workers now obtained. The Minister also said that this was not an employers' Bill; it was a workers' Bill. The Minister had the underwriters before him, and got them to make suggestions. They went away, framed amendments, and returned with them. They told him they had not suggested the amendments to the previous Government because the Ministers were unsympathetic. Their amendments were well received. When the underwriters approach the next Government, they will not refer to the present Government as unsympathetic, because a good proportion of what they recommended is to be found in the various clauses of the Bill. Bearing in mind the Minister's statement that the Bill is designed to reduce the burden, but seeks to do very little to reduce the compensation the workers now obtain, let us examine the Second Schedule. As compared with the existing Act, the Minister has cut out all compensation for the loss of the first joint of a toe except the great toe. I suppose that is one of the ways in which he considers he is carrying out his undertaking that injured workers would be deprived of no existing benefit. The compensation payable to a man who loses more than the first joint of other than the great toe has been considerably reduced. In some instances a man will get less for the loss of two joints than was previously paid for the loss of one joint—another method by which the Minister shows his sincerity in reducing the burden but not reducing the benefits. If the need for amending the Act is based on the experience of self-mutilation of toes, one would have thought

that when the Minister deprived men who cut off their toes, whether accidentally or otherwise, of all compensation, he would have said that that overcame the difficulty.

The Minister for Works: Not of all compensation. The First Schedule still remains.

Mr. KENNEALLY: Of course there is provision for medical expenses while under treatment, but such men are completely cut out from the Second Schedule. The First Schedule has its limitations also. But one would have thought that when the Minister secured the elimination of compensation for the first joint of a toe other than the great toe, he would have said, "This overcomes the difficulty which has existed; these people will not be able to mutilate themselves as regards the first joint of the toe and make a profit out of it." Seeing that he has considerably reduced the amount payable for the loss of the second joint of a toe, there will be less likelihood of people indulging in the luxury of toe-trimming. But the Minister is not satisfied. Every item in the Second Schedule, with the exception of the maximum amount, has been reduced, and in addition the Minister has grouped items into sections in order to reduce the amount to be paid. If the Minister's argument is to be accepted that certain foreigners are economising in footwear by altering the contour of their toes, his amendment to the Second Schedule regarding the loss of toes cuts away the ground from his argument. By the amendment he would have secured what he wanted and what the Press has been advocating as desirable, while insurance would have been rendered less expensive to industry. If his argument is sound, I should like to know whether there has been any unprecedented epidemic of hand mutilation. Has the Minister any records to show that a large number of workers have been indulging in the questionable luxury of cutting off their hands possibly to titivate their arms? As a matter of fact the records show that the number of cases in which hands have been lost through accident is comparatively small, and the Minister has not produced evidence to the contrary. No evidence has been produced in the House, on the hustings or in the Press to show that there has been any great loss of hands. That being so, why does the Minister propose that in this Workers' Compensation Bill, introduced to lighten the burden but not to reduce the benefits, the compensation payable for the loss of a hand shall be reduced by one-third? If the self-mutilation argument is to stand, why

does he propose to reduce the compensation for the loss of a hand from £600 to £400? Possibly the Minister can give us some information on the point.

The Minister for Works: I shall, later on.

Mr. KENNEALLY: He did not attempt to do so when moving the second reading of the Bill. In fact he made a statement that was misleading to the House. He said the Bill was to reduce the burden, but it sought to do very little in the direction of reducing the compensation the workers now obtained. Then he proceeded to illustrate the point by reducing the amount payable for the loss of a hand from £600 to £400. If a man loses a hand he is prevented from working for a considerable time. Even if he is eventually able to engage in the same occupation again, it must be a considerable time before he is able to do any kind of work. During the time he is off duty he is paid according to the First Schedule. If he has certain children and comes under a certain rate he can draw £3 10s. a week. If he has been away for a long time the amount he has drawn before he starts work again will be deducted from the £400. Notwithstanding this, he is to be paid £200 less for the loss of a hand. Does the Minister think he is sufficiently compensated by such a sum, when £600 itself is all too little? When a man loses his right hand he is precluded from doing almost any kind of work. When crippled soldiers came back from the war, I was honorary selection officer attached to the Repatriation Department and had to deal with a great many limbless men. The most difficult persons to find work for were those who had lost a hand, particularly the right hand, and yet the Government now say the time has come when the compensation for such an injury must be cut down by one-third. The present sum of £600 is wholly inadequate to enable the injured person to maintain his wife and family. We are told that the cost of workers' compensation is largely due to the policy of self-mutilation. The Minister has not, however, shown the House that there has been any epidemic of hand mutilation. The same argument applies to the loss of a foot. I do not know of any epidemic involving the loss of feet. If there is such a thing the Minister has kept it very quiet. The other day I felt justified in congratulating a man who is engaged in the manufacture of artificial limbs and crutches on the ground that

his business was looking up. He told me I did not know what I was talking about, that in fact he had little or no work to do. I told him that there was such an increase in foot amputations that even a humane man like the Minister for Works had been induced to bring down a Bill to reduce the compensation paid for that particular injury. I know the humane ideals of the Minister so well that, had it not been for the assurance that so many people were deliberately losing their legs, he would not dream of introducing legislation to reduce the amount of compensation. If this leg amputation business is not general, why does the Minister seek to reduce the compensation from £525 to £390 for the loss of a foot? Why is he seeking to get at the pockets of the maimed people of the country in addition to attempting to take the burden off industry? The amount allowed for total disability is the only one in the Second Schedule that is not touched. Even in this respect most of the countries are ahead of us. In some American States 5,000 dollars are paid for total disability, and in one of the States it goes beyond that.

The Minister for Works: It is not the maximum.

Mr. KENNEALLY: In one State in Australia £1,000 is paid against our £750. There is nothing exceptional, therefore, about our Act, and there is no need for us to come back to the field in industrial insurance. With respect to every other item the Minister reaches out his capacious paw to get money out of the pockets of those who are maimed in industry. If members vote for that they must think that the benefits now enjoyed by these people are too great. The Minister says industry cannot stand this burden and that it must be reduced. I am anxious to see how members generally vote on this question. The only argument in favour of self injury that I have heard from the Minister is that certain foreigners have deliberately cut off their toes in order that they might clear out of the country with the money they would receive by way of compensation. Steps have already been taken to overcome that difficulty. Do members think that those who are crippled in industry are sufficiently well cared for, and are getting too much money? Do they think that a man who has lost a hand can keep his wife, his family and himself on the lump sum payment provided.

even if he were to get it in full? Under the Second Schedule the Minister proposes merciless cuts. One purpose of the Bill, we have been told, is to lift the burden off industry without taking from the workers the compensation they have been receiving. The Minister's statement to that effect was misleading. He said the Bill would do very little in the direction of reducing compensation. A reduction of one-third in the amount of compensation cannot be termed slight. On behalf of the workers I tell the Minister they do not want the Bill.

The Minister for Works: The employers do not want it either.

Mr. KENNEALLY: Speaking for the workers I tell the Minister that they do not want a measure worse than the average Australian Workers' Compensation Act. The Shylock methods of the Minister are made manifest again as regards compensation for injury to hearing. There have been no complaints that inordinate numbers of the people of this country have been deliberately piercing their eardrums. To judge from the schedule, loss of hearing has cost employers here large sums of money. The Minister proposes to reduce the amount payable for total loss of hearing from £600, as at present, to £450. Under the cloak of self mutilation in regard to toes, he is reaching out to destroy the benefits of the workers under the Second Schedule, except as regards the maximum amount. Have cases of deafness increased so as to prove a burden on industry? Or does the Minister consider that £600 is too much to award a worker who has completely lost his hearing as the result of an industrial accident? Would the Minister be prepared to submit to permanent deafness for the amount of £600 now awarded? Yet he proposes to reduce that amount to £450. I trust hon. members will reject the suggested reduction of 25 per cent. I shall not go through the Second Schedule item by item. No doubt the schedule will be with us a long time, on second reading and in Committee. My statements on the items which I have selected for comment are borne out by the remainder of the schedule. Not one item has been left intact by the Minister, apart from those applying to total disability. But even that process of reduction does not satisfy his rapacious appetite. He has divided the items in the Second Schedule so that there are now about 30 instead of, as hitherto, about 15. In each

cutting up, as in the watering of stock by companies, the Minister has taken his little bit out, leaving the amounts payable such as cannot possibly compensate the unfortunate sufferers. I am justified in asking the Government as a whole what is at the back of their collective minds when introducing this measure? The Minister for Works has not told us the real reason. He has said that this is a workers' compensation measure.

The Minister for Works: You yourself have said a dozen times to-night what is the reason—to reduce the burden.

Mr. KENNEALLY: An analysis of the Second Schedule shows that that statement of the Minister is incorrect. What has actuated the Government in introducing the measure in its present form? In every instance except the maximum the measure proposes to take a considerable amount from unfortunate persons maimed in industry. What is the Government's objective? I have suggested as an objective that there shall be no more insurance done by the State Insurance Office. That being the objective, the Government do not care what means are employed to achieve it. Hence the provisions of the Bill. I hope the measure will not pass. I trust that the time has not yet come when hon. member will be prepared to vote in favour of casting a heavy additional burden on the industrial cripples of this country. The toll claimed by the Minister from those maimed in industry should be far less than that proposed by the Second Schedule. If we judge the measure apart from the Second Schedule, it must in my opinion be cast out. The Second Schedule proposes considerable curtailments in the compensation payable to people unfortunately maimed in industry. Wherever the Bill proposes an amendment, it is in the direction of lessening the amounts payable to those injured. The whole tendency of the measure is in that direction. I hope hon. members will take care to see that the Bill does not go any further than it has gone to-night. I trust the Bill will not be passed, and that we will not proclaim that we have arrived at the stage in Western Australia when industry cannot pay its crippled workers anything like the amount industries in other States have been paying to their maimed workers for many years. I hope we shall not proclaim our poverty of action in that direction,

and our incompetence to deal with industry in such a manner as to enable provision to be made for its discarded human machinery as it does for its ordinary machinery. The course proposed by the Government will not prove beneficial to the State, and certainly not to the people who will be maimed in the industries of the country in the future.

MR. MILLINGTON (Mt. Hawthorn) [9.1]: When the Title of the Bill was being discussed, I expressed the view that the measure could not be considered of such an urgent nature as to warrant its consideration during the progress of a special session. On the other hand, we were defied to vote against the Bill. It was suggested that the provisions were such that no right-thinking man could object to them. Even then my suspicions were not allayed, for I was reminded of the old adage "Beware of the Greeks when they bring gifts." Now we have perused the Bill, I offer my sympathy to the Minister. The reception accorded the Bill appears to indicate that its contents have given satisfaction neither to those who demanded it nor to members sitting on the Opposition side of the House, who do not wish to have the Bill but prefer the Act as it stands. The Bill represents a bargain. The employers and those associated with them have agitated for the introduction of a Bill to amend the Workers' Compensation Act, and they have certainly gained concessions in that the amount to be paid to injured workers has been reduced. As a set-off to that—the employers take strong exception to it—there is the provision that workers' compensation insurance business is to be carried on by the Government. That means that the insurance companies that have dealt with that particular branch of the business in the past will now find themselves in the position of Othello. Although the employers welcome provisions that will mean a decreased charge on industry and, presumably, decreased insurance rates, they take solid objection to the State creating a monopoly by the establishment of the proposed commission, thereby making it unnecessary and impossible for insurance companies to continue that class of business. People who agitated for the introduction of the legislation, are now opposed to it. They are not prepared to accept the bargain offered by the Minister in the shape of reduced workers' compensation costs because

they object to the infringement of the policy of members opposite involved in the proposed establishment of a State monopoly for this class of insurance. The Minister is unfortunate, as he has failed to please anyone. A bargain was proposed to be struck from the standpoint of the Opposition. We are asked to accept the establishment of a State monopoly, but at a price that we cannot accept, namely, a lower scale of compensation payments for injured workers under the schedule to the Bill. Despite the fact that the Minister has introduced a principle that represents a moiety of our policy, we cannot accept it at the price. Again the Minister has introduced a most unpopular measure. I am afraid he will be known as the Minister for Unpopular Legislation. There is an outcry from those who usually support legislation emanating from his side of the House, and on our side of the House, while we favour the principle of a State monopoly, we cannot agree to the price stipulated. I do not propose to enter into details regarding the Bill. They have been discussed elaborately, and I shall not proceed further along the same lines. On the other hand, we should be prepared to face the criticism offered in respect of workers' compensation during recent years. We must face that criticism fairly. I know perfectly well there has been an outcry, but I do not consider the objections taken were justified. Insidious propaganda has been indulged in, and we have been told that industry has suffered and declined because of the burden of workers' compensation. One of the main causes of the position of industry has been attributed to what has been described as the enormous impost caused by the Workers' Compensation Act and high premiums in certain industries have been, we have been told, instrumental in ruining them. That is how the case has been stated. Pointed exception has also been taken to the manner in which the medical allowance was dealt with. Those objections have been taken to the existing legislation, and it is necessary to reply to them. At the same time, I do not propose to deal with them at length. Regarding the alleged overcharges by the medical profession, does the Minister suggest that the mere reduction of the amount available from £100 to £52 10s. will overcome that phase of the question?

The Minister for Works: With other clauses in the Bill, yes.

Mr. MILLINGTON: Other clauses may provide safeguards, and we shall deal with those clauses later on in Committee. I cannot see that the reduced amount available will accomplish what the Minister desires. If the clauses in the Bill will have the effect the Minister suggests, and there are provisions for the regulation of the medical fund, why does he at the same time propose to reduce the amount of the allowance? He admits that it may be necessary to exceed the amount specified. From my reading and experience, I should say that the difficulty in the past has not arisen because of the amounts spent from £52 10s. upwards, but rather on account of cases, not of a serious nature, where the expenditure has been incurred in connection with hospital and medical attention. The reduced amount of £52 10s. as a maximum will not overcome that difficulty. If there is to be a tightening up of the law and better supervision and regulation of payments under the headings I have indicated, it can be achieved by better means. We do not stand for fraudulent practices. They do not make for the benefit of the workers. No one could possibly object to the provision of proper medical attention and adequate hospital facilities. The contention is that there have been instances of excessive charges in respect of both medical attention and hospital accommodation. I fail to find any provision in the Bill indicating how that can be dealt with.

The Minister for Works: Members on your side of the House have been talking for hours showing that I am going too far with the safeguards.

Mr. MILLINGTON: The Minister will not be able to protect the workers merely by reducing the maximum amount payable. Perhaps when we are dealing with the Bill in Committee, the Minister will give consideration to that phase and agree to provide an increased amount.

The Minister for Works: The present provision was inserted because the British Medical Association asked for it.

Mr. MILLINGTON: The British Medical Association could more effectively give attention to their own members, rather than to advise a reduction in the amount to be available. Already it has been stated that the British Medical Association will

co-operate in an endeavour to straighten out matters.

The Minister for Works: That offer has been made.

Mr. MILLINGTON: And from our side of the House the offer has been made that if there has been any fraudulent practice indulged in in the past, we will assist to tighten up the legislation to avoid any such possibility in the future. We all desire that the Act shall be properly administered. We recognise the economic phase of a question just as do members sitting on the Government side of the House. While we insist that there shall be a proper measure of compensation payable to injured workers, we do not stand for fraudulent practices because they react against the worker and the employer alike. For that reason we are willing to assist to tighten up the legislation. On the other hand, despite the assertions that have been made, nothing has been advanced in justification of the charges of alleged fraud, nor have we any convincing proof that difficulties in that regard will be overcome by the mere reduction of the maximum amount payable. I think the other seriously accepted charge against the working of the Act is in respect of certain alleged malpractices on the part of certain workers. Because of that, and because it is alleged that insurance premiums were raised and industries penalised, it is now proposed that the existing schedule shall be reduced. If in times past the insurance premiums were raised because of that, I should say the way to deal with the position would be to discover those cases and those industries where the fraudulent practices existed. I am not going to suggest that the injuries were deliberately inflicted. The fact remains that in certain industries an abnormal number of injuries are alleged to have been deliberately self-inflicted. To my mind a good many of those injuries were the result of employing incompetent workmen. Many industries require skilled workmen. It is so in the timber industry. Unless the workmen know their work and are competent and skilled and experienced, it stands to reason there is going to be an abnormal number of accidents. This holds good in respect of mining. If instead of experienced miners a lot of new chums were put underground, the accidents would be simply appalling. It is only because of the experience of the men

engaged in mining that many accidents in mines are averted. Therefore, because in certain industries inexperienced workers have been employed, there has been an enormous increase in the number of accidents, and that has been quoted as an awful example. Instead of penalising those who have not been guilty of any malpractice, ways and means should be devised of making those who employ incompetent workmen pay a higher insurance premium. They are getting cheap labour and should pay a higher rate for insuring that incompetent labour. As a matter of fact already it has been so costly to the insurance companies that they have imposed almost prohibitive rates. The point is that all the other factors which make for the proper conduct of industry are discarded, and where an industry has declined, as the timber industry has done, no regard is had for the declining market, but all the blame is laid at the doors of workers' compensation, which it is said has ruined the industry, just as for all the adversities of the State the Commonwealth is blamed. Workers' compensation is just as legitimate a charge on industry as is the maintenance of anything else associated with that industry. Fortunately we have got past the stage of having to justify workers' compensation. At the same time, now that we are passing through a very difficult period there is a disposition to place the whole of the blame either on the competence of the workers or on the high wages attributable to the Arbitration Court. There is a general suggestion that the Arbitration Act should be suspended and the Workers' Compensation Act also. I do not think any member on the Government side of the House would go that far.

Mr. Marshall: Don't you trust them. There is no bridge the Minister for Works would not walk over.

Mr. MILLINGTON: I am not prepared to make that charge, not so far. The farthest the Minister has gone is, not to suspend the provisions of the Arbitration Act, although certainly he did provide some ingenious machinery for decreasing wages. But he still retains the Arbitration Act, in an improved form from his point of view. Now he proposes to retain a certain part of the Workers' Compensation Act, but also in an improved form from his point of view. To the abolitionists of workers' compensa-

tion and arbitration, there is an obvious reply. But the really shrewd section of the community will not stand for the abolition of those industrial laws, and so the real scientist, such as the Minister bringing in the Bill, merely tinkers with the proposal, amends it, and having introduced certain provisions that do meet with our approval, calmly suggests that we should accept a whittling down of the rights of injured workers. I am prepared to argue the justice of those who claim that the Workers' Compensation Act provides an insuperable bar to the conduct of industry, particularly during these troublous times. I presume that is the reason for the introduction of this measure. The Minister and his Government must be satisfied that if this measure were kept until the ordinary session of Parliament, beginning, say, in August, in the meantime industry would suffer considerably. Therefore this is an urgent measure proposed to relieve industry of some impossible burdens. Since that is so, I cannot conceive how it is that the Minister for Works and other Ministers suggested that the amending Bill would be gladly accepted by those on this side of the House. I do not know that the money the workers are to receive from this fund—although we agree with the principle of the fund—would be any better, would purchase any more of the necessities of life than if it came from the sources that provide the workers' compensation fund to-day. So when it is suggested to them that because their money is to come from a fund controlled by this State they are to accept less, I do not think we shall be able to convince the workers that for the lesser amount they are compensated by the inclusion of this provision for State control of the fund. So I say for those reasons—I do not propose to go into the details of the Bill—I propose to vote against the second reading.

Mr. Marshall: Why not discuss the matter that induced the Minister to introduce the measure? He suggested that foreigners went back to their own countries with their toes in their pockets.

The Minister for Works: I did nothing of the sort.

Mr. MILLINGTON: I have already dealt with that. My suggestion was that those injuries were not necessarily deliberately inflicted. I think that largely they were due to the fact that incompetent men without

experience are engaged because they provide cheap labour. The consequence is an abnormal increase in the number of accidents. The Bill also provides for an alteration in the control of the medical fund. It is proposed to establish a board. I can quite conceive that in the metropolitan area or in the more thickly-settled districts, such as the Eastern (Goldfields), it will be a comparatively easy matter for the proposed board to operate. But in the main, in a State such as ours, with a scattered population, and where, in many districts, there is only one medical officer, and sometimes not even one, there will be very little choice; just as to-day one has to take the doctor that is available. Outside the thickly populated districts there will be very little difference from the conditions obtaining to-day, despite the authority of the medical board to say who actually shall treat the injured patients. However, should the Bill pass the second reading, all these details can be dealt with in Committee. I am principally concerned about the injured workers in the outlying districts, such as the timber districts and all districts where primary industries are conducted. I want to know what greater protection the worker will derive from the constitution of this proposed medical board and the machinery provided in the Bill. As I have already said, workers' compensation is one of those things about which we are in accord. But just as every industry has to provide funds for the upkeep of everything necessary to that industry, so I say despite the strenuous times through which we are passing I fail to see, considering the many other reforms necessary, why it was that the one item dealt with by the Government during the last session in order to assist us over our period of depression was the provision for the reduction of wages; notwithstanding which we find that industry is still in difficulties, and so the one important item the Government have now seized upon is that the rights of the injured workers shall be whittled away. I regard those who are temporarily displaced from employment on account of injury as in a measure associated with the present unemployment problem. Not only are they for the time being unemployed, but they are crippled unemployed. They are receiving, not wages, but merely sustenance during their time of unemployment. I do not know

whether the Minister suggests that a man subsisting on half wages is the man we should fix upon to undergo a further sacrifice. Whatever may be said of those in full employment, the last whose rights should be attacked are those who are unemployed as the result of injuries, and who are existing on sustenance. I do not think the half wages they receive would amount to more than sustenance. Yet it is proposed to whittle that away.

The Minister for Works: The unemployed do not get £3 10s. a week sustenance.

Mr. MILLINGTON: No, nor do those receiving workers' compensation.

The Minister for Works: They can if they have the necessary children.

Mr. MILLINGTON: When the Minister thinks of medical attention he always thinks of £100, and when it comes to compensation for a worker—the present basic wage is £3 18s. unless a man has dependants other than his wife—he would get only half wages. I fail to see how a man could get £3 10s. as one-half of a weekly wage of £3 18s. It is not that factor which has been responsible for bringing industry to its present state. I am reminded of the farmer who complains of the high rate of wages and who does not pay any wages. He is in difficulties because of other factors; not because of the wages he pays. So with industries that are suffering. Whatever the cause may be, it cannot be attributed to the hardships imposed by workers' compensation legislation. Since the Government are anxious to revive industry and assist people to engage in industry, far more effective means could be adopted than the whittling away of the legal rights of the cripples of industry. This session should be devoted to considering the economic position of the State, the revival of industry and the question of unemployment, but one of the main reasons for calling Parliament together seems to have been to deal with the Workers' Compensation Act. This Bill will be of no benefit to the men engaged in industry: it will merely whittle away their rights. We have a Workers' Compensation Act and, although it is capable of improvement, I prefer it to the Bill now before us. It will have been a great waste of time if this session has been called to replace the existing Act with this measure. Since by my voting against the Bill, if we are successful in defeating it, we shall retain the present Act, notwith-

standing that one or two provisions of the Bill meet with my approval, I am content to vote against it. There is no urgency for any amendment. The Minister could well give the measure further consideration. He has been most unfortunate. He has pleased nobody. If the measure becomes law, he will get no kudos from the Employers' Federation.

The Minister for Works: I shall get my reward in Heaven.

Mr. Panton: You will never get there to draw a reward.

Mr. MILLINGTON: I do not know of anyone who is pleased with the Bill. The Minister will gain no popularity with the wage earners, so why persist with the Bill? He has been most unfortunate in introducing this unpopular and contentious legislation in a session which was called for the purpose of our getting together on common ground and assisting to find a solution of the difficulties with which the State is faced. Instead of doing that, the Minister has invented a new difficulty. There was no demand from the unions for the introduction of the Bill. Even those people who demanded the whittling away of the benefits of workers' compensation are not satisfied with the manner in which the Minister has tackled the job. It is clearly a matter to which the Minister should give further consideration. It is a comprehensive Bill, and doubtless after the analysis and criticism to which it has been subjected, he could introduce a far more satisfactory measure at a later date. By so doing he would make himself more popular with the employer- and their associates who object to this Bill, and meanwhile he will gain favour with us for giving us a period of respite. I oppose the Bill because it offers something I do not want. The Minister offers this Bill in place of the existing law. I prefer the existing law. Despite the challenges from the Government side that we would be afraid to vote against the Bill, I cannot conscientiously vote for it, because it is far less favourable than the existing Act.

HON. M. F. TROY (Mt. Magnet) [9.36]: I wish briefly to state my objections to the Bill because I propose to vote against the second reading. The member for Mt. Hawthorn (Mr. Millington) stated that no one had demanded the Bill. No one asked for it; there was no mandate for it. If there

has been any request for it, the request has come only in the last few months and from the reactionary forces of the community who are out to take advantage of the depression to break down the industrial legislation provided for the workers of the State after many years of agitation. Furthermore, it is a gross betrayal of the promise made by the Premier during the last election campaign when he stated that, if returned to power, he would not in any way interfere with the industrial conditions of the workers. During the last few days I have read the speeches made by members on the Government side during the elections, and have been unable to find any reference to a proposal to reduce the benefits under the Workers' Compensation Act. In fact the Premier, in association with the member for Perth (Mr. H. W. Mann), was most emphatic on the point. He stoutly denied any intention to interfere with any such rights. Now we have the Government influenced by the reactionary section of the community breaking down legislation without any mandate from the people. I doubt whether in the whole history of this country we have ever had evidence of a Government who have promised so much and have gone back on their promises, as the present Government have done. It is extraordinary that such a Government can continue in office after the promises they have made and have failed to fulfil. The Minister, in introducing the Bill, and also the Attorney General, challenged members on this side of the House to vote against the second reading. When they issued that challenge I thought the Bill must confer some benefits on the workers as compared with the existing Act. I cannot understand what was in the minds of those two Ministers when they challenged us to vote against the second reading. I shall have no hesitation whatever in opposing the Bill, because it seeks to take away benefits conferred by the existing Act. I am not here to vote for legislation which takes away any benefits now enjoyed by the industrial community. It is true that the Bill contains a concession to this Party in that it proposes to make workers' compensation a Government monopoly. That has objections because the administration will be controlled entirely by the Government Actuary. The board will be composed of three persons, a Government representative who will be chairman, a representative of the employers and a representative of the Western Australian branch of the

A.L.P. Since those gentlemen are to be paid only a fee for their sittings, and since their fees must not exceed £150 a year, it is obvious that they will be unable to give much attention to the work. So it can be said that the whole of the administration of the Act will be in the hands of the Government Actuary, and he will have extraordinary powers. He will assess the amount of premiums to be paid. We have had experience of Government servants in the past. The Commissioner of Taxation assesses the amount taxpayers shall pay. From his decision there is an appeal, but it is a costly matter to make an appeal and very few people do so. The Government Actuary will probably build up a fund, as he did under the Third Schedule of the Workers' Compensation Act. The Minister, in introducing the Bill, said the insurance companies had shown a loss on workers' compensation operations. As a matter of fact, the Government Insurance Office has shown a profit under the Third Schedule of the Act. Under the control of the Government Actuary, the profit is £144,000. The premiums paid by the Government and by the mining companies under the Third Schedule of the Act have amounted to £167,000 and the claims paid have amounted to, roughly, £22,000. That leads me to the conclusion that the Government Actuary either deals very harshly with claimants under the Act, or is concerned with building up a very large balance. If the Government Actuary is given the power to assess the amount of premium to be paid, and there is no appeal from his decision, we shall have a very bad time under this legislation. There will not be much relief, and we shall have a repetition of the experience we have had under the Third Schedule of the Act. I do not think that any one man, not even a Government servant who is protected by the Public Service Act, should have the right to determine what premiums should be paid, or be given absolute power. I have had some experience of the Commissioner of Taxation, as have most members and many individuals in the community, and the experience has not been at all satisfactory. The Bill provides that the term "worker" shall not include any person whose remuneration exceeds £400 a year. The definition is objectionable and might well be removed from the Bill. Amongst tributaries in some of the mines are men who earn more than £400 in a year. They may earn £400 this year, but they may earn nothing next year, and it

would be very unfair if those workers were removed from the protection of this legislation. If the Bill passes the second reading, I hope the definition of "worker" will be amended to provide for the inclusion of the tributer and of contract men in the mines. If their income is averaged over five or six years, it will probably not amount to more than £150 per annum. The Bill includes any person employed in manual labour under the control of the group settlement scheme, and reads—

Provided that any contribution to the fund certified by the commission to have been made in respect of any persons so engaged for the benefit of any group, shall be charged to the cost of the work done under the scheme, and apportioned by the controller between the several blocks comprised within the group.

In the past group settlers enjoyed the benefits of the Act, but there is no reason why they should.

Hon. P. Collier: It is a special favour.

Hon. M. F. TROY: They are not workers under the Act, because they work for themselves.

Hon. P. Collier: Sometimes.

Hon. M. F. TROY: But the group settler is singled out for special favour. In order to justify this the Bill provides that any payment made to the fund shall be charged against the group and be apportioned amongst the settlers.

The Minister for Works: That is in the present Act, but I do not like it.

Hon. M. F. TROY: It ought to go out. Those charges have never been apportioned. Hundreds of charges have been wiped out, this amongst them, by the recent revaluations. These premiums have not been charged against the group settlers because they have been wiped out. Before five years have expired I fear there will be another demand for a re-valuation of the group holdings.

Hon. P. Collier: It is on now.

Hon. M. F. TROY: It will be a definite demand. The values were greatly reduced not long ago, and the settler was put upon his own resources under the past administration. To-day the capital charges on the properties are increasing. Money is being paid to group settlers to-day instead of their being compelled to pay their way and meet their liabilities. The present Government are loading the settlements and a demand will soon come for another re-valuation. I have

been staggered by the things that have occurred in the group settlements since the present Government came into office. Very little interest has been paid and no charges have been met.

The Minister for Lands: A considerable amount of interest has been paid.

Hon. M. F. TROY: It is not being paid, and a lot of the settlements are going back. The timber is already growing up on certain blocks.

The Minister for Lands: Some of them are too big to work.

Hon. M. F. TROY: The Minister for Lands does not control these settlements. God only knows who is doing so. There is a sort of dual control. Sometimes it is the Premier and sometimes the Agricultural Bank, and no one knows what is happening.

Mr. Wansbrough: That is too true.

Hon. M. F. TROY: The provision I refer to is an unfair charge and unjustifiable. It is time it was wiped out.

The Minister for Works: I agree.

Hon. M. F. TROY: The member for South Fremantle (Hon. A. McCallum) said that facilities and benefits now enjoyed by the worker are to be taken away from him by this Bill. The Minister has not told us the reason for this. Why should a man be deprived of payments due for four days following an accident?

The Minister for Works: I will explain that.

Hon. M. F. TROY: Why is the worker denied the right he has to-day, that of selecting his own doctor? Would any member like an outside body to interfere in his choice of a doctor for himself? Would anyone like some outside authority to tell him he must have a limb taken off, and must undergo an operation at the hands of a doctor in whom he has no confidence? This takes away the liberty of the individual. The Bill provides that the commission may determine who the medical officer shall be, and if that medical officer suggests the removal of a limb or an eye, the worker, despite his opposition, must allow the operation to be carried out or he gets no compensation. That is a pernicious, most unfair and objectionable provision. The Minister is the last man who should agree to such a thing. Next to the Almighty the man injured has the most right over his own body. The worker may have

no confidence in the doctor chosen for him, but he must agree to the operation. Parliament ought not to permit such a thing. The beneficiary ought to be able to choose his own doctor and say whether or not he shall be maimed for life. If I had an injury to one of my legs, and was informed it must be removed, I would strongly object to an operation if I thought there was any chance of saving the limb. I would strongly object to the removal of an eye for the same reason, and especially would I object to undergoing an operation at the hands of a doctor in whom I had no confidence. This compels a man to hand his body over to the commission. Members of that body may be sympathetic, but they can have no real interest in him. That ought not to be permitted. The medical allowance is to be reduced from £100 to 50 guineas. This reduction has been determined because it is said that medical men have exploited the fund. How will it help the worker if doctors have done that? If the doctor does not get his fee from the £100 provided, he charges the worker.

The Minister for Works: One clause provides that the board may exceed the 50 guineas and go to any amount.

Hon. M. F. TROY: I hope the board will take a sympathetic view of these cases.

The Minister for Works: They will do that in the interests of the fund.

Hon. M. F. TROY: The Minister will find that the board will frequently have to exceed the allowance especially in the case of people remote from metropolitan centres. It may be very costly for an injured man to be conveyed to Perth from a long distance.

The Minister for Works: The board has power to deal with that.

Hon. M. F. TROY: It is the law that if a worker is injured in some outback centre and has to visit the metropolitan area for medical attention, he is allowed the expenses of an attendant.

The Minister for Works: That is in operation to-day.

Hon. M. F. TROY: But it is not in this Bill.

The Minister for Works: It will be included.

Hon. M. F. TROY: It ought to be. It will be impossible for a man who is badly injured at Meekatharra, Leonora or Wiluna to reach Perth without some medical atten-

tion. He would certainly need a nurse if he had to travel two days and two nights in the train. It is customary for hospitals to send a nurse to travel with the patient in such circumstances, otherwise the patient has to rely solely upon such charitable people as may be travelling on the same train.

The Minister for Works: That is the practice to-day with the State Insurance Office.

Hon. M. F. TROY: Under the Act beneficiaries are entitled to look upon all children under 16 years of age as dependants. The Bill reduces that age to 14. A child of 16 is at a tender age, and one at 14 is much more so.

Hon. A. McCallum: They cannot leave school until they are 14.

Hon. M. F. TROY: Many children of 16 are still at school. There is an idea prevalent now that children ought to be kept at school until they reach the age of 16, and many more would be there if there was accommodation for them. At 16 eighty per cent. of the children are dependent upon their parents. The father must prove that the child is dependent upon him. If a youngster has a few pounds in the savings bank, will it be said that he is not dependent upon his parents? If another child receives 2s. 6d. or 5s. a week as an apprentice, will he be deemed to be independent of his father? If the age of 16 is not preserved, this will constitute a handicap upon those who ought to be beneficiaries under the Act. I have been given to understand that some of these reductions have been made on the score that certain people have been cutting their own toes off. We have been told that foreigners in the timber industry have been doing this, and exploiting the Workers' Compensation Act. But if that has happened, why do the Government, in introducing this legislation, reduce the other benefits? Why would the cutting-off of a toe prejudice the man who had his leg cut off? No man is going to cut his leg off for £500. The man who cuts his leg off is handicapped for life. Neither £1,000 nor even £2,000 would be compensation to a working man who had lost his leg, because he would be unable to follow his occupation. I know of men who have lost a leg and, though most anxious to get another job, are totally unable to obtain one. I am surprised that the Minister should reduce the compensation in that case.

It is not a humanitarian action. I had thought better of the Minister. The same thing applies in almost every item of the schedule.

The Minister for Works: Except the maximum.

Hon. M. F. TROY: We know that £750 is no compensation for losing both eyes, but probably it was as much as could be obtained at the time. Take the case of loss of hearing; the Bill reduces the compensation by £150. A man suffering from total deafness would often be incapacitated from employment. In mining, deafness would make him a positive danger to others working with him, and the same thing applies to the worker in a timber mill. The proposed reductions are, in my opinion, totally unjustified. The man who loses a limb does not grow a new limb like a crab. To a man the loss of a limb is a lifelong disability. Who would to-day employ a one-armed man as against a man with two arms? The man losing a limb or an eye, or afflicted with total deafness, is handicapped for life; and this Bill proposes to reduce the compensation in such cases by as much as £200. The Bill is not asked for except by a reactionary section of the community, who say that this legislation is a burden on industry. How is the farmer penalised by this legislation? The average farmer employs one man and, under the Government scheme, pays him 15s. a week and board, which latter may be estimated at 30s.

The Minister for Works: The farmer here pays 65s. per cent. as against 16s. per cent. in Queensland.

Hon. M. F. TROY: There is no necessity for it. I have already told the House of the profit made by the State Insurance Office under the Third Schedule—£144,000. The Minister knows that no occupation in the country is attended with less risk than that of farming. What does workers' compensation insurance mean to a farmer? £4 or £5 a year.

The Minister for Works: Why should it cost the farmer here so much as compared with farmers in the other States?

Hon. M. F. TROY: It costs the farmer here £20 or £30 for repairing his machinery every year. The man on the place is part of the plant. During the past 12 months the Government have raised railway rates affecting the farmer to a far greater extent than is represented by the cost of workers'

compensation insurance. The rate on wire netting, a necessity to the farmer, has been raised, for instance. I got some wire netting recently, and I think the increase in the railage on it amounted to £10 or £11. That was owing to the increase made by the present Government.

Mr. Marshall: This Bill is only a pretence so far as the farmer is concerned. Other forms of insurance are three times heavier, but the Government do not propose to reduce them.

Hon. M. F. TROY: I oppose the Bill, and hope it will not pass. Whilst we complain about benefits now enjoyed being taken away by legislation in this Chamber, this is really an Upper House measure. The Bill has been introduced to give members of the Upper House the opportunity they have long been seeking. When the Bill comes back, the Minister will not recognise it; and there is a danger that the Government will accept the amendments made by another place and then tell their constituents that they did not make the amendments, that the Upper House made them. The real fear and objection as regards this legislation are not only that the measure takes away advantages or ordinary conditions now obtaining, but that when it comes back here the parent Act will be shorn of two-thirds of its provisions.

The Minister for Works: It would be shorn of the most important as you would say.

Hon. M. F. TROY: The legislation, when it comes back, will contain further disadvantages; and then we shall have the Government making an attempt to agree to the amendments. I hope the measure will be fought throughout. There has not been a general desire for its introduction. The Government are kept in office because of a majority gained in the metropolitan area. Those members gave a definite promise that they would not be associated with any policy that would take away from the workers' privileges they now enjoy. Those members obtained their election as a result of their stand and the Government hold office by their support. Had those members told the people at the last general election that they would support this class of legislation, they would not have been returned to this House. It is extraordinary to think that the Government could introduce such legislation to satisfy reactionary interests and thus go

back on the promises they made on the hustings. Individual members in remote country districts may have made promises to support legislation of this description, but in the policy speech delivered by the Premier there was a distinct promise that there would be no interference with the industrial conditions enjoyed by the workers. Ever since the Government took office we have had nothing else but attacks upon the conditions of the workers. We have now a special session called for no other purpose than the introduction of this legislation. Such a thing has never before happened in the history of the State. It is what we might expect at some future time in the Federal Parliament. To-day we have a United Australia Party with no policy. They are not prepared to tell the people what they really propose to do. What they will propose will be something reactionary.

The Minister for Lands: There is nothing about that in the Bill.

Hon. M. F. TROY: In the same way the Government here would never have been elected to office had they told the people they intended to introduce legislation of this description. I appeal to the member for Perth (Mr. H. W. Mann), the member for Canning (Mr. Wells), the member for North-East Fremantle (Mr. Parker) and those representing metropolitan constituencies to stand by the promises they made at the last election.

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

Ayes	19
Noes	16

Majority for .. 3

AYES.

Mr. Angelo	Mr. J. I. Mann
Mr. Barnard	Mr. Patrick
Mr. Brown	Mr. Piesse
Mr. Doney	Mr. Sampson
Mr. Ferguson	Mr. J. H. Smith
Mr. Griffiths	Mr. J. M. Smith
Mr. Keenan	Mr. Thorn
Mr. Latham	Mr. Wells
Mr. Lindsay	Mr. North
Mr. H. W. Mann	

(Teller.)

NOES.

Mr. Corboy	Mr. Munsie
Mr. Cunningham	Mr. Panton
Mr. Hegney	Mr. Sleeman
Mr. Kenneally	Mr. Troy
Mr. Lamond	Mr. Wan-brough
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Withers
Mr. Millington	Mr. Raphael

(Teller.)

PAIRS.

AYES.

NOES.

Sir James Mitchell	Mr. Collier
Mr. Davy	Mr. Wilson
Mr. Richardson	Mr. Johnson
Mr. McLarty	Miss Holman
Mr. Parker	Mr. Walker
Mr. Teesdale	Mr. Lutey
Mr. Scaddan	Mr. Coverley

Question thus passed.

Bill read a second time.

BILL—TRAFFIC ACT AMENDMENT.*In Committee.*

Resumed from the 21st May. Mr. Angelo in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: Clause 4 has been partly considered, and the member for Perth has moved an amendment that in lines 5 and 6 the words "prohibit, either absolutely or subject to prescribed" be struck out, and the word "prescribed" inserted in lieu.

Mr. SAMPSON: I support the amendment. We act improperly with regard to traffic matters. If we are to permit buses to run they should be allowed to operate under reasonable conditions. A license having been issued, the desire seems to be to gazette regulations that will make it impossible to carry on operations profitably. It is an unfair method. I realise the difficulties the railways have to face, but surely those difficulties could be grappled with in an equitable way. We have now a steam coach running on the railway between Perth and Armadale. In my opinion that coach is not being used to the best advantage. I understand it does not stop at crossings, and consequently is not giving the people the desired service. On the other hand, the motor buses are operated with only one object, namely, the convenience of the public, which is what should be considered. On various occasions we have asked that an early train should run from Mundaring to Perth. There is a suspicion abroad that until a motor bus comes into operation that train will not run. I hope the amendment will be agreed to, for the clause as printed is far too drastic.

Mr. NORTH: I should like a ruling, Sir, as to whether, if the amendment is not carried, I shall be able to move a proviso. This, if agreed to, will serve to limit the clause, whereas the amendment before us, if carried, will defeat it. My amendment will follow the existing clause and will limit it.

The CHAIRMAN: Then your amendment can come later.

The MINISTER FOR LANDS: I regret to say that members are not ready to go on with the Bill. No notice has been given of several amendments which, I understand, it is intended shall be moved. I ask members to put those proposed amendments on the Notice Paper.

Progress reported.

House adjourned at 10.24 p.m.

Legislative Council,

Wednesday, 27th May, 1931.

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

MOTION—PRODUCTION COSTS.*Action to Reduce.*

HON. J. J. HOLMES (North): I move—

That, in the opinion of this House, drastic steps should be taken to reduce the cost of primary production, affecting particularly the pastoral and wheat industries of the State, so that they may continue to exist in competition with similar industries in other parts of the world.

I offer no apology for tabling the motion. This House represents the people that pay the bulk of the taxes, and members of this House, I think, should have an opportunity to express their views on the political situation as it exists to-day. The Notice Paper reminds me of a story I heard of a parson who used to deliver very eloquent sermons. There was a dispute amongst the congrega-