

station or parking facility may be used or occupied;

- (d) providing for the protection of parking stations and parking facilities and all equipment pertaining to them against misuse, damage, interference or attempted interference by any person;
- (e) regulating the parking and standing of vehicles in any parking station and prohibiting any person from parking or standing any vehicle in a parking station otherwise than in accordance with the by-laws;

Motion put and passed; amendments Nos. 1 to 183 agreed to.

Title—put and passed.

Bill reported with amendments.

House adjourned at 3.16 p.m.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE.

No. 1. *This question was postponed.*

POINT PERON.

Responsibility for Development.

2. Mr. COURT asked the Minister for Lands:

(1) In which department or organisation is the title for Point Peron vested and on what basis?

(2) Who is responsible for the general development of the area and on what basis?

(3) (a) What subdivision has been made of the general area and to what organisations have these subdivisions been allotted?

(b) What is the size of each area?

(4) What title has been given to those who have been allocated areas and what written or other agreements have been made for development?

(5) Are there any areas unallocated, and if so, to what extent?

(6) What timetable is envisaged with the general development programmes to be undertaken?

(7) Does the local authority have any responsibility or authority over the area; and, if so, to what extent?

Mr. KELLY replied:

(1) Point Peron is held on a freehold basis by the Commonwealth of Australia. (Excluding several areas leased direct to

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certain bodies or individuals, by the Commonwealth, the area is leased to the Minister for Education, a body corporate, the Minister of the Crown charged with the administration of the National Fitness Act, 1945.)

(2) The National Fitness Council of Western Australia, which has the power to sublease portions of the area to various bodies who will use the land for the purpose of promoting the health and physical fitness of their members by—

- (a) conducting organised recreation camps;
 - (b) providing holiday accommodation for their members and their respective families.
- (3) (a) The subdivision of the area has been planned by the Town Planning Board.

The following organisations have applied for areas and been accepted:—

Civil Service Association—proposed approximate acreage—4;

Police Union — proposed approximate acreage—5;

Federation of Police and Citizens Boys' Clubs—proposed approximate acreage—5;

Postal Institute — proposed approximate acreage—4;

Waterside Workers' Federation—proposed approximate acreage—4;

Seamen's Union — proposed approximate acreage—4;

Methodist Young People's Department — proposed approximate acreage—4;

Young Christian Workers—proposed approximate acreage—4;

Rotary (Perth Club)—for Church of England Boys' Society — proposed approximate acreage—7;

Association of Apex Clubs—proposed approximate acreage—5;

Lands and Surveys Recreation Centre — proposed approximate acreage—5;

National Fitness—Education Department Camps—50 acres.

- (b) The proposed sizes are approximately as above, but the actual boundaries of some of the proposed subleases are still to be defined pending negotiations with the Cabinet Subcommittee.

(4) A sublease has been prepared by the Crown Law Department, to be issued between the Minister for Education and each accredited body.

(5) Over half of the total area remains unallocated.

(6) The sublessees covenant to complete their plan of development within two years after the lease is granted.

(7) The control and development of the area by the various bodies is under the control of the Greater Point Peron Development Committee. This committee is made up of—

Nominated members of the Council.

Elected representatives of the sublessees.

Representatives of the Rockingham Road Board.

Representatives of the State Health Department.

Representatives of the Town Planning Board.

All development is subject to a special schedule of health and building regulations, which have been approved by all authorities concerned and will be enforced by this Committee.

GRAIN.

Deliveries to Sidings.

3. Mr. PERKINS asked the Minister for Agriculture:

What quantity of—

(a) wheat;

(b) oats;

(c) barley

was delivered in each of the last three seasons to each siding in Western Australia, receiving such grain from producers?

Mr. KELLY replied:

The information requested will be tabled today.

No. 4. *This question was postponed.*

CLOSER SETTLEMENT ACT.

Desirability of Invoking Provisions.

5. Mr. W. A. MANNING asked the Minister for Lands:

(1) Is there any reason why the Closer Settlement Act of 1927 has not been invoked?

(2) Does he consider that it is desirable to inquire into the suitability and requirement for closer settlement of any unutilised land which is defined in Clause 3 of the Act, as "Land shall be deemed unutilised within the meaning of this Act, if the land, having regard to its economic value, is not put to reasonable use and its retention by the owner is a hindrance to closer settlement and cannot be justified"?

Mr. KELLY replied:

(1) Yes. The Governments from time to time over the past 31 years have not considered it necessary and/or desirable to invoke the provisions of the Act.

(2) Yes.

LAND TAX.

Increased Valuations, etc.

6. Mr. BOVELL asked the Treasurer:

(1) In what towns and districts have taxation valuations for land tax purposes been increased during the separate years ended the 30th June, 1957 and 1958?

(2) What is the percentage increase of such valuations in each town and district affected?

(3) Were there any decreases in valuations? If so, what are the details?

Mr. HAWKE replied:

I ask that this question be postponed. The information sought by the hon. member is being prepared, and I hope I will be able to make it available on Tuesday next.

NATIVES (STATUS AS CITIZENS) BILL.

Representations from Cue Road Board.

7. Mr. BRAND asked the Minister for Native Welfare:

(1) Has he received a letter dated the 19th September, 1958, from the Cue Road Board expressing concern at conditions likely to arise in outback areas with natives having unlimited access to alcoholic liquor in the event of the Natives (Status as Citizens) Bill becoming law?

(2) If so, will he give the substance of the representations received?

(3) Has he replied to the letter in question?

(4) If so, will he table a copy of his reply?

Mr. BRADY replied:

(1) Yes.

(2) Yes. The substance of the letter was that the Board expressed concern on the question of liquor becoming available to natives under the proposed Natives (Status as Citizens) Act.

(3) and (4) As the letter was only an expression of opinion it was formerly acknowledged on the 29th September, the date of receipt. It was referred to the Commissioner of Native Welfare and then passed to the Leader of the Legislative Council.

BARLEY.

Shipments Through Albany.

8. Mr. HALL asked the Minister for Agriculture:

(1) How many bushels of barley, grown in the Bunbury agricultural zone, were shipped through the port of Albany for the years 1954-55, 1955-56, 1956-57?

(2) How many bushels of barley grown in the Albany agricultural zone were shipped through the port of Albany for the years 1954-55, 1955-56, 1956-57?

Mr. KELLY replied:

(1) The quantity of barley grown in the Bunbury port zone shipped through Albany was—

1954-55—approximately nil.

1955-56—approximately nil.

1956-57—approximately 200,000 bushels.

(2) The quantity of barley grown in the Albany port zone shipped through Albany was—

1954-55—approximately 140,000 bushels.

1955-56—approximately 400,000 bushels.

1956-57—approximately 350,000 bushels.

ELECTRICITY SUPPLIES.

Increased Charges Prior to and Since 1953.

9. Mr. ANDREW asked the Minister for Works:

(1) What were the increased charges and the total of same, made by the State Electricity Commission for electricity for the six years prior to February, 1953?

(2) What increased charges and the total of same have been made for electricity since February 1953?

Mr. TONKIN replied:

(1) From 1948 to February 1953 the increases per unit in the metropolitan area for the first step in the tariff schedule were:—

| | Light d. | Power d. |
|----------------------|-------------|-------------|
| June, 1949 | 1 | .5 |
| January, 1951 | 1.5 | — |
| June, 1951 | .3 | .3 |
| November, 1951 | .12 | .12 |
| December, 1951 | .08 | .08 |
| March, 1952 | .18 | .18 |
| May, 1952 | .19 | .19 |
| August, 1952 | .18 | .18 |
| November, 1952 | .09 | .09 |
| Total | 3.64 | 1.64 |

(2) The increases per unit in the same steps since February, 1953, were: light, .01d; power, .01d.

HIGH SCHOOLS.

Number Built Prior to and Since 1953.

10. Mr. ANDREW asked the Minister for Education:

(1) How many high schools were built by the Government during the six years prior to 1953?

(2) What number of high schools have been built since that date?

Mr. HAWKE (for Mr. W. Hegney) replied:

- (1) Nil.
- (2) 13.

HIGH SCHOOLS AND PRIMARY SCHOOLS.

Number of Pupils.

10A. Mr. ANDREW asked the Minister for Education:

(1) How many pupils were attending State primary and high schools at the beginning of 1953?

(2) How many are attending at the present time?

Mr. HAWKE (for Mr. W. Hegney) replied:

- (1) Numbers in July (beginning of year not available) 83,564.
- (2) 111,126.

CLASSROOMS.

Number Built Prior to and Since 1953.

10B. Mr. ANDREW asked the Minister for Education:

Would he inform me of the number of schoolrooms built—

- (a) for the six years prior to 1953;
- (b) during the period since that time?

Mr. HAWKE (for Mr. W. Hegney) replied:

- (a) 462.
- (b) 1,092.

Nos. 11 to 13. These questions were postponed.

PUBLIC WORKS DEPARTMENT BUILDING.

Cost of Alterations and Expiration of Tenure.

14. Mr. JAMIESON asked the Minister for Works:

(1) What are the alterations and renovations of the Public Works Department building at present being performed?

(2) What is the estimated cost?

(3) When does the tenure of the P.W.D. on Parliament House reserve expire?

Mr. TONKIN replied:

- (1) Alterations and renovations to permit of essential staff rearrangements.
- (2) £8,045.

(3) Section 3 of the Parliament House Site Permanent Reserve (A 1162) Act, 1956, at present provides for termination of occupancy by the 21st November, 1959. However, it is intended to seek an amendment to extend the period.

QUESTIONS WITHOUT NOTICE.

TRUE CASE.

Wording of Rule 61 (b).

1. Mr. HAWKE: I wish to refer to a question asked in this House this week by the hon. member for Dale, with relation to Rule 61 (b) of the Coal Miners' Industrial Union of Workers of Western Australia. The hon. member for Dale, unfortunately, described the answer given as a malicious attempt on the part of the Minister for Labour to mislead the House, and a malicious misquotation of the rule, after the Minister concerned had read the rule to the House, early in the week. Very naturally the Minister was upset at the allegation, in addition to which the Secretary to the Department of Labour, who was responsible for obtaining the information and supplying it to the Minister, was also considerably upset.

As a result, a signed declaration from the Registrar of Industrial Unions of the Court of Arbitration, has now been obtained in connection with this matter and, with your permission, Mr. Speaker, I propose to read it to the House. It reads—

Court of Arbitration, Perth.

23rd October, 1958.

Extract from the Rules of The Coal Miners' Industrial Union of Workers of Western Australia, Collie.

Domestic Rules.

61. (a)

- (b) Any member convicted of procuring stores or explosives in the name of another member, by falsely pretending that he was that member or that he represented that member, shall be expelled from the Lodge upon such conviction. This Rule shall not preclude the right of the individual to any personal action against the offender.

I hereby certify that the foregoing is a true and exact copy of Rule 61 (b) of the registered Rules of The Coal Miners' Industrial Union of Workers of Western Australia, Collie.

(Sgd.). J. H. BOGUE,

Registrar of Industrial Unions.

If I thought the hon. member for Dale possessed sufficient political decency I would ask him to apologise to the Minister and to the Secretary for Labour.

Wording of Original Rule 61 (b).

2. Mr. WILD asked the Premier:

This question, incidentally, would have been addressed to the Minister for Labour had he been here: Will the Premier read

to the House the original Rule 61 (b) of the Collie Miners' Union as published in 1955; or, if it has been renumbered as the result of the deletion of Rule 61 (a) on the 18th of June, 1957, will he read to the House Rule 61 (a) as it stands at present?

Mr. HAWKE replied:

This is October, 1958, and I have read a signed declaration of Rule 61 (b) to the House. The signed declaration is now in the possession of a member of the Hansard staff, but I am quite willing for it to lie upon the Table of the House.

Nonconformity of Question with Facts.

3. Mr. MAY asked the Premier:

Is he aware that the context of the question asked by the hon. member for Dale is not in conformity with the facts of the case?

Mr. HAWKE replied:

Yes; that is proven abundantly by the signed declaration of the Industrial Registrar of the Court of Arbitration.

SITTINGS OF THE HOUSE.

Thursday Nights.

4. Mr. BRAND asked the Premier:

When is it intended that we should sit on Thursday nights?

Mr. HAWKE replied:

Not tonight.

Mr. Brand: Well, when?

Mr. HAWKE: I am sorry to hear the Leader of the Opposition snapping his question out. Evidently he is upset by the position in which the hon. member for Dale has been placed, and apparently he is anxious to change the subject very quickly. However, the answer is that night sittings on Thursday should be initiated very soon. I should hope to be able to give the House three or four days' notice before the particular Thursday on which night sittings will commence.

BILLS (2)—FIRST READING.

1. City of Perth Parking Facilities Act Amendment.

2. Traffic Act Amendment (No. 2).

Introduced by the Hon. H. E. Graham (Minister for Transport).

LICENSING ACT AMENDMENT BILL.

Report.

Report of Committee adopted.

WORKERS' COMPENSATION ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 9th October.

MR. COURT (Nedlands) [2.33]: I must confess to some disappointment at the fact the Minister is not here today, because

this is a very intricate Bill, and I think the House would be entitled to receive from him a fairly quick answer on some of the points that will be raised by the Opposition. I have further disappointment inasmuch as this Bill is introduced in its present form and in the present circumstances. In 1954, a Select Committee was appointed, and it made certain recommendations. Some were written into the legislation at that time, and others called for a review by the Government of some aspects of workers' compensation law.

In spite of the fact that we are now in 1958, no action has been taken by the Government—so far as public statements are concerned, anyhow—to review the important features of workers' compensation as highlighted by the Select Committee. When an amending Bill was before the Chamber last session, I placed some emphasis on the need for a complete review of this law, because it is fast getting out of hand. However, the Minister has not seen fit to have that review made—at least, no public review has been made—in spite of the fact that it is long overdue.

If hon. members have taken the time and trouble to study this extremely complicated measure in relation to the principal Act, they will find that the three important factors to be taken into account in workers' compensation are fast getting out of balance, and they would become intolerably out of balance if this Bill were adopted in its present form. Those three factors are—

- (1) The true concept of workers' compensation.
- (2) The relation of workers' compensation law to common law.
- (3) The development in Australia of a system of social services.

We cannot ignore the trends that are taking place. We are in the fortunate position, as Parliaments in Australia, that we can review workers' compensation law on the basis of all parties agreeing with the principle of workers' compensation. Unfortunately, however, amendments like those proposed by the Minister have introduced a highly political atmosphere into the deliberations on workers' compensation law. I can assure the House that when there is a change of Government next year, one of the first moves will be to have an objective review of workers' compensation law and, in particular, the three factors which impinge, one upon the other, and which are fast getting out of balance in Australia, in respect of workers' compensation law.

Mr. May: You were talking about the Federal Government, were you?

Mr. COURT: I am talking about the State Government of Western Australia.

Mr. May: Oh! I thought you were talking about the Federal Government.

Mr. COURT: The Minister has not made out a case for these far-reaching amendments. He introduced the Bill rather briefly and stated some of the facts relating to the amendments incorporated in the Bill; but he has not attempted to put up a strong case for each and every one of them. In other words, he has not sought to justify the urgent need of these amendments; he has merely made a statement of what they seek to achieve. It would appear that he has virtually made a canvass of the workers' compensation laws of Australia and picked out pieces here and pieces there, and felt that he would like to graft them on to the Western Australian Act.

It is an unsound approach, because the whole set-up is in need of review at present. If we just pluck these amendments from legislation in the other States for incorporation into our Act, we will achieve a real hotch-potch state of affairs completely foreign to what the authors of some of the amendments imagine will be the result. It is quite evident from experience in the other States that the introduction of piecemeal workers' compensation law in those States has shown a result not imagined by the original advocates of the amendments.

It is only natural that, when these laws are amended, they being so complicated, disputation follows; and, after legal argument, the courts make decisions which were not predicted by the original advocates of the amendments. This, I suggest, is the time when Western Australia particularly should seek a degree of industrial stability. We had some far-reaching amendments passed in 1954, a number of which were to prevent the continual haggling over workers' compensation law in this State.

A most important and far-reaching amendment written into our law was the automatic basic wage adjustment. Before that time the Government of the day had to go before Parliament every time it wanted to change the actual entitlements under the law, in order to keep pace with changes in money values. The situation has been changed as a result of the 1954 legislation, and basic wage adjustments are automatic.

I was surprised that the Minister did not make some reference to the changes that have taken place. For instance, he referred to the limit on certain claims as £2,400. In point of fact, the actual limit today is £2,617. It has been an automatic adjustment of benefits to which the worker is entitled under this legislation. There is a quite appreciable difference between £2,400 and £2,617.

I go further and say this: When the Minister talked about an increase up to £3,000 he made no reference to the fact

that the increased entitlements he proposes will automatically be subject—the day they are proclaimed or are assented to—to basic wage increases that have taken place since 1954. In other words, the amounts will be increased by approximately 8 per cent. If he wants it to be that way, and it is not a mistake in drafting, he should tell the House that he is not seeking an increase from £2,400 to £3,000, but an increase from £2,617 to an amount in excess of £3,240, as a rough calculation.

Mr. Moir: Are you arguing that is too much?

Mr. COURT: I am not arguing that is too much at all. I am trying to state objectively the situation which confronts us in respect of workers' compensation. I am opposing this Bill on the ground that this whole matter should be subjected to a complete and proper inquiry. We are not suggesting there should be no adjustment of workers' compensation; but under the set-up which the Minister has introduced, the net result could be anything. He has not sought to tell us what the real result of the amendments he proposes will be.

I am opposing the Bill on the ground that before we consider any adjustment of the workers' compensation laws of this State we want the whole system of workers' compensation to be reviewed. That is not an unfair request in the interests of industry, in the interests of the workers and in the interests of everybody concerned. Parliament is not a body which can objectively and dispassionately consider such a controversial and difficult subject as this. It must be submitted to people with an understanding of workers' compensation law and practices, and to people who can take, in respect of this matter, a view detached from politics.

The Minister has not sought to take that action. All he sought to do was to graft on to our legislation a series of conflicting amendments, the end result of which he did not attempt to tell the House. He did not hazard a guess as to the end result.

Mr. Moir: What are the main features of the new Act you have in mind?

Mr. COURT: If the Minister had been listening he would have realised I was advocating a complete review of the whole subject of workers' compensation.

Mr. Jamieson: What are the main principles?

Mr. COURT: If I could outline the detailed provisions that are necessary, surely it would not be necessary to have a complete investigation. I am sure the Minister does not know the end result of these amendments; because in some States where they have been in operation for quite a while, the end result is still not known.

Mr. Moir: Evidently you do not know. In what way do you want this law to be revised?

Mr. COURT: I think the Minister is strengthening my case and making it all the more obvious why this whole subject should be submitted to an objective and impartial review. What the Minister is proposing on this occasion can be catastrophic.

Mr. Moir: Tell us what you propose!

Mr. COURT: I have already told the Minister.

Mr. Hawke: Was not a thorough inquiry conducted a few years ago?

Mr. COURT: In 1954 there was a Select Committee which considered a Bill before Parliament. It is my view that a Select Committee of parliamentarians, with all due respect to them, is not the best body to consider the whole subject of workers' compensation law. That Select Committee considered a specific Bill and made recommendations for amendment of that Bill. The committee also made recommendations for bringing in this basic wage machinery. It made a further recommendation that the Second Schedule in particular should be subjected to a very careful and expert analysis. In fact, this is the recommendation which that Select Committee made—

Your Committee feel that research should be made into this problem, and would suggest a committee comprising not only medical men, but also leaders of industry and unions, as the Committee feel that only by goodwill could this problem be resolved satisfactorily.

In its report that Select Committee referred particularly to the Second Schedule, about which there was a submission that it should be revised. But no-one was prepared to submit any evidence or concrete proposals for the detailed revision of that schedule.

The situation under this Bill, if it were passed in its present form, would be this: Western Australian industrialists would not only be called upon to pay taxes to cover the social services of Australia, or their portion of them; but they would also be called upon to contribute more, through increased workers' compensation premiums, in order to meet workers' compensation claims, which more properly belong to the field of social service.

Let the Minister not run away with the idea that we are trying to deprive anyone of his rights. He seems to think that we are opposed to the question of workers' compensation. We on this side have always supported the principle of workers' compensation; otherwise, how would the legislation have got on to the statute book?

Mr. Moir: You are advocating social service benefits for the injured worker, in lieu of workers' compensation.

Mr. COURT: I have heard the Minister on this question of social services before. He must admit that if the social services were adequate he would not have to bother with workers' compensation legislation.

Mr. Moir: In other words, you are putting the responsibility of the employer on the taxpayer.

Mr. COURT: Who pays the taxes? Who pays the premiums?

Mr. Moir: The employer does not pay the lot.

Mr. COURT: I cannot follow the argument of the Minister. If this Bill is adopted, not only will industrialists be called upon to pay taxes which finance the social services, but they will also be called upon to pay increased premiums in respect of increased workers' compensation.

Mr. May: What percentage of increase?

Mr. COURT: The hon. member would be surprised. They would have to cover not only extra premiums but also some of the increased workers' compensation under the Minister's proposals, which rightly belongs to the field of social service. We cannot lose sight of the real objective of workers' compensation insurance. There was a very good reason for introducing such insurance, as distinct from common law claims. It is an artificial type of claim created by statute, regardless of the negligence of the worker. We are all inclined to lose sight of the fact that this is an artificial type of statutory claim. We are inclined to think it is a type of social services or related to common law, as the case may be.

One can often pick up a newspaper and find that an injured person received thousands of pounds in compensation as a result of a motor accident. That is a common law right. Such rights and privileges are still available to the worker, as the Minister well knows; but they are in an entirely different field. Under the principle of workers' compensation law an artificial or statutory entitlement is created which is not related in any way at all to the rights and privileges that exist under common law.

I am one of the first to admit that the cost factor is not the be-all and end-all of any legislation of this type. Just because workers' compensation is going to cost a little more, I do not think that in itself is a real reason for opposing any review; but on this occasion we are confronted with a state of affairs which is so highly unsatisfactory that one cannot agree with this Bill. If we examine the cost factor, we will appreciate that the Minister has made no attempt whatsoever—which is a custom of his—to avoid this

particular factor; to assess the impact of this on industry, and, through that, the impact on the consumer and on the worker himself.

Mr. May: It is the consumer who pays, not the employer.

Mr. COURT: I agree.

Mr. May: It makes a difference to the employer.

Mr. COURT: I agree that it does make a difference to the employer; but in the final analysis it is the consumer who pays. The lowest estimate I can assess in respect of these amendments is an increase of 50 per cent. in premiums. That is not the end of it. That is the lowest I can make the assessment, because there are still factors in this Bill which have not yet been fully determined in other States, even though some of these amendments are in actual operation in the other States.

In other words, the impact of them is still being tested by legal action, and more and more decisions are being given by the courts, which further extend the impact of these amendments. As I said before, they are much in excess of the intention of the original authors of these amendments in the Eastern States, if we read the debate put forward by those authors when the Bills were introduced into Parliament. It is assessed in one quarter that the ultimate increase will be more like 100 per cent.

Mr. May: What quarter?

Mr. COURT: Insurance quarters; people who have daily practice with the workers' compensation law. Where else is one going to go to get information?

Mr. Norton: Did you go to the State Insurance Office?

Mr. COURT: No; and I am surprised that the Minister did not use that State instrumentality to give us information on which we could appraise the ultimate result of this legislation. The hon. member will agree that the Minister made no attempt whatsoever to estimate the end result of this legislation.

Mr. May: You would get a shock if he did go there and gave the information.

Mr. COURT: The incidence of claim will be exactly the same in the State Government Insurance Office. Let us be clear on this point: This is not a question of any insurance company profiteering out of workers' compensation, because there is a Premium Rates Committee—a statutory body which fixes the premium rates for workers' compensation. It has a fairly severe yardstick by which it measures the premium, which is a fairly universal formula throughout the States of Australia. So the question of profiteering or

profits in excess of what somebody may consider reasonable out of workers' compensation does not arise.

The premium the State Government Insurance Office can charge, or the private companies can charge, will be determined by the Workers' Compensation Rates Committee. I am putting forward my figure; and if the Minister can dispute it, let him bring forward his details as to why my minimum of 50 per cent. is, in fact, a wrong figure. I think he would be battling to prove that it could be got down as low as 50 per cent.

If we examine the situation in the other States, we find that Western Australia does not show up badly in the main particulars of entitlements. It is only when we get down to the details that the Minister wants to introduce that we find a great difference of opinion. I have a long table which I have taken the trouble to prepare, setting out under some 33 headings the comparable entitlements between Western Australia, Victoria, South Australia, New South Wales, Tasmania, and Queensland. It is interesting to note, in respect of what we hear from some hon. members on the other side of the House, that we are not out of step with those States in the main entitlements.

Mr. Evans: It depends what you mean by "main".

Mr. COURT: There are 33 headings listed here; and if there were some machinery whereby this table could be incorporated in Hansard without my having to read it, I would appreciate it, because it is a wearisome table. I am quite prepared to table the document if hon. members would like to see it.

I will read a few of the headings at random. The amount for total loss of sight of both eyes in Western Australia is £2,617; in Victoria, £2,800; in South Australia, £2,600; in New South Wales, unlimited; in Tasmania, £2,340; and in Queensland, £2,800. Those figures prevail in respect of total loss of sight of an only eye. The same figures apply for loss of both hands and both feet, and the loss of a hand and a foot. They are also the same for total and incurable loss of mental powers involving inability to work.

The first change is for the total loss of the right arm or of the greater part of the right arm, and the figures are—Western Australia, £2,094; Victoria, £2,240; South Australia, £2,080; New South Wales, £2,100; Tasmania, £1,870; and Queensland, £1,900. The amount for total loss of the left arm or of the greater part of the left arm is: Western Australia, £1,957; Victoria, £2,100; South Australia, £2,080; New South Wales, £2,100; Tasmania, £1,870; and Queensland, £1,900. Those figures are a fair reflection of the variation between the States. In respect of some claims, our figures are higher than those of some of the other

States. There are some claims in respect of which the figures in the other States are higher.

Mr. Evans: What about medical and hospital expenses?

Mr. COURT: In Western Australia the figures for medical and hospital expenses are £109 and £163; and in some States the figure is unlimited, with some disastrous results.

Mr. Norton: For the injured?

Mr. COURT: We will come to that one in a few moments. When we get to the weekly payments figure which is a very important part of the benefits of entitlement, we find that adults with no dependants, and subject to basic wage adjustments—which is important—receive £9 12s. in Western Australia for a male; Victoria, £8 16s.; South Australia, 75 per cent. of the weekly wage, with a maximum of £8 15s.; New South Wales, 75 per cent. of the weekly wage with a maximum of £9 15s.; Tasmania, £10; and Queensland, 75 per cent. of the weekly wage with a maximum of £8 16s.

In other words, we compare very favourably with the other States. The maximum in Western Australia is £13 10s. for a male; Victoria, £12 16s.; South Australia, £12 16s.; New South Wales, £14 5s., but not exceeding weekly earnings. I am referring to the maximum, which includes dependant children and a dependant wife. In Tasmania it is 75 per cent. of the weekly earnings and in Queensland it is the weekly earnings. On the subject of medical and health expenses, the situation in Western Australia, subject to basic wage adjustments, is £109 medical, and £163 hospital; in Victoria there is no limit; in South Australia the figure is £150, which may be increased by the magistrate; and in New South Wales, it is £300 medical and £300 hospital, and this may be increased by the commission. In Tasmania it is £200, and in Queensland £70 medical, and £70 hospital.

There is no uniformity within the States, but we are not far out of step in this State; and if we compare the States where there are limits, our figures are very good indeed by comparison.

Mr. Evans: I think the Queensland figures may have some bearing on hospitalisation.

Mr. COURT: They may have some effect, but the end result in Western Australia is rather the same from the practical point of view of the injured people. I shall summarise the main points of the Bill; and my reason for doing this is to save time during the Committee stage. Last year I adopted the same procedure, and I am adopting it again, because we can have endless debate on each and every clause if the general outlines of one's argument are left until the Bill is in Committee. It is much quicker to deal with

these points now, even though extra time may be involved in the second reading debate. I have tried to get these main points roughly in sequence for easy reference by hon. members. The main points are—

1. Increased retrospectivity.

This is an extension of retrospectivity beyond the present provisions relating to weekly payment, to include all lump sums as well.

2. A change in the principle of accident to a very wide and sweeping definition which can be, for practical purposes, summarised in the one word "injury."

3. An extension of the definition of the word "worker."

4. A departure from the established concept of a fixed statutory or artificial liability for workers' compensation, regardless of negligence on the part of the worker and the introduction of unlimited liability for weekly compensation, medical and hospital expenses.

5. The inevitable journey clause.

6. A change in the established practice of workers' compensation law in relation to common law.

7. Provision for the payment of workers' compensation entitlements in spite of a breach by the employee of statutory regulations and the like.

8. Provision for increased total payments.

9. A change in the provision regarding partial incapacity.

10. Removal of the time limits in which claims can be made for silicosis and the like.

11. Provision for the recognition of an ex-nuptial child on the death of a worker, even though such child had never been acknowledged by the deceased.

I have a number of comments to make on each of these headings. In regard to increased retrospectivity, this is included to provide for an extension beyond the present provisions relating to weekly payments, to include all lump sums as well as the weekly payments. This can bring with it an obvious degree of unfairness. This provision is particularly emphasised by the fact that the Bill does not provide for the entitlement to commence on a date to be proclaimed. On the contrary, the provision is for the Bill to be operative from the date of assent.

It is usual to provide for a date to be proclaimed, because the administration problems that arise on a change of entitlement, are considerable. However, that provision has not been included, and this only highlights even further the unfairness

that can be created by increased retrospectivity. It must be borne in mind that the Premium Rates Committee has already struck its rates; and if we bring down a new Bill providing increased retrospectivity, it is easy to see how we immediately unbalance the rates that have been struck. The position can be overcome in two ways. One is to allow an additional loading in the new premiums granted to cover the estimated cost of retrospectivity, but that is clumsy and undesirable. The other is to eliminate retrospectivity.

The change in the principle in respect of accidental injury is a far-reaching one, and the end result of it is almost impossible to calculate. Our concept of accidental injury—as we have always appreciated worker's compensation law—is being changed to cover any injury or sickness, even though only remotely aggravated by the occupation.

I do not think the Minister emphasised sufficiently the significance of this amendment. It could bring about innumerable complications; and, I submit, complications far beyond the intentions of the authors of the amendment.

Mr. Brady: The people who sustain accidents suffer innumerable complications, too.

Mr. COURT: This goes beyond accident.

Mr. May: It is subject to medical opinion.

Mr. COURT: The hon. member might listen to me for a moment. If he has any contrary views he can express them later.

Mr. May: I want to understand your views.

Mr. COURT: If the hon. member will listen for a moment, I will state them. I have not yet commenced to put them forward. If we are to accept this proposition to change the concept of accidental injury so as to cover any injury or sickness—even remotely aggravated by the occupation—the end results will be almost limitless.

For instance, in a time of less buoyancy than the present, employers would immediately become more selective in regard to their existing and future employees, in respect of their state of health. No two employees are comparable in their physical and mental attributes. Some people work vigorously and have the good fortune to be able to work solidly until they are 75 years of age; but others, when they get past the 50 mark, start to slow down very greatly.

Mr. Hawke: What about the Bedser brothers?

Mr. COURT: That is a typical case of how people differ. I presume the Premier is referring to the difference between these

two people and other people, and not the difference that each brother bears to the other. This is a real consideration; and I ask hon. members on the other side of the House to take it into account. A person does not just suddenly contract an illness or become less active because of something that happens at his work, or necessarily because of that. It is part of the wearing-out process of the human body regardless of employment. Some people wear out more quickly than others.

What is going to be the result? There will be high selectivity in regard to the capacity of the employees. We can imagine that medical examinations will be introduced as a prerequisite of persons gaining employment. The disadvantage would be with the worker. Employers realise that workers are just ordinary human beings, and they do not expect that person A will have the same lifetime as person B or person C. If this provision is imposed, any efficient employer will immediately start to look at the calibre of his people, not only from the point of view of their capacity, but from that of their physical and general health condition.

Mr. Lapham: He will be exceptionally good if he can decide anything on those lines.

Mr. COURT: The employer can take certain precautions. If he has a fellow working who obviously, because of natural weaknesses and make-up—not because of anything to do with his work—is going to wear out quickly, and this provision is in the Bill, what is the employer going to do? He is going to get rid of the problem before it arises.

Mr. Lapham: He would not get much of a chance if this provision was not in the Bill.

Mr. COURT: The situation in Victoria is already pointing this way; and they have this provision in the Act there. The employers are already finding that when opportunity offers, the pruning knife goes in, because these people have to compete on a highly competitive market; and when the Parliaments of the States impose these provisions, they have to examine their industrial situation, not because of any harshness or cold-bloodedness, but because they have to examine the position under the law.

This is something that has completely escaped the notice of the people who originally advocated this sweeping change in connection with accidental injury or sickness, no matter how remotely aggravated by the occupation.

Mr. May: Would you agree that the active one wears out quicker than the less active ones?

Mr. COURT: No.

Mr. May: You do not agree with that?

Mr. COURT: Definitely not! It is often said that a very active man cannot keep going as long as one who is not so active. But that is not so.

Mr. May: It shows how much you know!

Mr. COURT: Most active people want to work harder and they keep going longer.

Mr. May: You ought to work in the mines.

Mr. COURT: It does not follow that an active person wears out quickly. Some very active people that I have known have lived to a ripe old age; whereas some of the more indolent people, that one would not expect to wear themselves out, in fact crack up very early in life. Take footballers, for instance. That is a hard game; but look at the difference in the life of players. Some seem to be able to go on almost for ever; and others, after about three seasons, have to give the game away. That is not necessarily because of the treatment they have received in the game, but because of their physical and other conditions.

The SPEAKER: This Bill will not cover footballers for workers' compensation, will it?

Mr. COURT: I should not think so. I think they would have to rely on the charity of supporters such as the Minister for Transport; although social services might be able to assist them.

Mr. May: They would get a pretty good go with the S.G.I.O.

Mr. COURT: At present an employee gets workers' compensation for any disease which is directly attributable to his employment. That cannot be denied, because it is part of our present law.

Mr. Norton: That is fair enough.

Mr. COURT: Yes, it is fair enough. But we have adopted a device in our workers' compensation law which is a very sound one. We have a Third Schedule where the onus of proof is on the employer; and, in respect of other diseases or illness, the onus of proof is transferred to the employee, for all practical purposes. And that is not a bad state of affairs. If we find that there are certain industrial diseases which should be included in the Third Schedule, it is a matter of covering the particular case. In that event, if Parliament resolved that a further industrial disease should be added to the Third Schedule, the onus of proof would then be placed on the employer. But at present we have this definite distinction between Third Schedule diseases and other diseases.

I think we should allow the present principle to be retained in the law instead of introducing this principle from Victoria, which has become so contentious and is having adverse results both on industry and the workers themselves.

The next point concerns the extension of the definition of "worker". This is consistent with Government policy, which has been attempted in other legislation, such as the Long Service Leave Bill and the Industrial Arbitration Act Amendment Bill (No. 2). We consider this principle objectionable. A certain type of person wants to be involved in contract for service rather than contract of service. I think we have had sufficient discussion on past measures for me to leave it at that.

The next matter I wish to discuss is that of departing from the established concept of a fixed statutory or artificial liability, regardless of negligence on the part of the worker, and the introduction of unlimited liability—and that is what the Bill does—for weekly compensation and for medical and hospital expenses. It does not take any imagination to see where the acceptance of this part of the Bill would lead us; it would mean the intrusion of workers' compensation entitlements into the field of social services. Normally the people opposite are very much opposed to the Commonwealth Government's being relieved of any of its responsibilities; but I can assure them that if this particular amendment is adopted the Commonwealth Government will, in fact, be relieved of some of its responsibilities—its just responsibilities—under the social service laws of Australia.

Mr. Norton: Would you expect doctors and specialists to give their services free instead of being paid for them for workers' compensation cases?

Mr. COURT: We do not expect those people to give their services free at all. The present situation is working with reasonable equity. Can the hon. member tell me of any hardship that has been incurred?

Mr. Moir: Yes, plenty of cases.

Mr. COURT: There are people who have suggested that cases exist; but when those cases have been examined, it has been found that no treatment has been denied under the existing provisions of the law.

Mr. Norton: Nobody said that treatment was denied. I asked whether you would support the principle that doctors and specialists should give their services instead of being paid for them in workers' compensation cases?

Mr. COURT: The hon. member for Gascoyne has mentioned something which I wanted to mention later on; but I shall deal with it at this point. I would not be opposed to considering an increase in the limits with respect to medical expenses; but I would not agree to unlimited expenses, because that is where the trouble starts.

Mr. Norton: Aren't they governed by a schedule?

Mr. COURT: Being a man of some practical experience in these things, the hon. member would know that having a schedule and having a law is one thing, and general practice is another. If it is felt that modern treatment requires some adjustment of the limit, I would be prepared to give consideration to an increase in the limit; but I certainly would not agree to lifting the lid off and letting it find its own level, as other States are finding to their cost.

Mr. Moir: But the Bill does not provide for its finding its own level. You know that.

Mr. COURT: The provision in the Bill in practice would not matter two hoots, just as it is not mattering two hoots in other States where the proposal is in practice. As the Minister well knows, once the lid is taken off, the sky is the limit.

Mr. Moir: Don't you place any reliance on the Workers' Compensation Board?

Mr. COURT: I do; but there are certain physical and practical limitations that exist in respect of the members of the board. They are not supermen. Once the statutory limit is removed, the sky becomes the limit.

Mr. Moir: You don't think much of the B.M.A., apparently.

Mr. COURT: The journey clause is one that we have had before us on many occasions previously. I consider it to be one that we should not adopt in this State; again the end result would be so indefinable as to be distinctly dangerous. The most important objection is the fact that the period sought to be covered is outside the period when the employer has control over the operations of the worker. Surely if the employer has to pay the premium he should have some opportunity of regulating the conduct of his employee during that period! But once the employee is engaged on a journey with respect to his work, the employer, in the main, has no control whatsoever over the conduct of that particular employee.

Mr. Brady: The claim is recognised in the Eastern States, isn't it?

Mr. COURT: It is, at great cost and with great disputation. Many insurance companies have put forward a proposition to the unions in connection with this matter. They introduced a special personal accident insurance table for trade union members who had a non-occupational risk. This proposition would have given the workers a 24-hour day cover for seven days of the week at a premium of 2s. per registered working member per week, or £5 per registered working member per annum, subject to 55 per cent. or more of the total registered working members of a union being insured. The benefits under this very cheap form of personal

accident insurance are considerable. But it has not been availed of. These are the benefits—

| | £ |
|---|-------|
| (1) Death | 3,000 |
| (2) Total and irrecoverable loss of all sight in both eyes | 3,000 |
| (3) Total loss by physical severance of the whole of both hands or the whole of both feet or of the whole of one hand and the whole of one foot | 3,000 |
| (4) Total loss by physical severance of the whole of one hand or the whole of one foot together with the total and irrecoverable loss of all sight in one eye | 3,000 |
| (5) Total irrecoverable loss of all sight in one eye | 1,500 |
| (6) Total loss by physical severance of the whole of one hand or the whole of one foot | 1,500 |
| (7) Total disablement from engaging in or attending to usual profession or occupation (limited to 52 weeks)— | |

During such disablement—£12 per week or the insured's weekly wage at the time of the accident whichever is the less.

Those benefits are considerable, at a very nominal cost. If it is considered by the workers of this State, and the unions, that cover is needed outside actual working hours—

Mr. Evans: I would like to ask you a question. If you say that the premiums were so low and the benefits so great, why do you object to such premiums being added to the workers' compensation premiums?

Mr. COURT: The point raised by the hon. member is superficially the obvious question to ask. But this proposition was based on a minimum contribution of 55 per cent. of union membership, and secondly it was intended to be a gesture by the insurance companies to make available not only cover during the journey period, but during 24 hours of the day for those men who felt they needed some cover in addition to the actual working hours of their employment.

Mr. Evans: You will agree that school children covered by insurance travelling to and from school are beyond the jurisdiction of the education authorities. Why do you object, therefore, to workers who are also outside the jurisdiction of their employment being covered by the same clause?

Mr. COURT: Who said they were?

Mr. Evans: You are raising objections to the worker being covered.

Mr. COURT: Surely school children's insurance and workers' compensation are two entirely different factors. They are completely different. This cover I have suggested is not only during the journey to and from work, but for 24 hours a day, except during working hours. It is to encourage workers to have personal accident insurance in the interests of their families, bearing in mind that this does not debar them from having workers' compensation benefits as well.

I put it forward to demonstrate that the insurance companies have tried to meet the workers with a proposition which is reasonable so far as cost is concerned, and one which is highly satisfactory so far as benefits are concerned. While considering the journey clause we ought not to overlook the fact that common law also comes into it, because if a man is subject to an injury during a journey to or from his work, there are also benefits available to him under common law.

If somebody else is negligent in bringing about his accident he gets full advantage of common law. He can go before the courts; and if his claims are just, he will get an assessment under common law along the lines of the claims we have been reading in the papers over the last few years, which have proved to be on an ever-increasing scale. But that is another facet of the matter altogether; it is common law as opposed to the artificial or statutory benefits of workers' compensation law.

There is a change proposed by the Minister in the established practice in relation to workers' compensation law and common law. The Bill seeks to remove the obligation on the injured worker to make a decision whether to proceed by common law or to accept the conditions of workers' compensation law.

The situation the Minister proposes is that a worker can go on taking the benefits of workers' compensation law for three years, say—or the best part of three years; or it could even be longer in certain circumstances—and he can then elect to take advantage of common law. The whole situation that would exist under this proposition would be so vague, and so unlimited, that the administration of workers' compensation law could become almost untenable.

Let us examine the attitude of the Government last session when it was seeking to amend the motor vehicle trust law, because this is a very strange contradiction, where the Government is seeking to remove the time factor—or to at least

increase considerably the time factor—when one can elect to take action at common law instead of under workers' compensation law.

In the amendment passed last session it is laid down that an injured party must give notice of a claim as soon as practicable, and if no action has been taken by him within six months the Motor Vehicle Insurance Trust may give him not more than 42 days in which to claim. Hon. members should mark the difference. If we read why the Motor Vehicle Insurance Trust wanted that amendment last year, we will find that it was to facilitate settlement and determining claims so that it would know where it stood in respect of its liability. But when the Government brings down this law, it shows a complete change of that concept.

We do agree that a man should be able to go to common law and still have the benefits of the workers' compensation law if he is unsuccessful at common law. That exists today, and we do not deny it. We think it is desirable that the worker should have the use of common law if he desires, but at the same time have the benefits of workers' compensation law if he fails.

But the proposal of the Minister is completely impracticable and undesirable, and it is certainly a great contradiction of the Government's attitude towards the Motor Vehicle Insurance Trust time factor when it introduced the amending Bill last year. It was required that if no action had been taken within six months the trust could call on the claimant, and give him not more than 42 days in which to submit his claim.

The next point is the question of workers' compensation in respect of a breach by the employee of statutory regulations, or instructions, or the like. This amendment would remove an important provision for the employer to have a degree of control of the conduct of his employees; bearing in mind that if the employer does not conform with the statutory requirements he is subject to common law action; and to penalties and all sorts of actions. He would have the shops and factories people after him, apart from the demands of common law. But if this goes through the worker could commit a flagrant breach of statutory regulation or lawful instruction of his employer and still be entitled to the benefits of workers' compensation.

We do not deny the principles of workers' compensation that have existed for so long, under which the employee can be entitled to benefits of workers' compensation if there is negligence on his part. But to extend it to this provision so that even if he has been guilty of wilful breach of statutory regulation or lawful instruction is going too far.

Mr. Marshall: Don't you think he should have the right of appeal?

Mr. COURT: He has all that now. He has tons of protection for appeal. But if we took the law to a point where a man was virtually being encouraged to disobey statutory regulations at a time when unions and employers are trying to bring about greater safety, would we not be defeating our objective? At this time there is an Australia-wide action on the part of unions and employers to bring about greater safety and to discourage the breaking of statutory regulation and lawful instruction. It amazes me that unions do not encourage their members to take more advantage of common law. We know why they seek workers' compensation law. They do so because it is a statutory fixed amount, and there is no risk in claiming it. They prefer workers' compensation entitlements rather than take the risks of common law.

Mr. Marshall: The reason why the worker does not do so is that he does not trust lawyers.

Mr. COURT: I would point out to the hon. member that it is not a question of trusting lawyers but of trusting the judges when he refers to common law. If he wants to reflect on the judges, that is his business, not mine.

Mr. Hawke: You reflected on one the other day.

Mr. COURT: I did nothing of the sort! Since when has he been a judge?

Mr. Brady: He is a good judge of some people.

Mr. COURT: I do not know if the Minister is foreshadowing what is to come. The third last provision in the Bill relates to changed provisions regarding partial incapacity. The proposal is to continue full weekly compensation at the discretion of the board, for a worker, who is only partly incapacitated. This is a discretion which should not be vested in the board. We can have a simple case of a builder's labourer who might have a back injury. He could claim that he could not return to his original work. He might be very reluctant, or find it very difficult to obtain alternative work. Then the unlimited provisions in the Bill would prevail.

This is where the Bill, at one of its several points, intrudes very greatly into the social service field. It is at this point that the unlimited provisions of the Bill come into effect. Surely in a type of artificial provision we ought to have a reasonable limitation as is the case under the present law. We cannot deny that beyond a certain point the social services take over; and if they are inadequate, let us tackle the problem. But we should not confuse those two systems, one with the other.

Mr. Norton: Are you referring to the State or Commonwealth social services?

Mr. COURT: The Commonwealth social services are the main ones. I realise there are social services provided by the State, but the main ones are built up on a Commonwealth level. At present the main social services in respect of unemployment or sickness are provided by the Commonwealth.

Mr. Moir: Do you think that the Commonwealth social services are adequate for anyone who is incapacitated?

Mr. COURT: Having regard to the progress that has been made and the development of Australia, we have a very sound system of social services. No-one will say it is adequate. Every nation in the world is trying to lift its standard of living and its social services; one goes hand in glove with the other. In other words, the standard of living and social services is a reflection of the prosperity of a nation. If we compare our social services with those of the rest of the world, we have nothing to be ashamed of. The fact is that Governments of all colours in Australia are continually improving the standard of social services.

Mr. Brady: Don't you think that each industry should accept its responsibility for accidents?

Mr. COURT: It is very easy for the Minister to say that; but do they at the present time? Would this Bill make industry accept the responsibility?

Mr. Brady: If you were to pass the responsibility on to the social services, then no industry could be picked up as having more accidents than another.

Mr. COURT: If the Minister were to follow that argument to its logical conclusion, once a person entered an industry that industry would be expected to look after him for the rest of his days.

Mr. Brady: You must know that each industry pays a premium rate in respect of workers' compensation based on the number of accidents.

Mr. COURT: The Premium Rates Committee tries to assess the premium.

Mr. Brady: If you were to pass this responsibility on to the social services, then industry generally would avoid its responsibility in the matter.

Mr. COURT: I am not attempting to pass the whole liability for workers' compensation over to social services. It will be a long time before that happens in Australia. All I am asking is for a fair and equitable division of responsibility, between workers' compensation, common law, and social services. The Minister will no doubt agree that is not a bad approach to the proposition.

Mr. Brady: Not as good as the one in the Bill.

Mr. COURT: The Minister is entitled to his view. He should stop and contemplate for one minute the end result before advocating the provision in the Bill in its present form. Even on a simple estimate of a 50 per cent. increase on premium rates, it would mean £1,000,000 a year extra in premiums to industry in this State.

Mr. Evans: How did you arrive at that figure? Did you make any calculations?

Mr. COURT: I shall make some rough estimates for the hon. member. I know all he will do is to try to tear them to pieces. I do not make assertions without having something behind them, in spite of what has been said about me in the last few days. The following are some of the headings showing the increases:—

Journey clause, an increase of about 6 per cent.

Unlimited medical and hospital expenses, somewhere between 5 and 10 per cent, and still rising based on the Victorian experience.

Lump sum payment, an increase in excess of 7 per cent.

Unlimited liability proposed by the Bill, between 10 and 20 per cent.

The new definition of "injury", an increase between 20 and 40 per cent, according to which particular approach is taken.

Partial incapacity changed provisions, an increase of at least 5 per cent.

I have made no allowance whatever for what would be quite a considerable item—namely, the added cost for the amended concept of common law as against workers' compensation. That is why, if these figures are added, it will be realised that in saying the minimum increase is 50 per cent. I have been extremely conservative.

Mr. Johnson: Percentage of what amount?

Mr. COURT: Of existing premiums.

Mr. Norton: What would be the total amount paid under workers' compensation premiums?

Mr. COURT: In this State, approximately £2,000,000 a year at present. A 50 per cent. increase will give an extra £1,000,000.

Mr. Hawke: Would you add the percentage on one other item and arrive at a figure of 50?

Mr. COURT: I am not adding percentage to percentage. My estimate would be the percentage increase on the existing base figure of premiums, starting off at 100 per cent.

Mr. Hawke: It is only an increase on an item, and not an increase on the overall figure.

Mr. COURT: Let me clarify the position. I meant an increase on the total premiums, and not an increase on a particular item. Some of them are new concepts. For instance, if we are only bringing in the journey clause and the increase is to be 6 per cent, and if we are dealing with it as an isolated case, then it will be 6 per cent. increase of the premium income for the whole State. I thank the Treasurer for inviting my attention to what could be an ambiguous remark.

Mr. Hawke: There are a few holes in your estimate.

Mr. COURT: I do not think so. I stand by it. It is up to the Minister to explain otherwise. He has not told us his guess as to the increase; but when I put up a figure, he ridiculed it. On this occasion I have produced something tangible. Let him rebut it if he can.

Mr. Hawke: The Minister does not indulge in guesswork.

Mr. COURT: He does not indulge in any work at all when it comes to giving estimates.

Mr. Brady: I think if you were to hand over all that insurance to the State Insurance Office it would do it for less than 50 per cent. of the existing premiums.

Mr. COURT: It might for a start, in order to get a monopoly of the business, and then we might have the same experience as Queensland.

Mr. Brady: You can cut it down to 25 per cent.

Mr. COURT: The Minister will go to any length to get a monopoly for the State Insurance Office, but the pay-off will be anybody's guess. I wish now to deal with a very contentious point in the Bill which is of importance to Goldfields members. That is the extension of time for claims in respect of silicosis and the like. This provision could bring in all sorts of complications, because we come back to the previous problem of being able to fix with reasonable surety the liability under the law. If this time factor is removed completely a most undesirable state of affairs will be created, when the liability cannot be determined for an extraordinarily long period.

Mr. Evans: Would you agree to increase that time period?

Mr. COURT: Yes, I would be prepared to consider an adjustment of the three-year period; but I am not prepared to agree to a complete removal of the limit. It goes back to the argument I gave before; in a law of this type, it is an artificial entitlement as distinct from common law. There has to be a certain period in order to know what the liability is. I refer to the Motor Vehicle Insurance Trust legislation which the hon. member's Government brought down last session to settle claims under that law; and we had to protest about the provisions at that time.

Mr. Evans: What would you give as a just figure?

Mr. COURT: I would be prepared to consider a figure like five years if it would help in the practical implementation of the law, but there must be a limitation so that liabilities can be reasonably determined. Bear this in mind: Under the provisions in the Bill, a person could wander around the world, work in quarries, and other mines and in all sorts of countries and occupations, and eventually find himself back in our goldmining industry claiming under our Act.

Mr. Evans: Silicosis disease does not stay stationary; it always gets worse.

Mr. COURT: I know there are complications, and we acknowledge them; but I think the hon. member will agree that there must be some reasonable definition of liability. It is a fact that under this Bill a man could wander around the world, and finish up in our goldmining industry and claim from that industry an entitlement which, in point of fact, he should not have. It would be impossible at that point of time for our industry to demonstrate whether he got the disease in a quarry in Queensland or in the mines in South Africa.

I am sorry I have wearied the House so long; but I would like to mention the final provision, because it is important. I have dealt with these matters now to save time in the Committee stages, unless the Minister wants to handle them in another way. This final provision deals with the recognition of ex-nuptial children on the death of a worker, bearing in mind this recognition is imposed regardless of whether the worker himself has acknowledged the children. I raised this matter last year. Even if one leaves the moral aspects of ex-nuptial children out of it, it is grossly unfair to bring in legislation which leaves the gate wide open for some unscrupulous person to unfairly brand a deceased person who has no chance of defending himself to establish his rights in the case.

There are reported cases where people have tried to do that and to take unfair advantage of a situation. The one known in this State, of course, was fortunately happily proved in the interests of the deceased worker, and the person who sought to take advantage of the alleged ex-nuptial relationship was unsuccessful. We consider it is a most unfair and undesirable provision to bring into the law.

I have endeavoured to deal with the several provisions in the Bill, and hope I have covered them. If I have missed any, I have no doubt that hon. members on the other side will let me know. However, I think I have covered all the provisions of this most complicated Bill introduced by the Minister. I propose that there should be established a full and

proper impartial inquiry, removed from the political atmosphere which surrounds Parliament so that we can write a workers' compensation law with correct relation to common law and social services.

Mr. Johnson: How much did you say the premiums in Western Australia were? I mean the gross liability.

Mr. COURT: I said they were approximately £2,000,000.

Mr. Johnson: How approximate is that; within 50 per cent.?

Mr. COURT: If the hon. member wants me to be a walking encyclopaedia or statistician, I do not apply for the job. However, I do not think that figure is far out.

Mr. Johnson: Would it be within £1,000,000?

Mr. COURT: I am not going to say whether it is or is not, but the figure I looked at was approximately £2,000,000.

Mr. Johnson: It is about as accurate as the rest of your facts.

Mr. COURT: We are used to comments like that from the hon. member.

Mr. Brand: After afternoon tea, you have a go.

Mr. Johnson: The Deputy Leader of the Opposition is as inaccurate as usual; for an approximation 75 per cent. is a lot.

Mr. Roberts: That is your assessment, and you would not know.

Sitting suspended from 3.45 p.m. to 4.8 p.m.

Mr. COURT: I do not desire to take up any further time of the House, as I think I have outlined the reasons why we are opposing the Bill and the alternative we consider is the answer to the workers' compensation problem in this State. Therefore, I have no further comments to make at this stage.

MR. NORTON (Gascoyne) [4.9]: The Deputy Leader of the Opposition stated that through this Bill the Government is creating a political atmosphere in the House. I think that is far from the point. It may be that, as far as he is concerned, it is creating a political atmosphere; but if a person comes in contact with injured workers, he will realise that this Act is designed—justly so—to protect and compensate them for the injuries they have received.

The hon. member said it would cost approximately £1,000,000 extra for the benefits provided for in this Bill. This would be for the premiums. By interjection, I asked him what the approximate total premiums were for the State, in any one year. If I remember rightly, he said

just over £2,000,000. The latest figures I have are from the Pocket Year Book of 1957; and from that, it will be found that the total premiums for workers' compensation—including the State Insurance Office—are £1,243,158.

Mr. Court: Is that for the year 1955-56?

Mr. NORTON: Yes; but there cannot be very much difference in it for the succeeding years, because if we go back four years we find that the total premiums at that time were £1,206,936; so it is only logical to expect that there has been little or no increase in premiums over that time. The hon. member seemed to think that industry should pass on part of its responsibility to the social services; but I disagree, as it is doing that already.

Mr. Court: I did not say that at all.

Mr. NORTON: The hon. member implied it, and that is the inference that I and other members drew from what he said. Let us look at what happens to the person involved in a serious accident. More often than not the patient is first admitted to a private hospital, and there the insurance companies keep a very close eye on the expenses incurred. They are probably also looking to save the injured person some expense; but it is obvious that once the medical and hospital charges approximate the total allowed in the Act, the patient is quickly transferred to the Royal Perth Hospital. The expenses incurred as an inmate there become, in many cases, the liability of the State Government and not of the companies, as it is the State Government which foots the deficit for the State hospitals.

What happens with regard to the doctors? The patient goes into the Royal Perth Hospital, and is there treated by the resident doctors and medical staff, all of whom are in an honorary capacity as far as the patient is concerned; and the cost of that treatment, as far as workers' compensation companies is concerned, is nil. So it is that one can say that those charges become a tax, as far as the hospital is concerned, on the State; and, in the case of medical treatment, a tax on the doctors who give their services in an honorary capacity.

I cannot see that this extra benefit will make much difference to the individual premium; and each individual premium will not cost the general public anything at all, in the long run. There will be so little to pass on that it will be practically impossible to pass it on to the consumer of goods or add it to the cost of the contract.

One has only to look up and down St. George's Terrace to see that insurance business is profitable. One has only to look at the bricks and mortar which stand as a monument to the business of the insurance companies, in order to see what is going on.

Mr. Court: You do not think that has come out of workers' compensation, do you?

Mr. NORTON: The State Insurance Office takes up the worst features of any insurance that is going. It takes on mining risks and all those industries which have a very high accident factor; and yet its premiums are in conformity with those of the other insurance companies, as they are set by a board. In spite of that, the State Insurance Office still manages to show a profit. It has none of the good insurance business to bolster up its profits and help it on its way—

Mr. Court: They can take any type of workers' compensation.

Mr. NORTON: The State Insurance Office showed nearly 25 per cent. above its premiums at the end of the year; and in addition to that, it has to add the interest which it receives from investments to boost the profits again. Up until recently, that office was not in receipt of many rentals from its premises, as other companies were; and yet it was still able to show a good profit and continue to pay the same benefits and more than the private companies did. In saying that I refer to the payments made *ex gratia* to a large number of workers who would have received no compensation in the absence of such payments.

This Act is set out to compensate persons for injury received; but does it do that fully? It definitely does not compensate the injured person fully. It is there not only to compensate the worker, but also to protect his dependants and to help relieve the hardship which they suffer during his incapacity. This factor is not so great in the case where accidents are of a minor nature, but in accidents involving the loss of limb or life the hardship on the dependants of the worker is very great. I will now instance a worker's compensation case which came down from Carnarvon at the beginning of this year.

This person had been employed all his life in the pastoral industry and, as members know, a man employed in that industry is not a particularly good person to employ in any other avocation after leaving that occupation. In most cases he has been used to riding horses or, in latter days, to driving vehicles, tending stock, mills and so on; and if he is taken away from that work he is not, as a general rule, of any great use in other types of industry—and particularly if he has been maimed.

The person to whom I am referring is a man in his fifties who has spent the whole of his life in the pastoral areas. He broke his leg, which has since been amputated; and, as the amputation was total, it is extremely doubtful whether he will ever be able to wear

an artificial limb. He will be of no further use at all in the pastoral industry, as a man on crutches could not carry on that work.

For the loss of his leg, I understand that this man gets something less than £2,000, plus £109 for medical expenses and £163 hospital expenses; and it is interesting to note what he is up against, as it must be remembered that, irrespective of whether he is treated in the Royal Perth Hospital or a private hospital, he is still legally responsible for medical and hospital expenses.

He has been in hospital for the best part of eight months and his hospital expenses to date amount to £394, of which he will be allowed £163. As he has been in the Royal Perth Hospital it is difficult to ascertain the cost to him of the specialists and doctors attending him, in view of the fact that they have all been honorary, but I have endeavoured to ascertain the amount that might have been involved in regard to his medical expenses.

I have arrived at a figure by using the schedule which is accepted by the insurance companies for various types of accident, operations and so on. There are several points in regard to the medical expenses that I have not been able to ascertain. I have not been able to discover, for instance, the cost of radiology, pathology and so on necessary in this case; but, as far as the actual doctor's expenses go for amputation and treatment up to date, the figure, at the minimum and not the maximum that might have been allowed, is £175.

What is more, this man is still receiving treatment. What will happen to him when he is eventually discharged from hospital? He can be faced with the expenses that he has incurred at the Royal Perth Hospital; and he can be charged by the doctors who have treated him. If that happens the lump sum payment which he receives under workers' compensation will be greatly reduced. He will have to go back to the North-West and try to rehabilitate himself there. The first thing he will have to do is to set himself up in a home, and after he has done all those things there will be nothing left out of his compensation payment. He and his wife will have to go on to the invalid pension, and exist on the bare necessities of life.

I have no hesitation in supporting this Bill; but it does not go far enough. This legislation should be such that a person who has given practically the whole of his life to an industry is well and truly compensated for any disability which he suffers as a result of his working in that industry. I support the Bill.

On motion by the Hon. A. R. G. Hawke (Premier), debate adjourned.

CANCER COUNCIL OF WESTERN AUSTRALIA BILL.

Second Reading.

Debate resumed from the 14th October.

THE HON. E. NULSEN (Minister for Health—Eyre—in reply) [4.22]: There is not much to reply to in regard to this debate, but I would like to make a few observations. There seems to be a misunderstanding regarding the formation of the cancer council. The two members to be appointed by the council itself were very definitely intended to be non-medical members.

The council itself is allowed to choose these members, because it is felt that the council would be in the best position to know the people from whom it would get the most assistance. It will, therefore, be seen that, including the Commissioner of Public Health, there will be on the council 10 medically qualified persons and six non-medical persons.

As the treatment and prevention of cancer is essentially a medical problem, this does not seem to be an unfair proportion. It is a medical problem and highly technical. Millions of pounds are being spent on research into cancer, and such research can be undertaken only by highly qualified men. A keen interest is being taken by such people in Western Australia, in regard to both the prevention and cure of cancer.

It is a completely erroneous conception of a scientific institution to say that we will set up a body of laymen to direct scientists what and how they will research. Medical science just does not work under these conditions. This, as previously stated, is a matter for a department of pharmacology at the University, and such a department is at present under serious consideration.

As far as the work of such a department is concerned with cancer, it would naturally get every support from the cancer council. All the members of the present anti-cancer council have accepted the position voluntarily, and at their meetings, they spend a great deal of time on discussion of the various cancer problems. The hon. member can be assured that they would not do this if they considered it was a waste of their time. On the contrary, as the subject matter of the discussion must necessarily be largely of a highly technical nature, it is the layman on the committee who will feel that, perhaps, it is a waste of his time.

That there has been some division of medical opinion regarding the site of the institute is correct, but since the announcement of the early start of a new hospital in the University area was made, I think the hon. member will find few supporters for the Royal Perth Hospital site. The

metropolitan area in five or six years' time will be in dire need of the extra beds to be provided by the new hospital, and it is important that we start now to develop this new medical centre which, with proper planning and foresight, could be what Professor Stephenson described as one of the best medical centres in the world.

It would be foolish to spoil this plan by frittering away our resources elsewhere, particularly in the already grossly over-congested area around the Royal Perth Hospital. The concept of a shuttle service between Royal Perth Hospital and the linear accelerator is entirely wrong. A patient will either be treated at the Royal Perth Hospital or at the linear accelerator, depending on which treatment is the more suitable for his case.

A good deal of consideration has been given to the formation of the cancer council; and those with a scientific knowledge, and a knowledge of medicine, are the ones who should be well represented on it. Cancer is the second greatest killer in the world today and, if some cure for it cannot be found by research, it is to be hoped that we will fluke a cure. Not long ago tuberculosis was one of the most dreaded diseases in the country; but today it is not nearly so serious and is being kept well in check. Only a few years ago 30 people in every 100,000 died from this disease, but now the number has been reduced to five in every 100,000. I feel sure that very soon this number will be still further reduced.

The same applies to infantile paralysis, or poliomyelitis. It is not long since the Queen's visit, and at that stage there was no cure for polio. Now, through the use of the Salk vaccine, not one person who has received immunisation in Western Australia has been stricken with the disease. I hope that we will have the same success in regard to cancer in the not too distant future. It will require a lot of research and much experimentation. In order to assist with that work, this Bill should be given a trial. I think the council will prove reasonably successful.

If it is not, it will be possible to amend it in the future. Not many Acts have been placed on the statute book which have not required amendment subsequently. Although the Local Government Bill will be put through this session, it will, no doubt, be many years before the legislation is placed on a proper basis.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sewell in the Chair; the Hon. E. Nulsen (Minister for Health) in charge of the Bill.

Clauses 1 to 5—put and passed.

Clause 6—The Council:

Mr. CROMMELIN: I move an amendment—

Page 3, line 15—After the word "hospital" insert the words "one of whom is a radiotherapist."

This amendment is to ensure that one of the honorary medical staff is a practical man versed in the use of this machine.

Mr. NULSEN: In normal circumstances, a radiotherapist would be included among the staff of the honoraries, and I can see no objection to the amendment.

Amendment put and passed.

Mr. CROMMELIN: I move an amendment—

Page 3, line 35—After the word "medicine" insert the words "one of whom is a pathologist."

The intention of the amendment is to make certain that one of the two nominees from the Faculty of Medicine shall be a pathologist.

Mr. NULSEN: I have no objection to the amendment; it will only make it obligatory.

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

Clauses 7 to 14—put and passed.

Clause 15—Minister may dismiss members of Board:

Mr. CROMMELIN: I move an amendment—

Page 14, line 35—After the word "may" insert the words "with the consent of the Council."

It will be appreciated that the council will be made up of nominees from the various hospitals which will forward the names to the Minister who, in turn, must accept them before the council is constituted. Later, when, in the opinion of the council, it becomes necessary to constitute a board, the council must submit seven names to the Minister who again must approve of them before the board is constituted.

In view of the fact that the Minister has to agree to the personnel of the council in the first place and then has to accept from the council the names of the nominees of the board, surely he would not want to overlook any of the council members whom he had approved in the first place.

Mr. NULSEN: I cannot accept this amendment. No matter who he may be, the Minister must have some control. I had an experience as to what could happen if the Minister did not possess sufficient power. I refer now to the case of the King Edward Memorial Hospital when, at great expense, it was necessary to bring

people out from England on trial. With due respect, qualified men here are in no way inferior to those that England can supply. If hon. members will read the proposed amendment together with Sub-clause (1) they will see that it will take away all power from the Minister; and I cannot agree with that, particularly when the Government is responsible for the finance. The Minister must have control, and I oppose the amendment. Professional men are the least responsible in matters of finance.

Mr. Hawke: Take the hon. member for Nedlands.

Mr. NULSEN: I must admit the hon. member for Nedlands has been trained in finance.

Mr. Court: Am I under discussion?

Mr. Bovell: The Minister is paying you a compliment and says you have been trained in finance.

Mr. Court: I wish he had told his colleagues that last week.

Mr. NULSEN: The hon. member for Claremont should not persist with his amendment. I oppose it.

Amendment put and negatived.

Clause put and passed.

Clauses 16 to 30, Title—put and passed.

Bill reported with amendments.

INSPECTION OF MACHINERY ACT AMENDMENT BILL.

Second Reading.

THE HON. A. R. G. HAWKE (Premier—Northam) [4.47] in moving the second reading said: The Bill proposes to amend the Inspection of Machinery Act to provide for the appointment of an inspector of lifts. The present legislation makes no provision for such appointment. The result is that inspectors already operating under this Act, and those who are to be appointed in the future, could be inspectors who need not have any specialised training to fit them, and make them capable and efficient, to inspect automatic lifts, unless the Act were amended as proposed by this measure.

Under the present Act, the applicant for the position of inspector of machinery must have served an apprenticeship for at least five years in the actual manufacture and repair of engines, boilers and machinery; and must have had engineering experience of a satisfactory character subsequent to his apprenticeship being finalised. Clearly any person who had to undergo that type of apprenticeship and training could not, at the same time, become an expert with training, knowledge and experience of the manufacture, operation and repair of lifts.

It is interesting to note that the number of lifts in operation in the State has increased very considerably in recent years, and also the number of inspections which have to be carried out from time to time. For instance, at present there are 463 lifts of all classes in the metropolitan area of Perth. Under the Act it is statutory for every lift to be inspected twice a year, and this means a minimum number of inspections of over 900, in order to meet the minimum statutory requirements in regard to the inspection of lifts. The majority of these lifts would be over age, so to speak, and consequently they require on the average more than two inspections a year.

When new lifts are being erected and installed they require to be inspected more than twice in the year of installation. It has been worked out by analysis that on an average more than four installations have to be thoroughly examined every working day. In addition to the actual examinations which have to be carried out by inspectors, it is necessary for them to prepare and submit reports, to prepare certificates, to give instructions as to repairs, and to make certain that the requests which they make in regard to lifts are carried out according to standards prescribed by the Act.

At the present time, because there are no expert inspectors in this class of operation, such inspections as are carried out have to be carried out by those who have been trained and qualified in accordance with the provisions of the Act, a broad outline of which I gave a few moments ago. In order to establish as much as practicable a very good liaison between lift-owners, and construction and maintenance contractors, and the inspection side of the department, it has been the policy of the department to allocate for a period of some months at any one time, a specific inspector of machinery for duties connected mainly with lifts. When an inspector of machinery is so allocated to these duties he has to be relieved of his normal duties, which he would carry out in accordance with the training he has received in engineering, boiler-making and so on.

It is not proposed to increase the inspectional staff of the department, because by a rearrangement it will be possible for the number not to be increased, even though a specialised inspector of the type I have mentioned will be appointed. This will be brought about by a rearrangement of staff and by the fact that one of the inspectors is due to retire in the reasonably near future.

Hon. members will readily see that this proposed amendment to the Act is not only desirable, but in addition will confer considerable benefits upon those who have lifts installed in buildings. It will give a far

greater measure of safety to the public in the operation of lifts, and that is something which we would all support.

Mr. Roberts: Does this measure also cover escalators?

Mr. HAWKE: Not in so many words. An inspector trained to attend to lifts would doubtless be well qualified to attend to escalators. The necessity for this amendment to the Act has been brought about largely by the more modern type of lifts being used, and by the fact that an increasing number of large scale buildings are being constructed in the metropolitan area from time to time. These two factors make it necessary, and to some extent urgent, for the Act to be amended along the lines set out in the Bill. I imagine the Bill will receive the unanimous endorsement of hon. members of both Houses. I move—

That the Bill be now read a second time.

On motion by Mr. Wild, debate adjourned.

ANNUAL ESTIMATES, 1958-59.

In Committee of Supply.

Debate resumed from the 21st October on the Treasurer's Financial Statement and on the Annual Estimates, Mr. Sewell in the Chair.

Vote—Legislative Council, £9,675.

MR. LEWIS (Moore) [5.8]: In rising to make this, my maiden speech in this Chamber, I must confess to feeling somewhat like a batsman who has been sitting in the stand for several days with pads on, but has now arrived at the wicket feeling full of butterflies, and not quite sure how the wicket is going to play; well knowing that he is not destined to make any records, but certainly hoping to break his duck. If I do just that it will be something of an achievement to me.

I want to commence by expressing my appreciation of the very friendly welcome I have received from hon. members on both sides of the House since my arrival here. I would in particular like to thank the Leader of my party for introducing me to the staff of Parliament. It is quite evident to me that they do help hon. members very considerably.

I would also like to thank the hon. Mr. Jones of another place for introducing me to some of the departmental officers. No doubt, in due course I shall worry them considerably when I ask for something for my electorate.

This occasion should not be passed without my paying a tribute to my predecessor, the late John Hugh Ackland. From all sides of my electorate I have been reminded of the sterling service which he

gave to his electorate over so many years. I only hope that his example will be an inspiration and a charge to me to do likewise.

On the day when I was sworn in, I was privileged to hear the Treasurer introducing the Estimates for the current financial year. In listening to the review of the financial position of the State I realised it was, no doubt, a reflection of the progress of the State, and also an indication of the standard of administration which the Government of the day applies to the affairs of the State.

I would commend the Treasurer for placing first things first, because I could not but help notice he commenced his address by referring to the seasonal prospects of agriculture in Western Australia. It is right that he should do just that, because we are all aware, even though not always prepared to admit it, that agriculture plays a predominant part in the economy of this State.

The Treasurer referred very briefly to wheat and quite truly said that seasonal prospects were very bright; but I remind the Committee that we are faced with a harvest of probably 190,000,000 bushels. The wheatgrowers are guaranteed for 100,000,000 bushels at a cost of production price which is estimated to be round about 14s. 6d. per bushel. However, that 14s. 6d. is based on an average yield of 15½ bushels per acre. If we do indeed, have 190,000,000 bushels delivered, quite a substantial part of it will have to be marketed overseas; and the market for our wheat is getting more difficult. Sales are getting more difficult to make, ocean overseas freights are rising, and it is quite possible some of the sales may have to be made on a time-payment basis, and the end result could well be that the harvest would be sold at a price no better than or not as good as the cost of production. Therefore, the prosperity of the wheatgrower will rest on whether his average is more than the cost-of-production yield; that is, 15½ bushels per acre.

Those who do not grow that amount per acre will find that they will be producing at a loss. Therefore due to the very good harvest the prospects for the grower in the immediate future are bright but we must not forget that with a poorer season than that being experienced this year, his position could be very bad.

The immediate prospects for wool, as referred to by the Treasurer, are not bright. We are told from one sale to another that the market was firm, or at least that there was a keen demand with prices at lower levels. Growers have always found that description of the market difficult to understand; because, with most of our products, if there is a keen demand it results in higher prices. But

this is apparently not so with wool. We do not know and I do not profess to be able to say, why we should get lower prices for wool this season than in other seasons.

Many people have offered various reasons. Some say it is due to faults of the auction system, and some that it is due to a lower standard of living. I heard that only a few nights ago. It is probably a combination of many things; but I do not believe that the standard of living has much to do with it, because we find wool sales fluctuate from day to day and even during the day.

Some say there is skulduggery between the buyers. I do not know that there is anything wrong with the buyers getting their heads or their pockets together in order to get a better price, but the overall effect of lower prices is a serious blow to our Australian economy. I believe the time has arrived when the responsible Federal Minister should call a conference of all those interested in the wool industry to get at the trouble and endeavour to iron out the fluctuations that occur from season to season in regard to wool prices, and so give greater security to our wool industry.

There is no doubt about it that the effect of lower prices is going to be felt throughout the whole of the community. I believe it has already resulted in a measure of unemployment, and it must continue to do just that. It means lower taxation and lower amounts to be spent; and as the Treasurer rightly said, the effect will be felt by Governments as by other people. Therefore, this question is so important that the Federal Minister should call the parties together to see if something can be done to iron out the difficulties.

I would commend the Treasurer for his advocacy of the purchase of State-manufactured goods. I think we must all be behind him in that, but as a practical farmer, I remind him that when I buy a machine I do not buy it because it is made in Western Australia. So long as the article is properly designed and well made, then the Treasurer need have no fear for the sales. I would particularly commend this Government and previous Governments for the assistance given to Chamberlain Industries. I think that the commencement and maintenance of Chamberlain Industries has done a good job for Western Australian farmers.

Mr. Hawke: Hear, hear!

Mr. LEWIS: As the owner of a Chamberlain tractor, I can say it is one of the best tractors we have had in Western Australia.

Mr. Hawke: Hear, hear!

Mr. LEWIS: It was purchased because of its design and excellent workmanship, and its after-sales service, particularly in

regard to the availability of spare parts. There is one portion of the Treasurer's remarks on which I need some enlightenment and that is where he said that some of the Western Australian manufacturers of goods found a better market in the Eastern States. Since there is a greater population in the Eastern States, I fail to see how our manufacturers lose by that proposition; and if the Premiers of the Eastern States advocated that their people should buy goods manufactured in those States and not buy Western Australian goods, then I think the end result must be to our disadvantage. There again, as one who is a tenderfoot, I will seek enlightenment on some future occasion.

I commend, too, the Deputy Premier for the work he did overseas with the trade mission. I had the privilege, a few nights after I came here, of listening to his account of the mission's efforts overseas, and I trust they will be successful and the result will be the accretion of not only capital but also new industries to Western Australia. I hope that this, in turn, will result in greater decentralisation of industry in Western Australia and so build up our country towns and the opportunities for employment therein.

At this point I think I should tender an apology to hon. members on the other side of the Chamber because, before I came here, I was under the impression that they were wholly opposed to capitalism and big business. However, I am quite satisfied now, after listening to the Deputy Premier, that that is not so. In fact, he felt it was quite right to go around the world in order to attract capital and big business interests here; and I am sure the result cannot but be beneficial to the State of Western Australia.

I have not been quite sure, over the last night or two, whether members opposite are divided on this issue. A night or two ago I had some doubts. At any rate, it is at least good to see that the leaders of the party opposite are of the opinion that private enterprise is not such a bad thing after all.

I did notice that the Treasurer chided hon. members about continually asking for more. As the member for Moore, I claim the privilege of asking for Moore, more of many things; for despite the efforts of my predecessor, there is much still to be done in my district. On all sides I see the need for more money to be spent on housing, education, water supplies, and land development, to improve the way of life of the people who, in the main, have gone out as pioneers to develop their properties, and who contribute in no small measure to the development of the State. They come to the metropolitan area and compare unfavourably the amenities they have with what we have at our back door.

I realise quite well that successive Premiers are possibly up against the problem of getting a quart out of a pint pot, but I do plead for a greater proportion than at present to be spent on country districts. I know I will have the opportunity of being a little bit more specific with my requests later on, but I make this particular plea because I think it is urgent that something be done about relief for those settlers who have in the last two or three years gone out to the newly developed areas of Badgingarra and Hill River and opened up thousands of acres of light country. The people who have gone out to this new area, are mainly experienced men, being young and virile; but due to circumstances somewhat similar to those experienced by Mr. Chase, they find they have reached almost the end of their financial resources.

They have been up against many difficulties and have endeavoured to grow a cash crop or two—their main interests being in pastoral pursuits—only to find that septoria has attacked these crops. As they have found it difficult to establish pastures, they have found it necessary to introduce trace elements and fertilisers, not once, but every year. Apart from this, they have transport difficulties as they live in isolated areas; and now on top of all this, they are faced with the cost and problem of obtaining water supplies.

On the question of water supplies, I would like to thank the Minister for Mines for allowing a bore to be put down at Badgingarra. That bore has just reached the 702 feet mark and many people are beginning to wonder where they are going to secure the finance to put bores down to such a depth. I do not know what this bore cost the Government, but I would estimate it would be at least £2,000 and the water still has to be lifted to the surface. I realise that we do not know that this depth would have to be reached every time to obtain water, but I make a plea to the Minister to have further exploratory bores put down to test the country, because I feel quite sure there will not be much more country selected in these areas unless the settlers have confidence that they will not be faced with great expense in securing water.

Even the most experienced farmer would not be able to assess his water supply difficulties until the actual boring took place. We realise these things cannot be done immediately, but I do ask that exploratory bores be put down soon and that some consideration be given to carrying the settlers until such times as they can carry stock to secure some return for their outlay.

I make one other request at the moment for the town of Moora. This town has an independent water supply owing to the fact that, on the east side of the town, bores have been put down from which the water is pumped into a tank

and reticulated for the use of the people. In an endeavour to provide greater amenities for those who are sometimes described as the under-privileged class, the Moora Road Board, with the assistance of voluntary labour, did quite a lot of work to level the sports ground, on which it planted grass. It does not charge the football clubs, cricket clubs, basketball clubs, or the school children, for the use of the ground.

Despite this, and the fact that the road board has made representations, it has not been able to secure any concession rate for water but still has to pay 4s. per 1,000 gallons. The water is available. In fact, we are told that even at its peak load there are at least 100,000 gallons still available, just for the pumping, but the board is still obliged to pay the 4s. Therefore, I request the Minister to investigate the situation, to see whether some concession could not be secured as is now—rightly so—enjoyed by bowling clubs and tennis clubs, because the ground is not used by any restricted club or organisation, but is used by the man in the street and his family and is made available entirely free of charge.

The Moora school is one which I do not believe we have any reason to be proud of. The building, I understand, consisting of two classrooms, is about 50 years old and is made of corrugated iron; or most of it is. A year or two ago a new high school with two brick buildings was started; but today we find that, despite these new buildings, the whole of the school is full and the old buildings have to be used. I saw one yesterday, and it is 20 ft. x 25 ft., made of weatherboard, and with a corrugated iron roof. It is unlined, and unceiled. In fact, it is not much better than a shed. It is hot in the summer and draughty in the winter, and a class of 25 to 30 youngsters is accommodated in it. I can assure hon. members the building would be far from a comfortable one.

We are told now, despite the fact that four rooms were provided for in this year's Estimates, that only one will be built. Tenders will probably be called around February, and it is hoped the building will be completed about July. I request that some acceleration be applied to this building programme to see if it is not possible to have the classroom available for occupancy at the commencement of the new year. I am sure that if this could be arranged, the parents would be very grateful.

I do not want to delay the Chamber any longer, but I would like to conclude on a lighter note. The Treasurer the other night made a plea to hon. members to offer suggestions as to how money could be raised. I am going to conclude with one, for what it might be worth. I suggest that the Treasurer impose an

amusement or entertainment tax, because I feel that after last Thursday he might well impose such a tax. I would make a special request that the hon. member for Nedlands be exempt. I do that entirely from a spirit of charity, because I well realise that in the course of time, I, and the Treasurer, might crave the charity of the hon. member for Nedlands, and so I pass that suggestion on to the Treasurer for what it might be worth.

I trust that during my membership of this august body—as one of my electors described it the other day—while not pulling any political punches, I will be able to carry my responsibilities and that I will make my points without leaving any personal hurt behind. When, in time, I leave this Chamber—whether my membership be short or not so short—I trust it will be in the same friendly spirit as that in which I joined it. I thank hon. members for their patience and the good hearing they have given me, and I trust I can contribute, at least in small part, to the welfare of this State and of my own electorate in particular.

THE HON. A. F. WATTS (Stirling) [5.21]: I wish to offer my felicitations to the hon. member for Moore, for the most instructive and pleasantly put together speech we have just heard; and to express the hope—which he has almost expressed—that his term of office here will be a long one.

I listened with great interest to the Treasurer, when he introduced these Estimates a short time ago, and I must confess that with many of the things he had to say I found myself in complete agreement, but with some of them I found myself sadly in disagreement.

Like the hon. member for Moore, I feel we should all do what we can to ensure that the products of Western Australian industry are purchased by our people; particularly if those products—as I think in most cases they are—are of good quality and reasonably priced, because I think there is little or no justification for our seeking to acquire similar goods from elsewhere, if they can be found in satisfactory quality and price in Western Australia. So I do not think the Treasurer need worry, as the sentiments of all of us here are with him on that subject and we have a proper sense of responsibility in regard to it. I think that there should be all the encouragement possible given to people resident in the outer districts of the State, to do their business and make their transactions in the towns and districts in which they live.

I do not think any encouragement should be given to the process of acquiring everything from the metropolitan

area, as I know is the practice of a small fraction of the community; and that small fraction, in my estimation, is largely responsible for the fact that many of our country centres do not maintain, let alone increase, their population. We cannot look happily upon a State which already has 58 per cent. of its population within what is known as the metropolitan area of Perth, and the remaining 42 per cent. scattered over the other 950,000 square miles of Western Australia, and watch that process continuing and becoming worse; in other words, the proportion of the population in the metropolitan area is increasing, rather than the reverse.

We have seen what can be done to some degree by the encouragement of even small industries in certain rural centres. The municipal area represented by the hon. member for Albany is a case in point, and that represented by the hon. member for Bunbury is another. What has been mainly responsible, of course, for their considerable increase in population and small industry has been the development of agricultural land that has taken place within a reasonable distance of them. That serves to indicate the great value of land settlement as a contribution to what we are pleased to call decentralisation but which, in regard to the particular places I have mentioned, means that, instead of their being small townships, they are today quite substantial centres and centres which are not diminishing but increasing in size. At other places where similar efforts are being made, by way of development of land, there will unquestionably be some similar result achieved in the near future.

Unfortunately, it would appear that the possibility of successful land development has received some setback in more recent weeks. There is no doubt that profitable prices for primary production—and particularly wool—were responsible for a great part of the demand for land. The price of wool, of course, had some reflection in the value of livestock and both those things contributed greatly, I think, to the demand for land. That is why it is of such great importance that anything that can be done to stabilise the wool market should be done, because I suggest that the prospects of future land settlement, and therefore the increased prospect of rural towns developing, hangs largely upon the future of the economics of primary production.

If it is going to be barely profitable—or to become unprofitable—to indulge in primary production, I venture to suggest that those with capital to invest, which hitherto they have been prepared to invest in land development, will look for something else in which to invest it and so a proportion of them will not carry on with land development and the result will be a diminution of land settlement and, in consequence I suggest, a diminution in the

possibility of maintaining the size—if not increasing the size—of many of our agricultural communities. An increase in the size of such communities is, without question, beneficial to many other departments of State.

A rail service which has all its population at one end is not one that is likely ever to be successful, and for a long time that was substantially the position in regard to the Great Southern Railway. To an extent that situation has been changed and there are at least three times as many people at the southern end of that railway now as there were 10 years ago. If that result can be duplicated in the course of another decade or so, I venture to say that the problem of that railway line will be substantially removed, because I think we all know that up to the present time the railway line which has given the most profitable return to Western Australia has been that between Perth and Kalgoorlie.

I suggest that that has been substantially due to the fact that there have been two municipalities at the eastern end of that railway which have had between them from 25,000 to 30,000 people over a long number of years; and so, quite apart from idealistic thoughts on these subjects, from the practical point of view it should be the desire of everybody to do what he can to build up and attract population not only to land which is perhaps the foundation of some of the development, as I have said, but also to the towns themselves in order that we may have some better balance, or at least strive to obtain some better balance, difficult as I know the position is.

As the hon. member for Moore so wisely observed a few moments ago, there is no question about it, if there is any real belief in the need for maintaining as much population as possible in the rural districts, and rural townships in particular, there must be a determination to provide to the limit possible to these places amenities which resemble at least those that are obtainable in the larger centres of population. That means, of course, a more determined attempt to develop country towns and improve their facilities than has been made in more recent times. I think the question of decentralisation of trade is a very necessary corollary to the point of view put forward by the Treasurer in regard to Western Australian trade, and with which I am in agreement, as I have already said. However, I will leave the matter at that for the time being.

I should now like to make a reference or two to the position which is developing in regard to the control of expenditure by Parliament. The original idea in the presentation of Estimates of revenue and expenditure to Parliament, was that Parliament might have some say in how the

funds available to His or Her Majesty were to be expended; but so far as the present situation—which, of course, has not developed since yesterday or the day before, but has been with us over a long period of years—is concerned, they might just as well not be submitted to Parliament. That is the situation we have arrived at.

I think every hon. member will agree that the Estimates of expenditure leave the Chamber invariably in the same position as they came to it—down to the last pound, as a matter of fact, just as they left the Treasury for presentation to Parliament. The methods the Chamber uses for examining these various items of proposed expenditure have become more and more inadequate as the years have gone by.

There was a time, I understand, when it was almost a fetish of Ministers that the estimates of their departments should be fully explained to hon. members, and as fully debated, within reason, so that there might be a clear understanding of the position in every case. But in more recent times—and I am not selecting any Government in the last decade or two, but the whole of them—the practice has been to dodge that as far as possible. I think it was considered to be a great deal smarter either to cut down to the extreme limit one's opening remarks on the departmental estimates, or, alternatively, to cut them out altogether rather than to go in for the complete reviews which we used to have.

I do not know that we have ever had, but I think we ought to have much more information as to why it is proposed to expend money on certain items that appear in the Estimates from time to time, because this is the position: Any suggestion to reduce an item of expenditure can only be taken nowadays as a motion of censure on the Government. That does not seem to me to be the way that the expenditure of the State should be subjected to criticism. Hon. members on either side might feel that they are in complete agreement with some of them, but there are others on which Government supporters perhaps would like to move that the Estimates be reduced. But because of the practice that has grown up they are not in a position to support any such suggestion which might be moved because it would be taken to be a censure on the Government.

I do not know that, the more we develop and adhere to that practice, we are improving the system of Parliamentary government. It seems to me that there is ample room for two types of handling of this question. I presume that an hon. member could move for the reduction of an estimate and make it perfectly plain that it is a motion of censure. The matter could be dealt with as such. But I

presume also that it would be perfectly easy for an hon. member to move that an item be reduced by so much, and for discussion to take place on that item without its being taken as a censure on the Government. That would enable discussion to take place not on purely party political lines but on the lines of common-sense. As the position is now, no such motion can be moved and no such criticism can be voiced, really, unless it is taken to involve in every case an attack upon the Government, or a motion of no confidence in it.

I suggest that that was not the original intention of the submission of Estimates of expenditure to Committees of Ways and Means of Parliament. On the contrary, I think the idea was exactly the opposite. Perhaps if a matter of Government policy is involved in the expenditure, that could be the criterion upon which the matter could be judged; but if there is no question of policy the motion for the reduction of some item should be capable of being dealt with upon its merits, and not raised as an issue of general confidence in the Government of the day.

It seems to me that the present system is one to which we should give consideration. I think it is liable ultimately to be destructive of the position and status of Parliament itself. The complaints I am making, of course, are not incidental to this Parliament only; they are common to all of them, as I understand the position, and the same remarks apply to them all. I think it is perfectly true that the status of parliamentary Government has not been enhanced in recent times; and I believe we should give careful consideration to this matter so that Government expenditure of the very substantial sums which Parliaments of one kind or another have to look after these days could be more in line with the actual thoughts of the majority of members—in this case members of the Legislative Assembly—than is the case at present, because by the enforcement of the party system, in many cases a situation must arise where a minority controls the House.

It is quite clear that if there are, say, 27 supporters of the Government and 14 favour something and 13 do not, and the whole 27 support the proposal because the majority of their numbers are in favour of it, those 14 are running a House of 50. I would suggest that that is not a very desirable state of affairs in a democratic community, but that is what is happening and it will continue to happen for quite a long time.

Speaking in lighter vein, but perhaps still on this point, in the library the other day I came across a book entitled, "The Mother of Parliaments" by C. R. Benstead who states it is a profound study of a

cherished institution. On page 12, under the heading of "Party System" he has written—

By themselves M.Ps. play parlour games known as debates. In these they divide themselves into two unequal parties, the larger one calling itself the Government and the smaller one the Opposition. This ensures that the Government Party always wins because debates are decided, not by argument, but by numbers. M.Ps. who consistently yield to reason are severely punished.

The Leaders of the Government Party make up their minds what to do inside a Cabinet or small cabin called, "The Ship of State." Except when it is requiring a sheet anchor, being sabotaged or merely drifting, the Ship of State is always about to run upon the rocks. This occasions no surprise.

Although that is in humorous vein, there is a certain amount of sense or truth in it. In examining the State's finances it would be a better idea if we could evolve some system whereby, on those occasions when matters of Government policy are clearly in dispute, the conclusions of the Chamber should be arrived at without regarding every suggestion for an alteration in the expenditure as a motion of no confidence in the Government. I would recommend that idea to the Treasurer for his consideration.

I now wish to make some reference to Chamberlain Industries Ltd. As everyone knows, the Treasurer, the hon. member for Nedlands, the hon. member for Beeloo and myself, over a period of approximately 2½ years, sat as a committee inquiring into the affairs of this company. That committee was set up by the Premier as an alternative to a Select Committee which I moved should be appointed in 1955, but which I did not press at the time, because when the Premier was agreeable to an alternative, I felt I had no desire to do anything which would prevent the final sound establishment of this company in Western Australia.

As I think I plainly indicated, my concern at the time was that I was of the opinion that the Rural and Industries Bank could become too heavily involved in assisting this organisation which, in turn, because of the relationship between the bank and the Government, must involve the loan funds in any provision to co-operate with the bank and in consequence, having involved the loan funds for that purpose, the necessary provision of public buildings and the like could be made more difficult than it then need be.

As a result of the inquiries which we made—and to some degree action was taken as a result of the committee's deliberations—certain recommendations were

arrived at which, as far as I know, have been substantially put into operation by the Government. I have no hesitation in believing that, if the intentions which were known in November of last year—when these recommendations were made—are carried into effect, and if no considerable setback occurs in the next year or two—such as a drought, for instance—that company can be considered to be on the high road to success.

I was very glad to hear the hon. member for Moore, as one who has had practical experience of this company's product, express the opinion that it is a good one and its spare part service is good also. A problem that concerned me during the course of this inquiry was the question of the availability of spare parts; and it was fairly closely investigated. If a certain amount of reorganisation is made within that concern, and provided there is careful management—as there appears to have been in the last year or so prior to our report being made—I am ready to believe that the company will be on the high road to success and will make a contribution, even greater than that suggested by my colleague from Moore a few minutes ago, to the development and betterment of Western Australia.

However, I sound this note of warning: It does require careful management. I think one of the factors that contributed to its slow rate of progress in its earlier days was that it did not have that careful management. I believe it has had it in recent times; and if it continues to have it and adheres closely to the programme laid down for it, I think its prospects are fairly sound; and I do not suppose that anybody in the rural districts would be sorry to hear that that was so, as I believe it will be so.

In my district those who have purchased agricultural implements from this company hold the same view as has been expressed by the hon. member for Moore. As I have already said, if these precautions are taken, the work of the committee will have been well worth while—although it took up a great deal of time at intervals during the period I have referred to—and will have made, I venture to say, some contribution to preventing what would probably have been a millstone round the neck of the Government and the Rural and Industries Bank. However, I do not think that can be said of the company today. I will content myself with those remarks, and anything else I want to say can be said on the departmental estimates.

Progress reported.

House adjourned at 5.50 p.m.

Legislative Council

Tuesday, the 28th October, 1958.

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

QUESTIONS ON NOTICE

PARKINSON'S DISEASE

Medical Research into the Disease

1. The Hon. A. F. GRANT asked the Minister for Railways:

(1) To what extent has medical research been conducted in Western Australia in an attempt to discover a cure for Parkinson's disease?

(2) Is it a fact that research being conducted by the Mont Park Clinic, in Victoria, has resulted in successful operations on patients suffering from the disease?

(3) Will the Government give consideration to asking a representative from Western Australia to visit the Mont Park Clinic with a view to obtaining further information in order that people in this State, afflicted by the disease, may receive the benefit of further research?

(4) Will the Government also consider making inquiries concerning any intended visits overseas by Western Australian surgeons who might be approached and assisted financially whilst overseas in the research into Parkinson's disease?

The Hon. C. STRICKLAND replied:

(1) No research has as yet been conducted.

(2) Yes.