up that freight, and if that were done, it might be possible to exempt from land tax those whose land is of small value.

Mr. Ackland: Have you not left out some very important items in the cost of production of wheat?

Mr. JOHNSON: I am dealing only with freight.

Mr. Ackland: You are talking of the cost of production.

Mr. JOHNSON: I am taking the figures supplied by the Bureau of Agricultural Statistics.

Mr. Ackland: Ours is a 12-bushel average instead of 16.

Mr. JOHNSON: That is all allowed for.

Mr. Ackland: No.

Mr. JOHNSON: Yet, it is. I have the figures and can show them to the hon. member.

Mr. Court: Do you put this forward as an argument for imposing a land tax on agricultural land?

Mr. JOHNSON: I am saying that the agricultural industries are heavily subsidised by the taxpayer and it is only just that those engaged in agriculture should join those of us in the metropolitan area who pay the tax. It is just, honest, decent and reasonable that they should pay their share.

Mr. Court: You are overlooking one mighty factor, that the wheat industry subsidised this country to the extent of a heavy sum at one stage.

Mr. Ackland: Yes, £230,000,000.

Mr. JOHNSON: A long time ago.

Mr. Ackland: Up to two years ago.

Mr. JOHNSON: I think even that is no argument for failing now to do what is just. These subsidies have been going on since 1931; they have been going on not only when times were prosperous in the wheat industry and when it could stand the cost, but when times were difficult, not only in the wheat industry but with all of us. The wheat industry has deserved well of the people of Western Australia and it has been mighty well treated. I feel that the whole of our agricultural industry should get itself away from the peasant outlook of crying all the time, and should try to be realistic and fair because of the wealth of this country—not just the exportable wealth but the real wealth; the national income —farm produce is not the major factor.

Mr. Ackland: There would be a lot more unemployed in the metropolitan area if it were not for the wheat farmer.

On motion by Mr. Cornell, debate adjourned.

House adjourned at 11.36 p.m.

Legislative Council

Wednesday, 5th December, 1956.

CONTENTS.

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

QUESTIONS.

MILK.

Treatment Plants and Supplies to Schools.

Hon. J. M. A. CUNNINGHAM asked the Chief Secretary:

(1) Who is chairman of the School Milk Advisory Committee?

(2) Is he the officer authorised to finally approve a registered treatment plant operator to supply school milk?

(3) Is it the policy of the School Milk Advisory Committee to contract directly with the treatment plants to supply school milk?

(4) When a treatment plant licence is issued to an operator, does this mean that he has met all requirements of the Milk Board of W.A.?

(5) Having obtained such a licence, is there anything to debar a supplier from contracting to supply school milk if the said milk is fit for human consumption and for children of pre-school age?

The CHIEF SECRETARY replied:

(1) The Public Health Commissioner or his representative.

(2) No. The Director of Education.

(3) There are no contracts for the supply of liquid milk. The supply of liquid milk to schools has been allocated by the Education Department, in the case of bottled pasteurised milk, to various treatment plants and, for raw milk, to licensed dairymen.

(4) Not necessarily. The treatment licence entitles the holder to treat milk only in the manner specified in the licence.

(5) Yes. This is dependent on the manner of treatment specified in the licence.

PUBLIC WORKS.

Deferred Payment Contracts.

Hon. J. McI. THOMSON asked the Chief Secretary:

(1) Was the estimated expenditure of £211,894 of deferred payment to builders exceeded in the 1955-56 financial year; if so, to what extent; and what were the contracts other than the 14 schools as detailed in answer to my questions on the 10th August, 1955?

(2) Of the contracts referred to above, how many are completed?

(3) Have the contractors been paid in full, including interest on the contracts completed?

(4) If not, what is the balance outstanding on

(a) contract figures;
(b) interest?

(5) What is the total figure paid by way of interest to all contractors under the deferred payment system since the 1952-53 financial year, up to the end of the 1955-56 financial year?

The CHIEF SECRETARY replied:

(1) (a) Yes.
(b) £834,527 in accordance with the undermentioned list.

(2) Thirty-three contracts, including the 14 referred to in question No. (1), have been fully completed. Twenty-three other contracts have been completed and are under maintenance.

(3) Yes.

(4) Answered by No. (3).

(5) £11,115 11s. 11d.

Deferred Payment Contracts—Subsequent to 10/8/55.

Contract.	Amount. £
Ashfield School—Additions	6,398
Belmont High School (1st Section)	73,947
Belmont School—Additions	8,818
Beverley School—Additions	4,399
Bicton School—Additions	4,280
Brentwood New School	16,811
Bunbury High School—Additions to Girls' Hostel	9,650
Byford School—Additions	5,125
Cannington School—Additions	8,753
City Beach—New School	25,901
Coolbinnia School—Additions	7,540
Dalkeith School—Additions	10,234
Darkan School—Additions	2,600
Dowerin School—Additions	4,350
Geraldton (Back Beach) New School	18,181
Glen Forest School—Additions	3,577
Gnowangerup School—Additions	3,766
Helena Valley School—Additions	5,060
Kenwick School—Additions	4,622
Koonawarra—New School	15,073
Maddington School—Additions	10,987
Manjimup—New High School (1st Section)	58,900
Manning Park School—Additions	9,039
Melville—New School	19,987
Merredin—New High School (1st Section)	63,670
Midvale School—Additions	5,385
Moora—New School	9,624
Morley Park School—Additions	6,414
Mt. Helena School—Convert Classroom for Science	903
Northampton School—Additions	6,876
North Cottesloe School—Latrines	810
North Innaloo School—Additions	13,894
North Scarborough School—Additions	19,930
Palmyra School—Additions	7,871
Perenjori School—Additions	9,350
Redcliffe School—Additions	6,334
Riverton School—Additions	7,669
Roleystone—New School	16,266
South Kalgoorlie School—Additions	2,747
Stoneville Boys' Home—New School	5,689
Tuart Hill School—Latrines	3,104
Wagin School—Additions	8,310
Watheroo School—Additions	6,813
Welshpool School—Additions	3,198
Westminster School—Additions	15,223
Yericoin School—Additions	4,970
North Northam School—Additions	8,391
Armadale Hospital—Additions	26,433
Bunbury Hospital—Additions	28,812
Bunbury Hospital—Laundry	19,600
Cunderdin Hospital—Nurses' Quarters	16,689
Harvey Hospital—Nurses' Quarters	13,896
Moora Hospital—Nurses' Quarters	15,987
Wyalkatchem Hospital—Additions	40,870
Whitby Falls Mental Hospital—Additions	91,238
Victoria Park Police Station—Additions	9,565
Total	834,527

STANDING ORDERS SUSPENSION.

Closing Days of Session.

On motion by the Chief Secretary resolved:

That during the remainder of the session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages in any one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith.

ADDITIONAL SITTING DAY.

On motion by the Chief Secretary resolved:

That for the remainder of the session, the House, unless otherwise ordered, shall meet for the despatch of business on Fridays at 2.30 p.m. in addition to the ordinary sitting days.

BILLS (2)—THIRD READING.

1, Criminal Code Amendment (No. 2).

2, Licensing Act Amendment (No. 4).

Returned to the Assembly with an amendment.

BILL—ARCHITECTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.40] in moving the second reading said: This Bill does not contain any major amendments. In 1921, when the parent Act was passed, the Royal Australian Institute of Architects had not been formed, and it was not possible, therefore, to include a provision that membership of the institute was a qualification for registration as an architect. Now that the institute is in existence, it is considered desirable that membership of that association should be a qualification, and the Bill provides that this shall be so.

Another amendment seeks to give the Architects' Board more control over the architects registered with the board and more power to prevent unprofessional conduct. The board has reported that some registered architects have been guilty of actions described as unprofessional and unfair to fellow architects and the public, and that the board should be enabled to deal with such instances.

The Bill seeks to enlarge the definition of "misconduct" in Section 21 of the Act to give the board the power to discipline its members. At present the Act provides that application must be made to the Supreme Court to discipline a member; but in the Bill provision is made that the Architects' Board shall be empowered to take this action, and the aggrieved person will be given the right to appeal to a magistrate if he disagrees with the decision.

A similar provision is contained in the Builders' Registration Act whereby the Builders' Registration Board has the power to deregister a builder, the aggrieved person having the right of appeal to a magistrate against the decision.

Section 21 details those acts and practices by architects which are prohibited and are deemed to be misconduct. A new section is proposed by the Bill for the purpose of amplifying that definition. This includes the acceptance of reward, either direct or indirect, other than professional remuneration; the acceptance of architectural work on condition that the architect will receive a discount, gift, or commission from the contractor or tradesman; and failure to disclose direct or indirect pecuniary interest in material used in connection with the work.

The Government was advised that some architects advocated the use of certain materials; and, as a reward, required an additional return, either directly or indirectly, from the use of those materials. That is regarded as misconduct, or unprofessional conduct, and it is desired to prevent it. An architect should be remunerated in accordance with the scale of fees for the work he does; and should not endeavour to carrry out work cheaply and then make up the difference by indirect returns from the use of certain materials, or certain other items in the construction.

The proposed new section also treats advertising as misconduct unless the advertising is approved by the board. Failure on the part of a man to advise the cancellation of his qualification on which he was admitted as an architect—or, in other words, continuing to hold himself out as an architect when no longer entitled to do so—is also included in the category of misconduct.

An architect might be negligent with the result that the owner of a building suffers loss and damage. There is power to take action against the architect who is responsible for such loss or damage and to protect members of the general public who engage architects to watch their interests.

The Architects' Board was desirous that no person other than an architect should do work that architects normally carry out, but the Government did not consider that such a severe restriction should be applied. However, it was considered that it was a fair and reasonable proposition that a person who was not an architect should not masquerade as an architect; and the purpose of this amendment is to give power to the board to deal with any cases where that happens.

If there are people who desire to design buildings the Bill will not prevent them from doing so, unless they allege they are

architects. If they describe themselves as architects and endeavour to obtain business on such false pretences, the amendment will give the board power to take action. But any person, such as an engineer, who wishes to design a building for someone else can still do so, so long as he does it in his proper capacity and does not assert he is an architect.

The Architects' Association considered that it and the general public should be protected from self-described architects. If a person engages the services of such a person and then discovers he is not an architect, there is no remedy.

However, the Bill will not prevent any member of the public from utilising the service of any person other than an architect to design a building, provided he is aware the person is not a qualified architect. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned.

BILL—ROYAL COMMISSIONERS' POWERS ACT AMENDMENT.

Second Reading.

HON. L. C. DIVER (Central) [4.45] in moving the second reading said: This is a very small Bill, which has been brought down in consequence of an experience I had arising out of the appointment last year of a select committee of this House to inquire into petrol marketing. Owing to the rising of Parliament, it was necessary for that select committee to be converted into an Honorary Royal Commission in order that it might complete its investigations.

Amongst other things, the majority of this select committee, on being appointed an Honorary Royal Commission, decided that counsel should be allowed to assist the various parties. With the passage of time, it was suggested that certain parties, through their counsel, would insist on all of the commissioners being present; otherwise they would not constitute the Royal Commission created by the Government.

I therefore made certain representations to the Crown Law Department with a view to ascertaining the position; and I was informed that, if the various parties insisted that all the commissioners be present at the hearings, it would be wise if I did not challenge them. In other words, the Royal Commissioners' Powers Act was meant to apply in the singular and not in the plural. It makes no allowance for a body of commissioners to make an inquiry. There is no provision in the Act as to what constitutes a quorum.

Subsequently, I conveyed my experience to the leader of my party who, in turn, introduced this measure in another place, with a view to avoiding a repetition in future of such events, should either House of Parliament appoint a select committee which is eventually turned into an Honorary Royal Commission. If the measure is agreed to, so long as a majority of members of the Honorary Royal Commission are present at a sitting or meeting that shall be sufficient and its decision shall be final.

Had this measure been passed last session I have no doubt that the Honorary Royal Commission into petrol marketing would have completed its work at least one month earlier than it did, as, owing to the calls on the time of various members of that commission, it was difficult to get the whole five members assembled together at a given date for the purpose of hearings such as were held.

The measure will not interfere with the present requirements regarding the report of an Honorary Royal Commission, inasmuch as in the event of there not being a unanimous report, it will be necessary for a minority report to be submitted. One paragraph of a letter received by Hon. A. F. Watts from the Crown Solicitor reads—

> The proposed new section is expressed to be for the purposes of this Act and since the report of the commission is not mentioned in the Act a decision of the majority would not bind the commission in the matter of its report.

Consequently there need be no fear that the passage of the Bill will have any effect on the final report of such Royal Commission. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Bill read a third time and *passed.*

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.55] in moving the second reading said: This small Bill is introduced as a result of representations made to the Minister for Labour by a deputation representative of the W.A. Chamber of Manufactures, the Perth Chamber of Commerce and the Retail Traders' Association of W.A. The request of the deputation was that Section 4C of the parent Act be repealed. This section reads—

> (1) Every manufacturer and every distributor shall when delivering textile products to a wholesaler

or a retailer furnish to such wholesaler or retailer a numbered invoice which shall contain details of the constituent fibres comprising such textile products respectively as prescribed.

(2) Any person who contravenes this section shall be guilty of an offence. Penalty—fifty pounds for a first offence and two hundred pounds for a subsequent offence.

This particular provision is not contained in the legislation of any of the other States or of the Commonwealth; and since its inclusion in the parent Act in 1944, it has not been enforced by the Factories Inspection Branch. At least 75 per cent. of the merchandise for distribution in this State is manufactured outside Western Australia. As a result, the invoices for such goods do not provide details of the constituent fibres in the garments. The deputation contended that a full description on invoices of each garment's fibre content was unnecessary as this information could readily be verified by reference to the cutting slip.

It was stated that, as it was, textile labelling cost thousands of pounds, and that if Section 4C was insisted on the large volume of extra work would increase greatly overhead expenses. The Government agrees that so long as the garments themselves are labelled as required by Section 4A of the parent Act, there is no need for invoices to contain similar information. Since this measure has been brought down as the result of representations of the bodies which I mentioned, I do not think it will meet with much opposition. I move—

That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 4 had been put and negatived.

Clause 5—Section 8 amended:

Hon. H. K. WATSON: There is an amendment on the notice paper standing in my name, but I do not intend to proceed with it. Instead, I ask the Committee to vote against the clause as it stands. If agreed to, my amendment would do nothing more than clarify Section 8 of the parent Act; but I do not think there is any necessity to alter the Act.

The Chief Secretary has explained that this section provides, in effect, that where a worker is suffering from both an industrial and a non-industrial disease, he is entitled only to the same percentage of compensation as the percentage of his disability which is due to the industrial disease.

In other words, if he is suffering from a disease which is compensable, and partly from a disease which is not, the share of the lump sum which he gets is a proportionate share, and the share of the weekly payments that he gets is a proportionate share. The amendment in the Bill is designed to eliminate the proportion as far as the weekly payments are concerned. There is no reason why the weekly payments, no less than the total payment, should not be on a pro rata basis. At the moment the Act provides that they should be. The Full Court of Western Australia recently decided that that was the position.

Some doubt arose as to what Section 8 meant, but the court ruled that the proportion applies to weekly payments in the same way as it does to the total payment. I see no reason why that should be disturbed, but the proposal in the Bill seeks to disturb it. Therefore, I ask the Committee to vote against this clause.

The CHIEF SECRETARY: I hope the Committee will not listen to the case put up by Mr. Watson and support it. I consider the amendment he had on the notice paper was bad enough, and was even redundant; but what he proposes now is unthinkable. If the Committee supports his present contention, a worker who is certified as having a 10 per cent. disability would get only a 10 per cent. weekly payment.

Hon. H. K. Watson: Why shouldn't he?

The CHIEF SECRETARY: How is he going to live?

Hon. H. K. Watson: How is he going to live if he gets 100 per cent.?

The CHIEF SECRETARY: If he gets 100 per cent., he draws the full weekly payment; and the Bill seeks to give him the full weekly payment up to the extent of his disability, which may be 10 per cent. However, 10 per cent. of a weekly payment to an injured worker is ridiculous. Surely the Committee will not entertain such an idea as that!

Hon. H. K. WATSON: I am not moving anything. I am merely saying that the Act should stand as it is. The Chief Secretary is right off the beam when he says that I asked the Committee to accept any proposition. I only asked that the Act should remain as it is.

The CHIEF SECRETARY: No matter how the question is approached, it is the effect that we are concerned with. This provision has been introduced because of the Full Court ruling which found that what I have told the Committee is the proper interpretation. Because of that, we seek to amend the Act to make it reasonable. The one most concerned about this

proposal is the State Government Insurance Office, mainly because of the workers who are affected with silicosis on the Goldfields. Not many other insurance companies are affected.

Clause put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Remarks during Division.

The Chief Secretary: The worker will get 26s. a week if the Committee defeats this clause: That is what he will get! Twenty-six shillings a week!

Division Resumed.

Division taken with the following result:—

Ayes	14
Noes	13
Majority for	1

Ayes.

Hon. N. E. Baxter	Hon. R. F. Hutchison
Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. J. G. Hislop	Hon. J. J. Garrigan *(Teller.)*

Noes.

Hon. L. C. Diver	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. L. Roche
Hon. A. R. Jones	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. J. M. Thomson *(Teller.)*
Hon. R. C. Mattiske	

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause thus passed.

Clause 6—Section 11 amended:

Hon. H. K. WATSON: I ask the Committee to vote against this clause. It seeks to increase the maximum payment of compensation from £2,400 to £3,000. Last night, we defeated a similar provision contained in Clause 4.

The CHIEF SECRETARY: I suppose that after the last vote, it is hopeless appealing to the Committee in regard to this clause. However, I still ask why members should not have to grant £3,000 to the relatives of a worker who is killed in industry. Does any member think that that is too much money to grant to a deceased worker's dependants? Members do not stick to the facts. Last night we were dealing with payments to an injured worker and not the payment of a lump sum to the relatives of a worker who is killed. Who can justify a statement that £3,000 is too much to grant to the dependants of a worker who is killed in industry, especially when we bear in mind what is granted under common law to a person killed in an ordinary accident?

Hon. N. E. Baxter: Will you ask for £3,500 next year?

The CHIEF SECRETARY: Let next year look after itself! We are dealing with this year now, and we say that £3,000 is too little. I know it is useless telling the Committee what amounts are being paid in the other States. There are some that are not paying £3,000; but, on the other hand, there are others that are paying a great deal more than £2,400. That figure was fixed two years ago, and I defy any member to say that £2,400 today is the same value as £2,400 two years ago.

Hon. N. E. Baxter: That is plus adjustments.

The CHIEF SECRETARY: The worker has never caught up with what he has lost. I think that this increase to £3,000 to the relatives of an injured worker is justified.

Hon. Sir CHARLES LATHAM: I do not know whether the Chief Secretary is right on this point, because Section 11 of the Act refers to a worker who is permanently or partially incapacitated, but it does not say anything in regard to his being killed. In 1954 we increased the amount payable to such a worker from £2,100 to £2,400.

The Chief Secretary: I accept your correction.

Hon. Sir CHARLES LATHAM: The Chief Secretary is very often wrong, and it is nice to know that sometimes he will agree that he is wrong. After all is said and done, it is a question of whether we shall continue to agree to increasing this amount to the same extent every year. It is a continued charge on industry, which depends on the markets which it can obtain to sell its products. It is all very well being generous, especially when it is a case of being generous with someone else's money.

The CHIEF SECRETARY: I retract the phrase about the gain to an injured worker; it is a totally incapacitated worker, and everything I said about that man stands. In fact, I would say it ought to be a greater amount for a totally incapacitated worker than for a person killed, because that person has to be kept on that amount. A man who received the maximum amount would not be partially incapacitated—and we are talking about the maximum amount, not the minimum payable to a person under that heading.

Hon. Sir Charles Latham: He is entitled to compensation as well.

The CHIEF SECRETARY: In what way?

Hon. Sir Charles Latham: Read Subsection 3! I think you had better get your lesson earlier in the morning.

The CHIEF SECRETARY: Portion of Section 11 (3) of the Act reads—

> during any period of total incapacity resulting from that injury and any sum so paid shall not be deducted from the compensation.

It is only dealing with the final adjustment. I would say that only a person permanently injured would receive the total payment; not a person partially incapacitated.

Hon. J. G. Hislop: He would get a percentage of the total.

The CHIEF SECRETARY: Yes. What we are aiming to do is to raise the maximum, and only the persons permanently incapacitated could hope to obtain the maximum. Therefore I would say £3,000 was little enough in the circumstances.

Hon. G. C. MacKINNON: This becomes extremely confusing indeed when in one clause we range from death to permanent partial incapacity. From the original Act one gains the impression that it is designed to alleviate distress. There does not seem to be any idea that the Act takes over the entire responsbility for the complete economic welfare of every employed man. That seems to be the basis of the Act; yet from the way the Chief Secretary speaks to these amendments, it would appear that he is giving this Act a basis of complete and utter responsibility for all sickness in industry, or he wants it to be that way.

Hon. F. R. H. Lavery: A lot of amendments would be needed before we could reach that stage.

Hon. G. C. MacKINNON: It is not a matter for an Act like this; it is a matter for a national insurance scheme. I would like the Chief Secretary to explain, because the last amendment was extremely confusing to me.

The CHIEF SECRETARY: I think the amount for which we are asking will answer the hon. member. Who would say that to provide £3,000 would be to accept complete economic responsibility for a worker during the time he was out of work?

Hon. G. C. MacKinnon: It does not seem to be the basis of the original Act.

The CHIEF SECRETARY: When a person is injured at work, and is permanently partially incapacitated, he should be recompensed up to £3,000. That is what we are after, and I do not think it is asking too much. There is no doubt that quite a number of people have gone beyond that stage. Generally, that is the amount which would cover most persons who would come under the Act. It is only during that period that I am asking for permanent economic responsibility.

Hon. R. F. HUTCHISON: I am amazed at the hon. member asking if we accept full economic responsibility. He refers to the Act as providing alleviation. If a man is permanently incapacitated through being injured at work, does the hon. member want him to be on a pittance, so that he, with his wife and family, will live in misery and not have sufficient on which to manage? Even the amount provided in this Bill is not sufficient. We are asking that if a worker meets with an accident which makes him permanently incapacitated—

Hon. Sir Charles Latham: It does not refer to permanency.

Hon. R. F. HUTCHISON: He does not get £3,000 for an injury if he is incapacitated for a week or a month. We are talking about the permanently incapacitated. I think it is dreadful to hear men argue that a man should not be allowed enough to keep his family in the way he was able to provide for them—the frugal way—while he was working. It takes more to keep a sick or injured man in the home in every way. An extra burden is put on the wife immediately; and she, together with her family, has to go short of many things. If the injury were to a machine in industry, there would be no question about it, whether the cost was £3,000 or £6,000; but apparently a human being does not matter.

Hon. Sir Charles Latham: You are persuading me to vote against this.

Hon. R. F. HUTCHISON: I have heard Sir Charles talk about charges on industry. If it cannot stand this amount, it should stop.

Hon. Sir Charles Latham: You would starve.

The CHAIRMAN: Order!

Hon. R. F. HUTCHISON: I am ashamed to listen to some of the arguments here, and they are not going by without my challenging them. The time to be generous and Christian is after a man has been injured while working for his living. When the hon. member talks about taking full economic responsibility, I would say, "Yes, most certainly we do!" If ever there was a time when a Christian spirit should be exhibited, it is now. I call myself a Christian, and hope to hear no more about this full economic responsibility. I trust that what the Chief Secretary is asking for in this clause will be granted, even if it means not agreeing to other clauses in the Bill.

Hon. G. C. MacKINNON: I have been accused, tried and found guilty by the only person in the House with principles. I did not say at any time that we should not look after people. I am grateful to Mrs. Hutchison, because she gave us the Labour outlook on this Bill. Despite what

the Chief Secretary said, it seems that the Government's desire is to accept complete, utter economic responsibility.

Hon. F. R. H. Lavery: For the period of injury.

The CHAIRMAN: Order! The hon. member will address the chair.

Hon. G. C. MacKINNON: It has been definitely stated here that this Bill is desired to give complete and utter economic responsibility.

The Chief Secretary: During the time of injury.

Hon. G. C. MacKINNON: My main purpose in rising is to say that I object to the hon. member accusing, trying and finding a member guilty.

Point of Order.

Hon. R. F. Hutchison: I object to that. I did no such thing. I repeated what Mr. MacKinnon said. I want the hon. member to withdraw.

The Chairman: Order! Does the hon. member want a withdrawal of a statement?

Hon. R. F. Hutchison: Of the statement that I tried and found him guilty, when I had not even been speaking about him, but was repeating what he said.

The Chairman: All right.

Committee Resumed.

Hon. R. C. MATTISKE: The Committee is getting confused over a very simple point. Confusion arose when the Chief Secretary said the amount was fixed at £2,400 for permanent or total incapacity. That is misleading because the figure varies automatically with the basic wage and at present it has been increased to £2,546. The purpose of the Act is to provide compensation for an injured worker, not to give him the full amount of wages that he was previously earning. At present a male worker who is injured is able to receive up to £13 3s. 1d. per week. I cannot see anything un-Christian in that. The Workers' Compensation Act is designed to give relief to a person who is in receipt of wages.

Hon. R. F. Hutchison: Should he not have full wages if he is ill?

Hon. R. C. MATTISKE: Under the Act, an injured worker receives compensation. The individual who has sufficient initiative and intestinal fortitude to conduct his own business and give employment to others, gets nothing if he is ill. The present figure of £13 3s. 1d. was £12 8s. when the amount was last fixed by Parliament in 1954. It has increased by 15s. 1d. per week because it is tied to the basic wage, and it will continue to go up as the basic wage increases.

At present, an injured person is entitled to receive £13 3s. 1d. per week, and he may receive up to a maximum of £2,546. This figure is not designed to provide him with succour for the rest of his life. If the £2,546 is cut out the worker may then draw on the Commonwealth social service benefits. The Chief Secretary said "How can we expect a fellow to live on a paltry £2,546?" That is not the point. This is the primary amount and he may then go on to the relief provided by the Commonwealth Government.

Yesterday many members asked "What is happening in the Eastern States?", and we had the Eastern States position thrown at us. Would those who were so vocal on the point then like to say that because in some of the other States an amount considerably less than £2,546 is provided, we should come down to that level? We cannot have all the good without having all the bad. We must take a broad view of this. I sincerely hope that the Committee will not agree to the amendment.

Hon. E. M. HEENAN: I am sure members are confused as to what Mr. Watson's amendment—

The CHAIRMAN: Order! There is no amendment before the Chair.

Hon. E. M. HEENAN: Clause 6 simply proposes to increase the figure of £2,400 to £3,000. Occasionally a worker meets with an accident and is totally incapacitated for some time, and during that period he would draw the amount set out in the First Schedule. That might apply for a year or two. Then he is discharged as partially incapacitated. He may be permanently partially incapacitated and have a 30 per cent. disability for the remainder of his life. In those circumstances, the total amount of compensation at present, for the period that he was totally incapacitated and for the remainder of the time when he was partially incapacitated, cannot exceed £2,400.

Hon. Sir Charles Latham: Plus the increases.

Hon. E. M. HEENAN: Yes, but let us stick to the figure of £2,400. More than half of this amount might have been exhausted when he was totally incapacitated. I think it is reasonable to increase the figure to £3,000. Even if we do that, it does not mean that he will necessarily get £3,000, but that the amount he does receive may not exceed £3,000.

Hon. J. G. Hislop. Do you mean to say that the weekly amounts are taken out of the lump sum?

Hon. E. M. HEENAN: Yes, they are. The weekly amounts, plus the subsequent payment for partial incapacity cannot exceed £2,400 at the present time.

Hon. Sir Charles Latham: You want to read the second paragraph of Subsection (3).

Hon. E. M. HEENAN: If I am wrong, I am sure someone will correct me.

Hon. H. K. WATSON: The whole proposition is that once Parliament has decided the maximum compensation payable, we have to amend up to, probably, half a dozen sections which alter that amount. In 1954, upon the recommendation of the select committee, we increased the amount from £1,700 to £2,400, plus further increases in accordance with the basic wage. The whole question is: Are we going to depart from that, or are we going to accept the proposition in the Bill? I ask the Committee to vote against the clause.

Hon. J. J. GARRIGAN: I ask members to get back to the report of 1954. The recommendation made then on behalf of our Government was that the amount be raised to £2,800. Mr. Davies and I, who were members of the select committee, submitted a minority report, and we agreed to take £2,400. How are widows and young children going to live and be educated on the miserable sum of £2,400? I would say that £3,000 is little enough.

Hon. R. C. MATTISKE: I would like to ask Mr. Garrigan: What is the difference between £2,546 and £3,000? If a person is permanently incapacitated, it simply means that the payments of £13 3s. 1d. per week will continue for a further few weeks until the difference between the two figures I have just mentioned is exhausted. He then goes on to the Commonwealth social services benefits.

The Chief Secretary: That's all!

Hon. R. C. MATTISKE: The worker is not suffering any disability because of that.

Hon. F. R. H. LAVERY: Mr. Mattiske has put the position very briefly. He has asked us what is the difference between £2,546 and £3,000.

Hon. R. F. Hutchison: He ought to live on the same wages as these people and he would know.

Hon. F. R. H. LAVERY: It means another 32 weeks at £12 a week before they go on to social services.

Hon. J. J. GARRIGAN: In reply to Mr. Mattiske, a sum of £300-odd in the hands of a widow with two or three children—

Hon. L. A. Logan: This does not apply to a widow.

Hon. J. J. GARRIGAN: Then in the event of a husband being incapacitated and being unable to work. Sometimes a woman would be better off without a husband in those circumstances, because he has to be kept, clothed and fed.

Hon. R. C. Mattiske: You are assuming that she gets nothing from social service benefits.

Hon. J. J. GARRIGAN: A sum of £300 to a woman in those circumstances would be a good deal. The social service benefits are a miserable pittance of £4 a week and a few shillings for kiddies. I think the clause should be agreed to.

Hon. A. R. JONES: I would like to inquire, from somebody who knows, the difference between £13-odd a week and the social service benefit payable.

The Chief Secretary: The difference for a man and wife would be £5 13s. 1d.

Clause put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	13
Noes	14
Majority against	1

Ayes.

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. L. C. Diver	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. W. R. Hall	Hon. J. D. Teahan
Hon. E. M. Heenan	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. A. R. Jones	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. F. Griffith
	(Teller.)

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause thus negatived.

Clause 7—Section 13 amended:

Hon. R. C. MATTISKE: I hope the Committee will not agree to this clause. Actually it does not affect the benefits payable to workers, but is merely a machinery clause in connection with the fixing of various premiums. However, there is one point which makes me ask the Committee to vote against it, and that is that holiday pay and sick pay should be included in the annual return of wages submitted by an employer. I contend that is wrong in principle; because if a worker is on holidays or away from work sick, he cannot qualify for any compensation. Therefore it is wrong in principle for premiums to be paid on those wages in the knowledge that no compensation could be claimed. I hope the Committee will not agree to this clause.

The CHIEF SECRETARY: This is rather remarkable. If we want to do something to improve the position of the workers we get it in the neck, and if we want to improve the position of the insurers we get it in the neck also.

Hon. L. A. Logan That is consistent.

The CHIEF SECRETARY: So far as getting it in the neck is concerned. This clause is only to set down a standard. Some employers are complying with it

now and some are not; a lot of the small mining companies are including these items in their wages sheets and others are not.

Hon. L. A. Logan: What advantage would it be?

The CHIEF SECRETARY: It would mean less ratio premiums—it is a 70 per cent. ratio at present. Probably some companies are paying more because they are complying with these provisions while others are not, and I believe that all insurers would like it to be done. Also, a number of employers would like to see this become part of the Act, and it would save a certain amount of cost in compilation. I would like the Committee to give us a majority on this one, irrespective of what is done with the other amendments.

Hon. H. K. WATSON: The Chief Secretary says that when he tries to do something for the employees, he is criticised; and if he tries to do something for the insurance companies, he is criticised. I would like to make one plea for the man who is the meat in the sandwich—the man who is between the insurance companies and the employees; and that is, the employer, the man who pays the piper. Mr. Mattiske has summarised the position in a nutshell. As the employer has to pay on the annual wages, why should he have to include in the return holiday pay and sick pay? To my mind the question of uniformity does not enter into the picture. If uniformity is wanted we can get that by not including holiday and sick pay in the returns.

Hon. R. C. MATTISKE: There is only one point in reply to the Chief Secretary. If I heard him correctly he said that many employers are including these figures in their annual returns. That may be the case with a number of smaller employers. In my office when we are preparing the annual returns, the cost of extracting the holiday and sick pay content would not be warranted because of the small amount of additional premium which would be paid by an employer overstating the amount of total wages. But where the business is much bigger and would warrant the extraction, I maintain the employer should have that opportunity.

The annual premiums are calculated each year; and if this clause is included, it will mean a greater payment for the first year of application, because in that year they will be working on the higher annual wage figures submitted. That would be quite a burden to the larger employers in the first year of application. So I hope the Committee will not agree to this clause.

Hon. J. G. HISLOP: Earlier I had thought that with a few small amendments this clause might be all right. I had in mind removing from the clause the reference to overtime work because I cannot regard overtime as something that can be measured annually. It is something that does not come into the average rate of pay of an individual. After examination, however, I must agree with the Chief Secretary who so frequently reiterates that the more we put into a Bill the more we restrict the individual. By agreeing to this clause we will be restricting the employer and the insured. So far as uniformity is concerned, it might be of a type which all parties concerned might regret.

The CHIEF SECRETARY: There is one phase that neither Dr. Hislop nor any other member of this Chamber would regret. I am told that instead of returning the full wages sheet they take so much for overtime and holiday pay; in one case it amounted to as much as 50 per cent.

Hon. G. C. MacKinnon: Did you investigate?

The CHIEF SECRETARY: There is no power provided to investigate or call for the pay sheets. The figure must be accepted. While this loophole exists it will encourage that practice.

Hon. R. C. MATTISKE: One of the first latin phrases I learnt in accounting was uberrima fides, which means that any contract of assurance is a contract of good faith. If good faith were broken, then the contract would be set aside. If the employer understates the amount of the annual wages, the insurance company will surely go into it with a view to taking action against that employer to set aside that contract.

Hon. L. C. DIVER: I cannot agree with the amendment in the Bill. Unless there is good faith the whole structure will be undermined. I have consistently tried to record my vote so as to permit increases to the worker. While conceding the fact that overtime and bonuses, etc., are included in wages statements, some consideration should be given to the employer when an employee meets with an accident. At present he is only looked upon as an ordinary worker, and I trust that next time we have an amendment brought down to the Workers' Compensation Act something will be done to permit the employer to claim where he can show that the employee has consistently earned bonuses of a certain amount. It could be that the employer at present is making a rod for his own back by paying that extra amount. Unless amounts are recorded and premiums paid, the system we are trying to build up will ultimately be destroyed.

Hon. N. E. BAXTER: We must look at this fairly and ascertain the liabilities of the insurance companies. When an employee is employed on overtime he is paid at overtime rates and certainly represents

a liability to the insurance company. He may be injured and put in a position to collect compensation. On the other hand, while sick pay and holiday pay are included in the statement, for the time the employee might be on holidays he would not be entitled to compensation because he would not have worked in the first instance; and, secondly, he would be covered because he would be getting time and a half and double time. The proper way to treat this is to provide a statement for overtime and not for holiday pay and sick pay. I move an amendment—

> That the words "and as holiday pay and sick pay, and as remuneration of any other form", in lines 31 and 32, page 4, be struck out.

Hon. H. K. WATSON: I do not oppose the amendment; but if the clause is amended, I will still oppose the entire clause. I think the amendment is designed to leave overtime in the wages schedule to be returned. Because an employer pays double rates on Sunday, that does not mean he has a double amount of actions. He is not paying a normal wage; he is paying double wage, and he does not have double actions.

We must be guided by the expert opinion of the Underwriters' Association on the one hand, and an organisation like the Employers' Federation on the other. My information is that both these bodies are agreeable to the Act as it stands. That being so, it ill becomes us to rush in where angels fear to tread. This provision may be of special benefit to the State Insurance Office for a variety of complicated reasons; but that is beside the point. I oppose the clause.

Hon. L. A. LOGAN: I take it that on the form submitted by the employer the total wages are supposed to be included, and sick pay and holiday pay would and should be included in that total payment. All the clause tends to do is to segregate what is actual wages and what is overtime and sick pay.

Hon. Sir Charles Latham: Why should he be paid compensation while on holidays?

Hon. L. A. LOGAN: That is laid down by the Arbitration Court. All this proposes to do is to segregate these amounts.

The Chief Secretary: No.

Hon. L. A. LOGAN: What does it propose to do?

The Chief Secretary: To get the actual amount.

Hon. L. A. LOGAN: If the Chief Secretary is right, then this is not worth the paper it is printed on.

The CHIEF SECRETARY: We do not want to segregate it at all. We want to get the actual amount. There is no power provided to segregate it from the payroll, and that is why we want this provision. Two of the biggest coalmining companies have asked for this to be done to save them having to segregate these things on their payrolls. It would be handy to a number of large concerns. I cannot accept Mr. Baxter's amendment because it still leaves a loophole regarding holiday pay and sick pay. Holiday pay and sick pay only amount to 8 per cent. of the extra payments, so why should we leave a loophole for the sake of 8 per cent.?

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. SIMPSON: Before a vote is taken it might be worth while to give the clause further thought, because the practice varies from company to company and from small insurer to big insurer. At first sight that might not appear to matter very much, provided they were all on the same scale, the assumption being that the Premium Rates Committee would assume that a certain amount of income would determine the rate against the actual risk involved.

We have to remember that there are differential rates imposed on certain risks, and in the mining section particularly—which carries the heaviest rates and is the least able to bear any increase in those rates because it has a wasting asset which is being eaten into more and more through rising costs—that item ought to be taken into account.

I suggest to the mover of the amendment that this aspect has not been considered. In view of the condition of the mining industry, on which this impost would fall, I would ask the Committee to give serious consideration not only to not accepting the amendment but to deleting the clause.

Amendment put and passed.

Hon. H. K. WATSON: I ask the Committee to vote against the clause as amended. If I understood the Chief Secretary correctly, he said that two coalmining companies had requested the amendment contained in the clause.

The Chief Secretary: If the hon. member were to ask me to name them, I would not like to do so in this Chamber. I can assure him that two of the mining companies desire the clause.

Hon. H. K. WATSON: It is not my intention to ask for the names of those two companies. My advice is that two coalmining companies have been rendering returns to the State Insurance Office. Although the Act requires them only to make a return of the actual wages paid, those two companies had in fact been making a return of all the wages, including overtime, holiday and sick pay. Another coalmining company recently took up insurance with the State Insurance Office, but it refused to furnish a return of all the wages including overtime. It told

the State Insurance Office that that office was not entitled to have a return of all the wages.

Naturally when the first two companies found out their legal position they suggested that they should be able to leave out particulars, other than the actual wages from their return. The reason for this clause is that the three companies want to retain the existing provision in the Act. Furthermore, it will have the effect of extracting from the goldmining companies a premium that was never intended under the Act, so there is a lot more in the clause than meets the eye.

The CHIEF SECRETARY: I mentioned two mining companies, but the hon. member has traced the history leading up to this position. He gave some but not all of the facts. The position is that those two mining companies paid on the whole, but when the third company came in and did not pay on the whole, the first two companies wanted to follow suit. However, they did say they wanted to remain as they were and pay on the whole because they did not want to go to the trouble of extracting the holiday, overtime and sick pay from the sheets.

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

Ayes	14
Noes	12
Majority for	2

Ayes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. N. E. Baxter
	(Teller.)

Noes.

Hon. J. G. Hislop	Hon. J. Murray
Hon. A. R. Jones	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. F. Griffith
	(Teller.)

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause, as amended, thus passed.

Clause 8—agreed to.

Clause 9—Section 29 amended:

Hon. R. C. MATTISKE: I move an amendment—

That all words after the word "passage" in line 19, page 5, be struck out and the following inserted in lieu:—

> By the last days of the months of March, June, September and December in each year the board shall publish in book or loose-leaf form, together with the reasons therefor, every award, order, ruling, determination or decision involving a determination by the Chairman of any question of law made or delivered by the Board during the quarter ending two months prior to each of such days and following publication shall make available at cost price a copy of the same to any person making a request therefor, and the.

The reason for the amendment is that under the clause it will be obligatory for every decision of the board to be printed and circularised which, in practice, will be quite an immense task. It is felt that confining it wholly to the question of law, the intention of the Government will be put into effect—that is, the principal rulings of the board will be circularised, but the unnecessary material will be eliminated.

The CHIEF SECRETARY: The only explanation that ought to be given is by the person moving the amendment. He should give an explanation of what actually is required. The hon. member could not even state the case properly. He said that if the Bill is accepted all cases will have to be reported on.

Hon. J. G. Hislop: That is so.

The CHIEF SECRETARY: It is not so. Only cases in dispute will have to be reported on. As a matter of fact, that was done for quite a long time. It was discontinued some time ago, and it is desired that the practice be resumed. I emphasise that only cases in dispute will be reported on. In his amendment, the hon. member mentions points of law; but whoever supplied the hon. member with his information was again wrong, because the main decisions of the board are not decisions of law but fact. Ninety per cent. of them are in that category. We want the whole of these disputed decisions circulated—and for a good reason. Once a decision is given, it will provide valuable information for the companies; and quite a lot of expense will be saved, because they will be able to deal with cases of a similar kind without sending them to the board.

Hon. R. C. MATTISKE: The Chief Secretary is trying to create the impression that there are a lot of matters referred to the board which are not disputes. I would like to ask what matters that are not disputes come before the board.

The Chief Secretary: Quite a lot that is not in dispute comes before the board.

Hon. R. C. MATTISKE: Goodness me!

The Chief Secretary: You have not got the full information.

Hon. R. C. MATTISKE: This is something on which I would like the Chief Secretary to get further information; because if there is no dispute, there is no reference to the board. This amendment proposes to eliminate all the minor disputes and boil it down to questions of law.

The Chief Secretary: What about the questions of fact, which are 90 per cent. of the cases?

Hon. H. K. WATSON: The answer to the Chief Secretary's query is that all disputes on questions of fact are decided on the facts of the particular case and do not create a precedent. Questions of law do create precedents. This amendment refers not merely to questions of law but also to any other question which in the opinion of the chairman is of outstanding importance.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	13
Noes	14
Majority against	1

Ayes.

Hon. L. C. Diver	Hon. H. L. Roche
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. R. C. Mattiske
Hon. J. Murray	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. G. E. Jeffery
Hon. G. Bennetts	Hon. A. R. Jones
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. J. Garrigan *(Teller.)*

Pair.

Aye.	No.
Hon. J. Cunningham	Hon. H. C. Strickland

Amendment thus negatived.

Clause put and passed.

Clause 10—Sections 29A and 29B added:

Hon. R. C. MATTISKE: I hope the Committee will not agree to this clause. It provides for the setting up of a joint committee in a manner which would be cumbersome and costly, and it would not achieve anything that is not being done under the present system. There is at present a voluntary committee consisting of four representatives of the insurers and four representatives of the British Medical Association. The two sides, as it were, in turn appoint a chairman, and all the inquiries are conducted on a purely voluntary basis.

The disputes that have been referred to the committee in the past have been settled quite amicably, and the decisions have been widely acclaimed. Under the proposed set-up, we would have a far more cumbersome arrangement; and I think it would destroy one of the principal factors in the successful operation of the committee. I mean that the goodwill of the parties would be taken away through the element of compulsion. I strongly urge the Committee to let the voluntary committee continue to operate and not to agree to the formation of this cumbersome joint committee.

The CHIEF SECRETARY: Actually the agreements reached by the voluntary body are purely gentlemen's agreements. While I understand that the members of the B.M.A. have generally abided by those agreements, it has to be remembered that there are 20 or 21 doctors who are not members of the B.M.A. and are not bound by the committee's decisions. The purpose of the amendment is to establish the committee as a statutory body with powers over the whole of the medical fraternity in this State and not only those in the B.M.A.

Hon. G. C. MacKinnon: How many troubles of that type have you had up to date?

The CHIEF SECRETARY: I do not know that there have been many, but I do know that only last week there was a little argument.

Hon. G. C. MacKinnon: Was it overcome all right?

The CHIEF SECRETARY: I do not know the conclusion that was reached. The point is that the person concerned is not a member of the B.M.A., and there is nothing to bind him.

Hon. A. F. GRIFFITH: I would like to ask the Chief Secretary whether it is not a fact that the decisions of the committee in the past have been, almost without exception, completely unanimous, and that the difficulties encountered have been so small that they would not be of any consequence. If that is not the case, would he do more than suggest that there has been only one case of dispute?

Hon. J. G. HISLOP: I spoke against this clause at the second reading. I said I thought it was ill-advised and unnecessary. The situation as it exists has been admirably placed before the Committee by Mr. Mattiske. There is the difficulty of which the Chief Secretary spoke, in that certain doctors are not members of the B.M.A. But they are all members of the profession and have to rely to a very large extent on the co-operation they give to other members of the profession and receive from those other members. They are not outside the B.M.A. because of misbehaviour. It is simply that they do not like joining associations; but they are amenable to reason, in the main.

There is no difficulty about this at all. If a member of the profession who is not a member of the association refuses to do what is requested by this committee, the Act may be called into operation, because years ago there was a provision along those lines inserted in the measure. All that is necessary is that a complaint be made to the board and the

board can then carry out an investigation into the conduct of any registered medical practitioner.

Instead of that we are asked now to agree to this statutory committee. I would inform members that some members of my profession have resented certain of the committees appointed by the Commonwealth Government under the national health scheme, and I think this provision would create disharmony and that we should therefore allow the present position to remain.

Members of the profession who have been on this committee told me recently that in the 25 years or more during which it has functioned it has worked exceedingly well, and I see no reason for setting up an elaborate committee and paying the members' expenses. Under the proposal before us the side appointing a chairman would be at a disadvantage because the chairman has no casting vote. As against that, a committee of eight, if the chairman had a deliberative vote, could reach a deadlock on many issues.

A further difficulty is that over the years an arrangement has been made between the B.M.A., the underwriters and insurer bodies as to the fees charged, and recently I obtained from the B.M.A. a printed list of the fees which have been accepted by that body and the insurers. That list was arrived at by amicable agreement; but under the mesaure, it would only need one side to say it did not want the agreement altered, and no new agreement could be made, owing to the wording of the clause.

It is easier to fix a schedule of fees under a gentlemen's agreement than under a provision such as this, because it would allow either side to use the veto, just as Russia has so often done. I again ask the Committee not to agree to the clause.

The CHIEF SECRETARY: I cannot understand Dr. Hislop raising his point about the method of appointment and operation of the committee, because the clause would preserve the status quo except that we desire the committee to be made a statutory body; because there is also provision for wiping out the £100 fee and, if that is agreed to, the sky will be the limit. We think it wise to have a statutory body to ensure that the fees claimed are justified. When the restrictions were lifted in Victoria the fees rose considerably, and therefore we prefer a statutory committee rather than the present voluntary body which has no control over a section of the medical profession in this State.

Hon. J. G. HISLOP: I take it discussion on a subsequent clause is allowed, Mr. Chairman?

The CHAIRMAN: The Chief Secretary did refer to a subsequent clause.

Hon. J. G. HISLOP: The members of the B.M.A. on this committee are all busy men and some are members of many other bodies and subcommittees, and I think that this clause would be placing on them an impossible task as it would be asking them to supervise the fees of about 600 doctors.

Hon. E. M. Heenan: Is there not a scale of fees laid down?

Hon. J. G. HISLOP: That is not the point. There are other charges over which difficulty can arise and the work of the statutory committee could be enormous. Eventually the B.M.A. might refuse to act, and then Parliament would have to form some other statutory body for the purpose. Again I say that the whole of the clause should be struck out. Admittedly there are members of the profession who are of frail nature, and if the fees are raised the insurers will question them and disputes will arise.

Clause put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	12
Noes	15
Majority against	3

Ayes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. J. J. Garrigan *(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. L. C. Diver	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. McI. Thomson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. MacKinnon	*(Teller.)*

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause thus negatived.

Clause 11—agreed to.

Clause 12—First Schedule, Clause 1 amended:

Hon. H. K. WATSON: I had hoped the Committee would delete this clause. However, I notice that there are one or two amendments on the notice paper. So it would seem that we had better deal with it paragraph by paragraph. I move an amendment—

> That paragraph (a), lines 17 to 20, page 8, be struck out.

This is a consequential paragraph which refers to the maximum compensation. It proposes to increase the amount from £2,400 to £3,000. The arguments which

applied to previous clauses apply with equal force to this paragraph. Previously, the maximum was increased from £1,700 to £2,400, plus the addition of basic wage adjustments. This paragraph seeks to upset that provision.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. Mr. Watson has said that it is a consequential paragraph, but it is not in the true sense of the word. This clause relates to the widow of the deceased worker who receives the payment. I ask any hon. member: How would he like his widow to be left with even £3,000 after he had been killed? Have there been no rises, apart from those in the basic wage, since 1954? I always deal with the figure in the Act, which fluctuates. I have been in this Chamber when the figure has been down. The actual amount in the Act at the moment is £2,500.

I have a newspaper here in which it is reported that a doctor claimed a bill for £1,092. However, there is another report of a farm-hand being awarded £8,000 for general damages. Yet we are being told here that we cannot grant £3,000 to the widow of a worker who is killed at his work.

Hon. H. K. Watson: Will you pursue your story about the £8,000 damages being awarded? That amount was granted under common law. The same rights apply here.

The CHIEF SECRETARY: That is just the difference. Here we have a law under which we set down the maximum amount which the widow of a deceased worker can obtain; and yet, under another law, a man can be awarded £8,000 for general damages. All we are asking is an increase of £300 to £400 over what was awarded two or three years ago.

Hon. G. C. MacKINNON: I think we must protest at the attitude of the Chief Secretary, who is trying to imply that we believe that a breadwinner is not worth £3,000 to his wife. I am quite sure that every member is firmly convinced that if it were in his power he would like to see a widow get £20,000 or £30,000. But we are dealing with a workers compensation Bill.

The Chief Secretary: I do not care what it is.

Hon. E. M. Davies: It is dealing with men who lose their lives in industry.

Hon. G. C. MacKINNON: If I insure my life for £2,000, that is what my wife gets, plus bonuses. Therefore, that is what my life is worth to my wife. This Act at no time envisaged the assessing of the actual value of what a man would be worth to his wife.

Hon. R. F. Hutchison: Who said that?

Hon. G. C. MacKINNON: The Chief Secretary said that. He was contradicted by Mrs. Hutchison, who said that the Government's policy was to reimburse completely. The whole purpose of this Act is to alleviate suffering. The legislation dealing with war pensions does not set out to assess the actual value of damages incurred to a greater extent than the damages granted at common law. Therefore, the Chief Secretary set out to mislead the Committee.

The Chief Secretary: I never mislead anybody. That is not a fair statement. I could ask for a withdrawal, but I do not believe in that.

Hon. G. C. MacKINNON: The Chief Secretary made a comparison with what is awarded under common law, where the judge endeavours to assess the economic value of the damages sustained by any person. This Bill endeavours to assess, under a system, what would be partial recompense.

Hon. Sir Charles Latham: It is a kind of insurance for which a premium is paid.

Hon. G. C. MacKINNON: Yes; a premium is paid, for which a certain value is returned. If we want national insurance, let us have it. If one man were receiving £4,000 a year on the basis set out under this Bill, obviously his recompense would be much higher than that of a man who was getting only £1,000. It is not a good comparison to bring in matters that are contested under common law. The Chief Secretary should endeavour to prove his case. To base his argument concerning the provisions contained in this Bill upon a common-law case is not an argument at all. This is a question of insurance, and the other is a common-law matter. The two things are poles apart. Nobody denied that we would all be extremely happy if we could select every person who was receiving less than £1,000 and give him a courtesy payment of £1,000 with which to have a good time.

The Chief Secretary: We do not want a good time; we want justice.

Hon. G. C. MacKINNON: But we are not dealing with that type of thing; we are dealing with insurance.

The Chief Secretary: That is the point I made.

Hon. G. C. MacKINNON: The Chief Secretary quoted a common-law case.

The Chief Secretary: I quoted a third party insurance case.

Hon. G. C. MacKINNON: The Chief Secretary should read the whole of the newspaper report concerning the case.

Hon. R. F. HUTCHISON: As I said during the second reading debate, we have not reached the standard of fairness that

should be shown in workers' compensation legislation, especially in regard to this clause. The Commonwealth Labour Party, when it takes office again—which I am sure it will very shortly—intends, not to make a lump-sum payment to the widow of a deceased worker, but to make a payment which is equal to the full amount of her husband's wages up to a maximum of £25 a week; that is, while she still is left with dependants.

I cannot follow Mr. MacKinnon's reasoning when he refers to a comparison between cases that come under this workers' compensation Bill and others which are decided at common law. We are still dealing with men's lives and those of their widows and children. Members are 50 years behind the times with this legislation. For a widow who loses her husband in an accident in industry, £3,000 is not a great amount. We are taking extremely slow steps in the progress of workers' compensation because of the opposition we have. Each decade we strive to get the members of society to seek better things. But what is the use of seeking these improved standards if we cannot make the world a better place to live in?

We are tired of the hardship that is suffered by workers. Industry is well able to pay workers' compensation premiums. After all, money is only a means of exchange and should be shared by the mass of the people. I hope this clause will be supported. Society has a moral duty to the wife and family of a deceased worker, and £3,000 is a fair and just amount.

Hon. Sir CHARLES LATHAM: I think the hon. member fails to realise this is a form of insurance which industry has to pay. But I do not know why industry should be picked out and treated differently from anything else. We have another section of the community against whom we are laying this charge, and that is the small storekeepers, who are as badly off as the workers. They go out into the back country with very little money, but I do not hear the hon. member putting up a story for them.

The Chief Secretary: They get a lot of Government assistance.

Hon. Sir CHARLES LATHAM: I remember some of the Government assistance in the past. I can tell the Chief Secretary of a Labour Government which mortgaged everything, including life insurance policies to ensure that people paid their interest to the Agricultural Bank. It is not my intention to allow a charge to be put on industry and passed on to someone else who can ill afford to carry it. Let us have a policy where we all pay, and compensate everybody. To hear the hon. member, one would think she was speaking to folk on street corners instead of to intelligent people.

Hon. R. F. Hutchison: That is your opinion.

The CHAIRMAN: Order! I ask the hon. member to confine his remarks to the clause.

Hon. Sir CHARLES LATHAM: People should not try to force terrific charges on to industry. I know what a person's life is worth; but I do not feel there are only two sections of people—those who were born with wealth and those who were not. At the moment we are enjoying an era of prosperity and are giving to the workers of this State a set of conditions of which we are very proud. However, we can reach a maximum; and if we go too far, it makes the £ worth a lot less as each year passes. It is silly.

Hon. R. F. Hutchison: Is it?

Hon. Sir CHARLES LATHAM: Yes. The hon. member does not influence me with her ideas.

The CHAIRMAN: Order!

Hon. Sir CHARLES LATHAM: I think we have to be reasonable, but we must not make any mistakes. I only wish I could see five years ahead.

Hon. F. R. H. Lavery: You have been saying that for the last five years.

Hon. Sir CHARLES LATHAM: I can remember when the hon. member was only a boy. I have not forgotten the 1902 period, nor the 1931-32 period, when people had to sleep on the Esplanade. What could wealth and industry do for them?

Hon. F. R. H. Lavery: We do not want those times again.

Hon. Sir CHARLES LATHAM: No. At that time the goods we were producing were unsaleable overseas. Make no mistake about it, this sort of thing will bring those conditions on again! There comes a time when not only individuals are bankrupt, but industries too. We can only charge for our industrial products what the world can pay, and our main wealth comes from goods which we export overseas. The goldmining industry is almost down to its minimum and cannot get much lower.

The CHAIRMAN: Order!

Hon. Sir CHARLES LATHAM: It is an industry that has to pay.

The CHAIRMAN: The hon. member is talking about things outside the subject under discussion.

Hon. Sir CHARLES LATHAM: I would say that if a miner were killed on the mines, his widow would be compensated. That is why I referred to mines. I remember conditions in 1902.

Hon. E. M. Davies: And in 1892, when the banks went broke and people flocked here from the East.

The CHAIRMAN: Order! I want members to understand that I do not intend these interjections to continue. I draw the attention of members to Standing Orders 395 and 398.

Hon. Sir CHARLES LATHAM: That period in New South Wales was brought about by the failure of primary industries there. I could easily be popular by saying "yes" to a provision such as this, but I am responsible and have to exercise commonsense in these matters.

Hon. E. M. HEENAN: This clause simply proposes to increase the amount paid in the event of a worker's death from £2,500, which it is at present, to £3,000. We have just heard Sir Charles Latham putting up the proposition that we have to be afraid of the future and cannot load industry. It is a familiar argument; and, with respect, I think that in recent years he has used it more than ever before. If we look down St. George's Terrace we will find an array of buildings which must be costing millions of pounds; and in the Esperance and Albany districts, and up north, the State is expanding. We have to be careful not to overload industry, but the argument about being afraid implies being unjust to someone. Mr. Mattiske says the basis of workers' compensation law is to alleviate and partially recompense.

Hon. R. C. Mattiske: Workers' compensation means what it says.

Hon. E. M. HEENAN: Compensate.

Hon. R. C. Mattiske: Not wholly.

Hon. E. M. HEENAN: It is not supposed to.

Hon. R. C. Mattiske: Therefore it is partially.

Hon. E. M. HEENAN: I am sure not many members in this Chamber would agree workers' compensation is not designed to adequately or wholly compensate a worker. I agree there is a section which unfortunately always seems to miss out. They are not working for anyone; they are not employed; and if they go to hospital they have to pay their own expenses and doctor's fees. However, the great number of people are employed in industry, and we cannot deny them their rights simply because a few others miss out in the process. My idea of workers' compensation law is that it should fairly and adequately, according to existing standards, compensate anyone who, through no fault of his own, is injured or loses his life in employment. Surely that is a fair and proper basis to work on.

This is how it works unfairly at present: A man can be killed at work and his widow will receive £2,500. If he had left his work and were crossing the street and someone in a motorcar, driving in a negligent manner, killed him, the widow would be much better off. She would get the amount which a judge estimated his life to be worth. The widow of a young man with a great expectancy of life, or whose earning capacity was high, would get a greater amount than is provided here.

Hon. A. R. Jones: She might not get anything.

Hon. E. M. HEENAN: That is true. I am assuming he was killed through no fault of his own. Surely the principle is the same, and a life is worth so much. It is not many years since £600 was the total amount, and it was a great struggle to have it increased to £1,000. I do not think anyone can logically argue that it is wrong for the Government to try to increase the present amount from £2,500 to £3,000.

Hon. H. K. Watson: Do you want to make it £5,000?

Hon. E. M. HEENAN: No. Possibly in the years to come it will be increased; but at the present time, £3,000 would be a fair thing. I am not saying that this amount is adequate for a widow whose husband has been killed, but as Mr. MacKinnon has said, it is difficult to make an estimate in hard cold money. Everyone would like to give such a person £10,000 or £30,000, but that is out of the question.

I think that £3,000 is rational and is within the possibility of accomplishment. Fortunately in these days of safety devices and so on not many men are killed at work—and I think the percentage is being reduced each year. If we can reduce it almost to nil, that will be the happiest day of all. Today some members are driving around in motorcars that cost £2,000.

Hon. A. R. Jones: They have had to pay for them.

Hon. E. M. HEENAN: Yes; but industry must be in a fairly buoyant state for members to be able to pay for them.

Hon. G. C. MacKINNON: Mr. Heenan mentioned that the widow of a man killed at work received £2,500, but if he were killed when coming home from work, through the negligence of a motorcar driver, she could collect £8,000 or £10,000.

Hon. E. M. Heenan: I did not specify any amount.

Hon. G. C. MacKINNON: Well, she could collect something in excess of £2,500. This touches on a fundamental issue, that if an employer through negligence, by not having proper safeguards, contributes towards a man's death, he is liable under a separate scale. The Workers' Compensation Act sets up, from an academic point of view, an artificial liability. It is arbitrary and automatic.

Hon. E. M. Heenan: It is not automatic.

Hon. G. C. MacKINNON: To a large extent it is. If an employee injures himself in a modern factory equipped with

all safeguards, there is an arbitrary and virtually an artificial liability on the employer. The extent of it is covered by the amount of the premium paid.

The second instance quoted by Mr. Heenan concerned a man going home from work and being injured through negligence. This is a totally different matter. To compare that with workers' compensation is not exactly fair, because it would be comparable to an employer allowing a high speed belt or motor to operate without proper safeguards; or working his men in a fatigued condition.

Hon. L. A. LOGAN: Members should know what is in the Act. The sum of £3,000 is not the maximum that can be drawn even today. It is possible for a widow to get more than £3,000 because £75 is provided for each dependent child. On top of that it is possible for a widow to receive £2,600 in weekly payments while the worker is sick and then, when he dies, for her to receive another £800. The position is not quite as bad as is made out.

I remind members that in 1954 the total amount payable to a widow was £1,800 and we then increased it to £2,500, yet we in this Chamber are accused of not going forward.

Hon. J. J. Garrigan: It is not what we asked for.

Hon. L. A. LOGAN: That is so; but we can, of course, give away other people's money without any trouble! The hon. member talks about giving a widow £25 a week for life. That, of course, can be done; but we have to exercise some responsibility. We are dealing with money paid in by industry. The conditions we gave in 1954 are equitable. If members want to include the widow in some other type of fund, where she can get more, then it is someone else's pigeon; it is not the concern of workers' compensation. The present amount payable is, in my opinion, quite adequate.

Hon. G. E. JEFFERY: Clause 12 is probably the most humanitarian one in the Bill. Some members have dealt with past history, but I believe that a country that lives in the past has no future. The sum of £3,000 is not too much to ask for the widow of a worker. If a widow gets £3,000, spread over five years, it means she has about £12 a week on which to rear a family. That is not a great amount these days.

I live in an industrial town where quite a few workers have been killed—some of them intimate friends of mine—and I have witnessed the struggle their wives have had to rear their families. Quite a few workers are purchasing their own homes, and in most cases when a lump sum is received the first thing that is done is to finalise the payment on the home.

A lot has been said about the cost to industry. This is one circumstance in industry where no one wants to make a claim, because most people want to see the breadwinner alive. The difference between £2,500 and £3,000 is quite small when compared to the total amount paid out in workers' compensation.

Much has been said about workers being killed through the neglect of the employer, and the widow then having the right to sue at common law. I have sat on coroners' juries, and I know that to these people a bird in the hand is worth two in the bush; that rather than take the risk of a legal action, they would settle for the compensation. I suggest that the amount of £3,000 would, possibly pay off a home that was being bought and leave a small nest egg for the future. I commend the clause.

Hon. J. J. GARRIGAN: I supported this clause in 1954, and I support it again in 1956. We did a good job on the select committee, and we raised the amount by a few hundred pounds. People give their lives to industry, and they are entitled to the money. Take the mining industry. A man might work in it when he is 21 years of age and then get married and have a young family, and get killed, and his family would receive only £2,500. These men are not employed for their good looks; they give their whole lives to the industry and the employers are making a profit out of them—commercialising their labour. Therefore, members should vote for this clause as it stands.

Hon. J. G. HISLOP: A lot has been said about this clause and we have listened to some immoderate speeches. This is a simple measure, but I find myself in great difficulty regarding it. I would like to vote for this clause because it upholds what I have always said in this Chamber —that the widow is deserving of everything we can give her. But when I made an attempt last time to do something about it, the hand was held out and they said, "Yes, we will take that and everything else, too."

Therefore I am wary of increasing the amount in case I am left later on with having to increase a schedule which is basically unsound; and everybody is beginning to realise that it is basically unsound. I would like to take the risk of voting for this clause, but I wish to make it quite clear that I shall vote against any increase in the schedule until such time as it is amended on a proper basis.

Hon. R. C. MATTISKE: We had a lengthy debate on this question this afternoon when we discussed the merits and demerits of increasing the maximum amount for permanent and total incapacity. Some of those who wanted the maximum increased in that instance said that

the wife who had to care for a permanently incapacitated husband and children was at a far greater disadvantage than a widow. Therefore, to be consistent, on this occasion we should reject the move to increase the maximum amount and so agree to the amendment. I think I should refer to a statement or a half-statement made by the Chief Secretary. He read from a magazine where in Victoria a widow was granted compensation—

The Chief Secretary: I did not.

Hon. R. C. MATTISKE: Very well, damages.

The Chief Secretary: I said that it was a farm-hand, not a widow.

Hon. R. C. MATTISKE: Damages to the tune of £8,000 were granted. He wants us to compare that £8,000 to £3,000 in this instance. We cannot compare two things which are poles apart. In one case damages were awarded by the court because the death was caused through the fault of another party.

The Chief Secretary: It was not a death at all.

Hon. R. C. MATTISKE: Very well. Injuries were suffered through the fault of another party. In this instance, if death occurred through the fault of another party, in addition to the amount payable under the Workers' Compensation Act, an amount would be awarded under common law for damages. It is possible, if a worker is killed as a result of an accident, for his widow to receive the full amount of damages awarded by a court of law, if the fault is attributable to a third party; and also for the children to apply for and receive the maximum amount payable under the Workers' Compensation Act. Therefore in that instance the relatives would be considerably better off than the relatives of an individual killed outside his work. In order to be consistent we must apply the same arguments to this as we applied to the other case this afternoon.

Hon. F. R. H. Lavery: Why must we do that?

Hon. A. R. JONES: I move—

That the question be now put.

Motion put and passed.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	13
Noes	14
Majority against	1

Ayes.	
Hon. N. E. Baxter	Hon. H. L. Roche
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. R. Jones
Hon. J. Murray	*(Teller.)*

Noes.	
Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. L. C. Diver	Hon. G. E. Jeffery
Hon. G. Fraser	Hon. F. R. H. Lavery
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. J. G. Hislop	Hon. E. M. Davies
	(Teller.)

Pair.	
Aye.	No.
Hon. J. Cunningham	Hon. H. C. Strickland

Amendment thus negatived.

Hon. R. C. MATTISKE: I move an amendment—

That paragraph (b) be struck out.

The whole of this paragraph breaks right through the principle Act. Under the Act it is provided that a female, regardless of her earning capacity, will, if injured, receive benefits on a certain scale; and a male, regardless of his earnings, will receive benefits on a certain scale. It does not matter whether a female worker is receiving the basic wage or considerably in excess of it, if she is injured she receives compensation at a fixed rate. Therefore this clause, by providing that a female worker who may ordinarily be receiving wages at the same rate as a male shall be treated as a male for the purposes of this Act, is entirely wrong in principle and I hope the Committee will support this amendment.

The CHIEF SECRETARY: I hope the Committee will not agree to this amendment and I cannot understand the supposed logic of the hon. member. There are two people, irrespective of sex, who are drawing the same amount of money, and the hon. member says it is quite right that one should receive a lesser rate, if injured at work, than the person working alongside her, even though they are getting the same rate of pay.

Hon. G. C. MacKinnon: Does a foreman get a greater rate of compensation than a labourer?

The CHIEF SECRETARY: That is not the point at issue.

Hon. G. C. MacKinnon: Just answer the question.

The CHIEF SECRETARY: The foreman and the worker would not be getting the same rate of pay.

Hon. G. C. MacKinnon: But do they get the same rate of compensation?

The CHIEF SECRETARY: If a male and a female are working alongside one another doing the same job and getting the same rate of pay, and they are both injured, why should one receive a lesser rate of compensation than the other? Do not let us forget that this rate of pay has been

awarded by an Arbitration Court which has investigated all the facts. Yet in those circumstances the hon. member says they should receive different treatment if they are injured. I cannot see the logic in his argument.

Hon. R. C. MATTISKE: I cannot understand the Chief Secretary's logic. Right through the Act the principle is that a certain amount of compensation will be paid to a male worker and a certain amount to a female worker, the reason being, obviously, that under normal conditions the male worker has a wife and family to support; whereas under the same conditions the female worker has no such responsibility. It is possible that a man and his wife could be working and receiving the same rate of pay.

The Chief Secretary: They would both have the same responsibility.

Hon. R. C. MATTISKE: They would be considered as single individuals; but the man is still responsible under all laws for the upkeep of the family and the home; and he has, therefore, an additional burden to carry. Surely the Chief Secretary is not trying to tell us that in all cases the female has the same responsibilities as the male! If we are to include this provision then the whole of the Act will need to go back into the melting pot.

Hon. R. F. HUTCHISON: There are many women on the same rate of pay as men.

Hon. N. E. Baxter: Where?

Hon. F. R. H. Lavery: The barmen and barmaids; and you should know about them.

Hon. R. F. HUTCHISON: More than two-thirds of the women that work have family responsibilities. Far more women than men look after parents and ailing relatives. It is not logical to say that if a woman is paid the same as a man and she gets injured she should receive 16s. instead of 20s. That is not fair at all. I hope the Committee supports the clause.

The CHIEF SECRETARY: There is just one point, namely that the same amount of premium would be paid for the one as the other.

Hon. H. K. WATSON: The Chief Secretary appeals for logic, but that seems to be singularly lacking in his submission. The Act states that the maximum wage for a male shall be £12 8s. plus the basic wage increase, regardless of what his salary is—whether it be £12, £16 or £20 a week. The amount fixed for him has nothing to do with the amount of salary he receives. Similarly, the Act states that the compensation payable to a female shall be a maximum of £9 plus basic wage increases. Again that is regardless of what the female is earning. Logically there is no reason why a woman should be given increased compensation because she happens to be getting more than other females even though she may be drawing as much as the male.

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

Ayes	13
Noes	13
A tie	0

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. H. L. Roche
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. F. R. H. Lavery
Hon. R. F. Hutchison	*(Teller.)*

Pair.

Aye.	No.
Hon. J. Cunningham	Hon. H. C. Strickland

The CHAIRMAN: The voting being equal the question passes in the negative.

Amendment thus negatived.

Hon. H. K. WATSON: I move an amendment—

That paragraph (g), on page 9, be struck out.

The Act provides the maximum compensation to the male shall be £12 8s. plus the basic wage increases. At the moment that figure is £13 3s. 1d. It seems as though some bright boy at Trades Hall has said, "See if you can get another 10s." I object to the clause on principle.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. Again the hon. member is not correct. The amendment is not 10s but 7s. 11. There are no bright boys from the Trades Hall in the Chamber at present, but I can see other interested people here who are certainly not from the Trades Hall. I know where the interest lies. How many workers today receive the basic wage?

Hon. G. C. MacKinnon: Fifty per cent.

The CHIEF SECRETARY: And the remainder are getting more, are they not? There are not a great number of workers receiving the basic wage; and, for that reason, we consider it is reasonable that they should get this few shillings above the basic wage. It is more in conformity with the amount they are receiving. When the Act was first framed and the basic wage was inserted, many of the workers received only the basic wage. This is a method of showing that progress has been made.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	15
Noes	12
Majority for	3

Ayes.

Hon. L. C. Diver	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. N. E. Baxter
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. G. Fraser	Hon. F. R. H. Lavery
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
	(Teller.)

Pair.

Aye.	No.
Hon. J. Cunningham	Hon. H. C. Strickland

Amendment thus passed.

Hon. H. K. WATSON: I move an amendment—

That paragraph (h), on page 9, be struck out.

I would much prefer to see the whole clause deleted. This paragraph refers to adjustments of the limit. I can describe it as consequential.

The CHIEF SECRETARY: I also claim that this paragraph is consequential, but it is consequential on an amendment carried in this clause, and not consequential on another amendment to the Bill.

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

Ayes	14
Noes	12
Majority for	2

Ayes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. J. Murray
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. A. R. Jones	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. F. R. H. Lavery	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F D. Willmott
	(Teller.)

Noes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. R. F. Hutchison
	(Teller.)

Pair.

Aye.	No.
Hon. J. Cunningham	Hon. H. C. Strickland

Amendment thus passed.

Hon. J. G. HISLOP: I move an amendment—

That paragraphs (i), (j) and (k), on page 9, be struck out.

I ask that they be taken together because they have the same import. This is a laudable attempt to do something in connection with a matter which will ultimately become a serious problem—and that is, the hospital care of a seriously injured worker. The previous custom was that if a seriously injured worker claimed compensation under the Act, he would be treated in some private hospital in the country or in the city; if in the latter possibly in St. John of God Hospital which in those days made a considerable reduction for treatment of injured workers. When the amount of money provided by the Act was exhausted, the injured worker would be transferred to a public hospital, maybe to a public bed, or he might be brought down to the Royal Perth Hospital. There he would be treated by one of the honorary staff.

In days gone by, when hospitals did not make any charge for the occupancy of beds, such a person had no liability in respect of the treatment of his condition. The result was that no great burden was placed on the injured worker by the fact that the money available to him had been exhausted. But times have changed and hospitals find themselves in considerable financial difficulty.

The CHIEF SECRETARY: I would ask the mover to restrict his amendment to paragraphs (j) and (k), because paragraph (i) seeks to delete the words "or surgical"; whereas, at present, surgical treatment comes within the £100. On the next page of the Bill it is set out that surgical treatment shall not be included. If the paragraph in question is struck out there will be an anomaly.

Hon. J. G. HISLOP: I seek leave to alter my amendment in the terms suggested by the Chief Secretary.

Leave granted.

Hon. J. G. HISLOP: The conditions in hospitals have radically altered and they are in financial difficulties. The result is that after a seriously injured worker has exhausted the money available under compensation, he will be presented with a Bill from the public hospital. If that were the only side of the story, then either the paragraphs as they stand, or the amendment which I have put forward would be reasonable; but the following possibility comes into the picture:—Under the national health service and the Hospital Benefit Fund, the State would have to pay the whole of the cost for hospital treatment of the injured worker if the funds under the Act were exhausted. While the worker is still under workers' compensation, I believe that neither the national health service nor the Hospitals Benefit Fund is liable to pay anything to the injured person.

Hon. L. A. Logan: He cannot claim hospital fees while he is under compensation.

Hon. J. G. HISLOP: The result is that if we take the limit of hospital charges away, it looks as though the State will bear the whole burden of the extra amount; whereas if the limit is left, and some arrangement is arrived at to provide that the worker is insured for the minimum of the hospital benefits then the costs of maintenance by the State would be reasonable. The difficulty is that under my amendment the same thing exists. I ask the Committee to agree to the deletion of paragraphs (j) and (k); but I would ask leave to withdraw my further amendment so that considerable thought might be given by those interested in this matter to see that something real is done for the injured worker.

We are not justified in making the State pay the whole cost when there is a Commonwealth benefit fund to be used; nor can I agree that we should expect a worker to insure himself to the maximum in case his injury exceeds £150 for treatment. Some arrangement must be come to between the parties as to the best method of arriving at a solution to this very serious problem.

The whole of this Bill looks after the man with a minor injury and does little for a man with a serious injury. A complete alteration is necessary; and in future we should focus our attention on compensating a man for serious injury and forget the monetary details at the back of it. When we do that, we will come to some definite arrangement about the hospital costs of these patients.

As regards the medical costs, they are not very great. We had a meeting of the committee of the British Medical Association Council to inquire into the possible financial loss to members of the profession by the limiting of this amount to £100 for medical expenses; and, at the very most, we could not imagine that the increased costs that would arise would be more than £2,000 per annum.

But it must be remembered that if the whole cost is lifted, we may find a considerable number of cases cropping up over the £100; and whereas we feel that the profession may lose about £2,000 on the present system, we would have great difficulty in policing the Act efficiently if this clause were allowed. So I suggest that until we can get together on this matter and see whether we can do something to protect the seriously injured in regard to hospital costs, paragraphs (j) and (k) should be deleted.

The CHIEF SECRETARY: So long as I can be sure that the hon. member intends to move his further amendment, I will raise no objection to this proposal.

Hon. J. G. HISLOP: I do not think I can do that. In the first amendment that the Bill proposes the limit is taken off the total amount of fees available for the treatment of the worker. My amendment was designed to get over that difficulty by suggesting that either the medical practitioner or the injured worker could apply to the board for the right to increase the fees. But there is still that same difficulty that when the board did decide to raise the fees, the State would carry the whole burden; because the man would still come under workers' compensation, and no matter what he paid to the Hospital Benefits Fund, that would not contribute to his hospital maintenance. I think we are only placing a burden upon ourselves when, by postponing consideration of this altogether, we could arrive at a conclusion which would be satisfactory to all concerned.

The CHIEF SECRETARY: I was asking whether the hon. member was going on with his amendment on the notice paper.

Hon. J. G. Hislop: No.

The CHIEF SECRETARY: If he had, I was going to be co-operative and accept his further amendment.

Hon. J. G. Hislop: I will wait and see what hapens to paragraphs (j) and (k) before I do anything else. They both have the same difficulty.

The CHIEF SECRETARY: I would not oppose the amendment if I knew that the hon. member would move his further amendment on the notice paper. The position is altered if I do not know whether the hon. member will move his further amendment. I know there are complications; but, earlier, I mentioned that later on we proposed to lift the lid so far as expenses were concerned. That is why I wanted statutory authority.

I thought there was something in the hon. member's proposed amendment which would be satisfactory. If I have no guarantee that that will be moved, however, I must oppose the deletion of paragraphs (j) and (k). We consider that with the protection of the board there would be no necessity for these limitations. As a matter of fact, I think it would be better if we went back to the old order where there was permission to go beyond the figure stated in the Act.

Hon. J. G. Hislop: I do not mind if we go back to the old order and it is acceptable. This only intends to do what was done before.

The CHIEF SECRETARY: We wanted to do something to rectify a position we thought needed rectifying; and the only way we could see that it could be done was to have inserted paragraphs (j) and (k) which take out the maximum of £100 and £150.

Hon. J. G. HISLOP: Would the Chief Secretary agree to report progress or postpone consideration of this clause with the idea of our getting together and using the Hospital Benefits Fund in order to prevent the whole cost over £150 falling on the State? I think he can see what I am driving at. I do not see any reason why we should put a burden on ourselves when there is a Hospital Benefits Fund that can be used.

Hon. Sir Charles Latham: They have to be subscribers. How would you ensure that?

Hon. J. G. HISLOP: I do not know.

Hon. Sir Charles Latham: You would have to compel them to be subscribers if they are to be tied.

Hon. J. G. HISLOP: I feel that if an individual has not the communal sense to accept what is almost a national hospital insurance, we cannot expect some other section of the community to be responsible for the whole of his hospital costs. So long as he has that offer by the Commonwealth to insure himself and he insures himself to the minimum, anything in excess should be paid for under the Workers' Compensation Act. But I do not think we are justified in loading the State with the whole of the Bill when there is Commonwealth money which could assist us. I would be quite willing to spend time with the Chief Secretary to see whether it is possible to make an alteration in his clause or my amendment which would fit the occasion.

The CHIEF SECRETARY: I am afraid time is running out. How would the hon. member view an increase in medical expenses by another £50 or £100, with the permission of the board; and then between now and the next session we could go into the matter of seeing about the other medical fund he has in mind?

Hon. J. G. HISLOP: I would not mind if there were no increase in the medical fees if we could find some way of meeting the problem I have outlined.

Amendment put and passed.

Clause, as amended, put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	14
Noes	13
Majority for	1

Ayes.

Hon. G. Bennetts	Hon. J. G. Hislop
Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. L. C. Diver	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. R. F. Hutchison
	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. H. L. Roche
Hon. R. C. Mattiske	*(Teller.)*

Clause, as amended, thus passed.

Clause 13—First Schedule, Clause 3, repealed and re-enacted:

Hon. H. K. WATSON: I would ask the Committee to vote against the clause. At the moment the Act provides that a person who is partially unfitted and is working for less than his pre-accident pay must receive the difference between his pre-accident pay and his present earnings, subject to the maximum weekly limit fixed under the Act, which is two-thirds of his total salary. It was never the intention that the injured employee should receive full compensation for his financial loss. Paragraph (a) of the clause cuts across that principle and would give a man no inducement to return to work as it would allow him to draw the full amount of his salary.

In effect, paragraphs (b) and (c) say that a partially unfit worker who cannot find employment shall receive full weekly compensation, and in view of the wording of subparagraph (b) I think the provisions of paragraph (c) are unlikely to be used. That subparagraph provides that if the employer cannot find light work for the injured employee full weekly compensation must be paid and under this provision he would need to make no effort to secure suitable employment from any other source. The provisions of Clause 3 of the First Schedule have operated satisfactorily for many years and there should be something to prevent malingering and compel a man to return to work as soon as possible. I think we should vote against the clause.

Hon. J. G. HISLOP: This clause is a poor attempt at rehabilitation. Five or six years ago the board was given authority to set aside funds for rehabilitation of injured workers and to make inquiries with a view to preventing accidents. Those associated with the treatment of injured workers realise that their rehabilitation is a difficult task. I think we could dispense with this clause and then next year amendments covering rehabilitation could be brought before this Chamber.

Earlier in the year the Minister appointed a committee to investigate rehabilitation, and it has reached definite conclusions. All concerned desire that a rehabilitation centre or organisation be set up to rehabilitate the injured worker without loss of time and with benefit to him and the community generally. This clause would remove the incentive to return to work and would make it mandatory

for the employer to find work for the injured employee, which I think is the function of the rehabilitation organisation. In view of the progress made, and the acceptance by the Minister of certain suggestions, I think definite proposals regarding rehabilitation will be brought before this Chamber next year, and then we will be able to set up a rehabilitation organisation such as I have mentioned.

The CHIEF SECRETARY: I agree with Dr. Hislop's remarks regarding rehabilitation; but until a rehabilitation organisation is established, we want to give the injured worker this extra payment. I do not agree with Mr. Watson that the injured worker would indulge in malingering and would not look for a job.

Hon. H. K. Watson: Why should he look for work?

The CHIEF SECRETARY: If the employer offered suitable work and the employee would not take it he would not receive the extra compensation. This is only a stopgap until the whole question of rehabilitation can be properly dealt with.

Hon. J. G. HISLOP: I do not see how we can place on the employer the onus of obtaining work for the injured worker. Is it suggested that he should try to persuade someone else to employ an injured man if he cannot do so? The injured worker must be educated into doing some other job and the employers must be educated into employing partially incapacitated men. It may be only in the bigger establishments that work will be found for such people. We are not justified in saying that the employer should look elsewhere for posts for men that he cannot employ.

Hon. E. M. HEENAN: I agree with what Dr. Hislop has said but feel that until a rehabilitation organisation is established we should agree to the clause. I have often seen men discharged from hospital and able only to take light employment. Such men are hard to place and the proposal is that their condition should be treated as total incapacity and that they should be paid accordingly until the employer can obtain suitable light work for them. An employee is not incapacitated through his own fault.

Hon. H. K. Watson: He might be.

Hon. E. M. HEENAN: Then he would get no compensation.

Hon. H. K. Watson: Yes, he could.

Hon. E. M. HEENAN: The Act says that if it is proved that the injury to the worker is attributable to his serious and wilful misconduct he need receive no compensation. That has happened in Kalgoorlie on a number of occasions.

Hon. L. C. Diver: But is the worker penalised under the Act for that sort of thing?

Hon. E. M. HEENAN: He is penalised through not receiving compensation. I know a man who lost his hand through flouting the directions of the shift boss, and the court would not award compensation.

Hon. L. C. Diver: Such was not my experience.

Hon. E. M. HEENAN: Perhaps the hon. member has worked on farms all his life, but all my life I have been connected with men who work in the mining industry. Another man had two fingers blown off as a result of clamping the end of a detonator with his fingers. He should have used some implement that is provided for this purpose and consequently the court refused to grant that worker any compensation.

Hon. Sir Charles Latham: The clamping together of the ends of a detonator is a stupid practice, but the miners still do it.

Sitting suspended from 10.16 to 10.30 p.m.

Hon. E. M. HEENAN: There is no obligation on an employer. If a man is offered suitable work and does not take it, that is the end of it. It is a problem to all concerned. Doctors do their best and tell a man he can engage only in a certain class of work. If he were to defy the doctor's instructions and engage in something heavier or more onerous and injure his heart or leg again, he would not get any compensation. That would amount to misconduct. If he is told he can engage only in light work and he defies the instructions, and his complaint starts all over again he is out as regards compensation. Surely it is someone's obligation to find him a job; and until he gets work, he should be regarded as totally incapacitated.

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

Ayes	11
Noes	15
Majority against	4

Ayes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. A. F. Griffith
Hon. R. C. Mattiske	*(Teller.)*

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause thus negatived.

Clause 14—First Schedule, Clause 7, amended:

Hon. J. G. HISLOP: This clause should be reviewed very carefully by the Chamber. I am not certain that it does what it is intended should be done. It is likely to be dangerous. It provides that where an injured worker refuses to obtain treatment, when so required, his right to weekly payments is suspended. I do not think we should bind a worker to accept treatment.

I have been assisting a man who has had opinions from five specialists, in the same branch of work, regarding his condition. Some have suggested an operation, some that it might be better to let time take its course, and one that whilst an operation might do no harm it might or might not relieve the condition. In view of the doubtful information expressed by the specialists, the man feels he is entitled to use his own judgment, and I think quite rightly so. If we take this right away from him and say that if he goes to a specialist and does not take the advice, he will lose his weekly payments we do something that is unjust. I am not prepared to do that at the present stage.

At present in the Act there is a section providing that if a man does not submit to a hernia operation when it is advised, his payments are suspended or he is subject to some other penalty. That is rather different from the position here because we know that the treatment for that particular condition is surgical, but there can be varying opinions about other injuries.

I realise that what lies behind this is an attempt to get the worker to have specialist advice earlier than has been the case in the past. But I do not think this will help the position. The rehabilitation committee has discussed the problem, and we believe that a more detailed first certificate of the man's accident would get over many of the difficulties that this provision is designed to cover.

It is also a firmly expressed opinion of the committee of the British Medical Association that met with me to consider the Bill, that a trial should be given to the new first certificate, rather than go to this limit of saying to the worker that he can go to a specialist and, having done so, he must take the specialist's advice. We are not superhuman; even the specialists in the profession make mistakes, and they have different opinions about treatment.

The CHIEF SECRETARY: All we are trying to do here is to help the worker. We think it is necessary that this be done in some cases because we have found by experience that quite a lot of G.P's. hang on to a case too long; it ought to go to a specialist.

Hon. J. G. Hislop: Take out the word "lot" and say "some" and I will agree.

The CHIEF SECRETARY: I beg your pardon—some G.P's. I have an instance of a chap at Kalgoorlie who had a badly fractured thigh. He was kept at Kalgoorlie for seven months when there was obviously little possibility of the bone uniting. In fact, the medical officer of the State Insurance Office said in one report that the plate affixed was keeping the ends of the bone apart. He discussed the case with the Kalgoorlie doctor and recommended removal of the plate and bone grafting which obviously was a job for an orthopaedic specialist. A further month elapsed before any effort was made to arrange for the patient to be transferred to Perth for specialist treatment.

Another case in Kalgoorlie concerns a person who received a serious injury to a foot which was partially amputated. Amputation at a higher level was indicated. The State Insurance Office asked that the local doctor should advise the patient that he could elect to continue treatment under him or go to Perth for specialist treatment if he so desired. That information was not conveyed to the patient, who was retained at Kalgoorlie for a further two months and then, at the request of the same doctor, was brought to Perth for specialist treatment. I have other cases that I can quote.

We want to avoid this sort of thing and that is why the provision is included. We do not want to dictate to a man and say that he cannot choose his own doctor, but we believe that some men are not the best judges of whether they are getting correct treatment. I agree with Dr. Hislop about the provision which takes the pay from the man, and I will willingly accept an amendment in connection with it. In regard to the other part, it is just a question of whether what is in the Bill achieves what we want. I have had a suggestion made that we should prefix the clause with the following words:—

> Where, following a clinical examination, and/or an examination of x-ray films the specialist is of the opinion that specialist treatment is desirable.

Would this get over the hon. member's objection?

Hon. J. G. HISLOP: I have not the wording in front of me, but it sounds a bit difficult, because it appears as though the specialist says that he wants to treat the case.

The Chief Secretary: To an extent, that is so.

Hon. J. G. HISLOP: This could cause a good deal of ill-feeling in the profession.

The Chief Secretary: He would have the choice of five or six.

Hon. J. G. HISLOP: Yes, but he has been seen by one specialist. There are difficulties, and there is very little need for this. The unions could notify their members that if they are injured they can ask for specialist opinion very early in the piece. If I, or any member of my family, were injured I would want a specialist's opinion very early in the treatment. The worker is entitled to have specialist opinion.

Hon. E. M. Heenan: Would not some local doctors resent that?

Hon. J. G. HISLOP: I do not know that we can worry about that aspect. The sooner we realise that a specialist can help a worker, the better for all concerned. In the Medical Act there is a section stating that any medical man who refuses to arrange a consultation commits an offence against the Act. I think that all we need do is to draw the attention of the worker to his rights under the Workers' Compensation Act. Only recently an insurance manager called up the wife of an injured worker, told her that he thought her husband was progressing too slowly, and suggested to her that a specialist be consulted. We can do that sort of thing without putting a section in the Act to cover it; and unless we tell the injured worker that he can do what is set out in this Bill, nothing will happen.

We should take steps to educate the worker and tell him his rights under this Act. The unions and the insurance companies could issue a small pamphlet setting it all out, and there would not be any need for doubtful clauses such as this. I am certain that when the rehabilitation committee brings up its findings next year a lot of these difficulties will disappear.

The CHIEF SECRETARY: I was hoping we could have come to some amicable arrangement on this point; and members will realise, if they read this clause, that it is a step in the right direction. I have a medical man in whom I have full confidence; and if I were an injured worker I would not attempt to consult a specialist while he was prepared to treat me. But the doctor could mislead me when specialist treatment was really required. A provision such as this should be in the Act and I hope the Committee will agree to it. If someone likes to move that paragraph (ii) be struck out I would be prepared to give it consideration.

Hon. L. C. DIVER: I cannot agree with the Chief Secretary. From the instances that the Chief Secretary read out, it is obvious that the insurance company concerned was very lax—much more than usual in these instances. When a case is going on for several weeks, as a rule the company makes some inquiries as to why the patient is not improving. I agree with Dr. Hislop that it is quite pertinent for the company concerned to get in touch with the relatives of the injured worker and suggest that he be sent for a specialist examination. I do not think there is any necessity for this clause.

Hon. H. K. WATSON: From experiences that have been mentioned to me it would seem that the views expressed by Mr. Diver are more apparent than real. I heard of a case where a man had been sent to a hospital for a bad back—and these back cases are awkward for insurance companies. The company concerned was not satisfied and wanted a specialist called in. They approached the G.P. attending this man and he said he would arrange to have a specialist examine the patient. A fortnight went by and the company approached the doctor and he said that he wanted to treat the man for another week or two before he called in the specialist.

At the end of the week the company decided to ask the specialist to go down and examine this man; and when he did so, he found that while he was in hospital as a certified workers' compensation case, he was in fact suffering from cancer of the spine; and he died a week later. It was only by good luck the insurance company had a specialist examine the man before he died. Had it gone another fortnight, the G.P. would have certified that it was a workers' compensation case and that death had resulted from the bad back; whereas it had nothing to do with his employment.

The CHIEF SECRETARY: At present they can send a man to be examined by a specialist, but they cannot force him to have treatment by a specialist. What Mr. Diver said was correct up to a point—they cannot make a worker take specialist treatment after he has been examined.

Hon. L. A. LOGAN: I wonder whether this clause has been put in for the purpose of getting an injured worker to go to a specialist for treatment or whether the words "and the employer shall be liable for the full cost of the specialist treatment and for necessary hospital charges incurred by the worker in connection with that treatment" are the real reason. That seems to be a new phase, and I am inclined to believe that that is the part of the clause which the Chief Secretary wants.

The Chief Secretary: No, I told you what I wanted. I do not hide behind a bushel.

Hon. J. G. HISLOP: I think we should dispel any doubts that Mr. Logan might have. I believe that this clause was put in because in cases of long standing there may be very little left of medical or hospital expenses. In that case it simply

means that the insurance company is responsible for having called in a specialist and will agree to pay whatever costs and hospital maintenance are required.

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

Ayes	17
Noes	9
Majority for	8

Ayes.

Hon. G. Bennetts	Hon. J. Murray
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. H. K. Watson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. D. Willmott
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. A. F. Griffith
Hon. G. MacKinnon	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. C. Diver	Hon. R. C. Mattiske
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. Sir Chas. Latham	*(Teller.)*

Clause thus passed.

Hon. J. G. HISLOP: On a point of order, Mr. Chairman, I understood the Chief Secretary to say that he had no objection to paragraph (ii) being struck out of the clause. As the clause has now been passed, would the Chief Secretary agree to remove that paragraph if the Bill were recommitted, because that is the dangerous part of it?

The Chief Secretary: Yes; I made the offer but no one moved for it.

Clause 15—First Schedule, Clause 8, amended:

Hon. R. C. MATTISKE: I hope the Committee will not agree to the clause. Under the Act, if both the worker and the employer agree, the worker's claim can be referred to a medical board, which has power to decide whether the worker is fit to return to work or the extent of his handicap. The finding of the medical board is final; there is no appeal from it. As the finding of the board is decided on the facts of the case, this should not be left entirely to the medical men. For that reason employers and insurers rarely agree to matters being left to medical boards. Under this proposal, either the worker or the employer can insist on a matter being referred to the medical board. This is bad, as the medical board could usurp the functions and responsibilities of the Workers' Compensation Board which, in my opinion, is the best authority to decide these matters. The Act should remain as it stands.

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

Ayes	11
Noes	14
Majority against	3

Ayes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. R. F. Hutchison
Hon. G. E. Jeffery	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. L. C. Diver	Hon. J. Murray
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. G. MacKinnon *(Teller.)*

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause thus negatived.

Hon. G. C. MacKINNON: I move—

That the Chairman do now leave the Chair.

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

Ayes	11
Noes	15
Majority against	4

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. H. L. Roche
Hon. J. Murray	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. A. R. Jones
Hon. L. C. Diver	Hon. L. A. Logan
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. J. G. Hislop	Hon. F. R. H. Lavery
Hon. R. F. Hutchison	*(Teller.)*

Pair.

Aye.	No.
Hon. J. Cunningham	Hon. H. C. Strickland

Motion thus negatived.

Clause 16—First Schedule, Clause 15, amended:

Hon. R. C. MATTISKE: I move an amendment—

That after the word "entitled" in line 32, page 12, the following proviso be added:—

Provided that this paragraph shall have no application to agreements for the redemption of future weekly payments duly recorded under the provisions of this clause.

The CHIEF SECRETARY: In view of the recent kind action of the Committee, I will not oppose this amendment.

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

Clause 17—Second Schedule amended:

Hon. H. K. WATSON: I hope the Committee will vote against this clause. It is the Third Schedule which proposes to base

all Second Schedule claims on £3,000 instead of the existing base of £2,400. The maximum at the moment is £2,400 running down to £45, and it is proposed to make the maximum £3,000 running down to £56. The same arguments I adduced previously apply to this clause.

The CHIEF SECRETARY: I would agree to paragraph (a) being struck out. Paragraph (b) increases the amount of money for the person attending the paraplegic..

Hon. J. G. HISLOP: I would like the entire schedule looked at properly before we see it again. It contains a number of anomalies. Amounts paid for smaller injuries are excessive and they could be given to the people who really need compensation. There are a number of items, such as facial disfigurement, which are not covered under the Act and which are a bar to employment. Those are worth a considerable sum of money to the individual.

One case concerning an injured worker with a fractured jaw was brought to my notice. He finds mastication difficult and requires special foods. It can happen that only certain jobs are available to him. These things should be considered. There is nothing in the Bill to advise what should be done to improve the position of the injured person. All the advice that has been given in this Chamber is to increase the monetary compensation for an injury. I hope the clause will be amended.

Hon. F. R. H. LAVERY: One important point has not been considered, and that is where a doubt arises in workers' compensation cases. In all parts of the British Commonwealth and under British justice, the injured person should receive the benefit of any doubt as to the cause. In the past cases have occurred where injured workers have been deprived of compensation on technical grounds. I have one case in mind which happened many years ago when the wheat silo at North Fremantle was being constructed.

An Italian worker was thrown from the scaffolding to the ground 110 feet below. The bones in his body were smashed. The wife of that worker was deprived of compensation benefits for a considerable period until pressure was used. The reason for the refusal was that evidence had been given that the worker was wheeling a barrel of cement on a plank on top of the building, which was rather a unique type. It went up in concrete slabs. The board sagged a little and the worker overbalanced slightly. The barrel tipped his weight and threw him over. It was claimed that he was walking around the plank with a loose bootlace. Many such cases of technical objections have been brought to the notice of the unions over the years. When a revision is made of the schedule, some consideration in that direction could be given.

Hon. H. K. WATSON: The select committee which inquired into this phase of workers' compensation made a recommendation that a committee should be appointed to revise the whole basis of the second schedule. A year or two ago Dr. Hislop introduced an elaborate formula designed to that end. It seems that the whole schedule needs revision.

The Chief Secretary: Where do I get with the suggestion I made?

Hon. H. K. WATSON: Regarding that suggestion, there is an unlimited liability, and it could go on for 20 or 30 years. I leave that thought with the committee. I do not know how many of these cases have arisen.

The CHIEF SECRETARY: We are now dealing with the whole clause, and if it is not agreed to everything contained therein will be deleted.

Hon. R. C. MATTISKE: I move an amendment—

> That paragraph (a), lines 5 to 10, page 17, be struck out.

Amendment put and passed.

Hon. J. G. HISLOP: I do not oppose the extension of benefits to paraplegic patients because those are genuine cases deserving every assistance. I want to know how the money will be raised to make these payments over a long period. I understand there is no pool from which the benefits can be drawn. Will the company insuring the paraplegic patient have to bear the cost?

The CHIEF SECRETARY: The amendment for the attendant is added to the compensation in respect of the worker. The insurance company covering the worker will have to bear the cost. According to my information there are only two or three such cases.

Hon. G. C. MacKINNON: It may be true that paraplegics have not increased in recent years; but as this is an unlimited liability, a person could go on receiving £3 a week for 30 years, or a total of £7,500. Would that not call for the establishment of a pool? Actuarially, a company will have to take a dim view of the position, because it could be landed with two or three such patients. That would have the effect of raising the premium for handling workers' compensation. Whilst I agree that everything possible should be done for paraplegics, I must point out that it can only be done on an actuarial basis. If this clause is passed, it will become law and existing paraplegics will be granted the amount. Premiums have not been called in in respect of that. I would be pleased if the Chief Secretary could obtain the information I seek.

The CHIEF SECRETARY: The only information I can obtain is that the present provision has been in the Act since 1948.

The company to which I refer had two such cases in that time. The amount for the attendant is added to the compensation, and the Premium Rates Committee assesses the rate and the loss ratio according to the amounts involved.

Hon. J. G. HISLOP: This again raises the question of rehabilitation. Much work has been done recently for paraplegics and many important steps have been taken to rehabilitate them at the Infectious Diseases Branch of the Royal Perth Hospital. This may come to the point of requiring payment to those who are responding to rehabilitation methods. If such a case is able to get around with the aid of walking equipment he may not need the extra care. More thought should be given before this Chamber passes legislation to provide payments for all cases concerned, unless we know that the two cases referred to are in such a state that their wives are burdened by the care and need extra assistance. To blindly insert provisions like this into an Act, without knowing the actual conditions, is unwise.

The Chief Secretary: That provision has been in the Act for eight years.

Hon. J. G. HISLOP: The Bill seeks to increase the weekly amount from £1 to £3. It is no good increasing the amount if it is not justified or not required.

Hon. G. C. MacKINNON: I do not want to quote individual cases, but this one might exemplify the position. There is one paraplegic in a South-West town; and by the slight adjustment being made to a car and to a wheelchair, she is able to get around amazingly well. She works in a job where she receives full payment, and at present she is engaged to be married. Although there is some disadvantage, there appears to be no need for any assistance to be given to this person. This is a girl aged 18 and she could, under this clause, go on receiving payment for 50 years, although she has no need of it.

Hon. L. A. LOGAN: Dr. Hislop is worrying about paraplegics responding to treatment. Under the Act a medical practitioner can certify total and incurable paralysis of the limbs. Surely a medical practitioner could also say later that the person was now fit for work?

Hon. J. G. HISLOP: I wish it were as simple as that. The position is that in paraplegia, paralysis of the limbs is incurable. But with modern equipment, and with training in the use of other muscles, individuals have now been able to do a lot more than in the past; and whereas three or four years ago they might have been classed as bed-ridden, they are now able to progress around their own home and may even have some means of transportation.

Hon. L. A. LOGAN: I suggest that we might pass this measure; and when the Bill is recommitted, the Chief Secretary could let us know what claims there have been against this provision since 1948.

The Chief Secretary: Two.

Hon. L. A. LOGAN: That is only one company. Surely the Chief Secretary could give us the figures by tomorrow night!

The Chief Secretary: I was hoping to recommit the Bill straightaway.

Hon. L. A. LOGAN: I think it would be better to leave it until tomorrow night, so that we can obtain the information.

Hon. H. K. WATSON: I suggest that we defeat the clause for the moment, without prejudicing the right of the Chief Secretary to recommit and give us the information. We are dealing with something on which we are not completely informed. I do not want it to be taken that I am opposed to this provision, but I would like some further information.

The CHIEF SECRETARY: I would rather see the matter settled now. To provide this information on recommittal tomorrow would be impossible. It would be necessary to get in touch with 70 companies and six non-tariff organisations.

Hon. H. K. Watson: The information should have been obtained before this was brought to us.

The CHIEF SECRETARY: Not necessarily. We have a look at a claim and see if it is justified; and, if it is, we put it in.

Hon. G. C. MacKinnon: The trouble is that it is not universally justified but only in odd cases.

The CHIEF SECRETARY: We think it is universally justified. This was not put in by a Labour Government.

Hon. H. K. Watson: We are not discussing that.

The CHIEF SECRETARY: The hon. member need not get so impatient. I am pointing out that this is not a flight of fancy on the part of a Labour Minister. This was provided in 1948. I would like the matter to be decided here and now. We have a company which handles a pretty big slice of workers' compensation in this State, and it has had only two cases since 1948.

Hon. C. H. SIMPSON: At first sight I am inclined to view this favourably. I know that cases of this kind are comparatively rare. Sometimes they are totally disassociated from any injury one may sustain. We have an instance of a very rare occurrence which must be associated with a worker's compensation claim before it comes into this category; so the risk from an insurance point of view would be very light. But having gone

as far as that, I would like to hear something from somebody who could collect statistics beyond what the Chief Secretary has been able to obtain which would satisfy us that we were doing the right thing in agreeing to the proposal.

Hon. R. C. MATTISKE: Under the Act a person who is inflicted with this incurable disease will receive compensation at a certain weekly rate until he has cut out the total amount of £2,400. Would it be practicable for us to provide that he should receive in addition an amount of £3 per week for the period for which he was receiving the other compensation? Then, as soon as he had reached the stage where the £2,400 was completely exhausted, the other payment would automatically cut out, and he would seek relief from the Commonwealth or from some other source.

Hon. H. K. WATSON: There is one other point. If this is going to be adopted, I think that the words in the second schedule require modification. Power should be taken for the certificate to be a quarterly or half-yearly one. As it stands, once a certificate is given it is not revocable. I think it should be, if and when circumstances arise, such as Dr. Hislop mentioned, under which a person, through improved medical and mechanical aids, is in a different position.

Clause, as amended, put and division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes	14
Noes	13
Majority for	1

Ayes.

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. G. E. Jeffery
Hon. L. C. Diver	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. L. A. Logan
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. W. F. Willesee *(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. J. M. Thomson
Hon. R. C. Mattiske	*(Teller.)*

Pair.

Aye.	No.
Hon. H. C. Strickland	Hon. J. Cunningham

Clause, as amended, thus passed.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by Hon. H. K. Watson, Bill recommitted for the further consideration of Clauses 5 and 15.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 5—Section 8 amended:

Hon. H. K. WATSON: I move an amendment—

That paragraph (b) in lines 18 to 20, page 4, be struck out.

The debate, when the clause was previously considered, dealt exclusively with the question of whether the weekly payment should be the full weekly payment or a proportionate part according to the disability compensable. Paragraph (b) seeks to increase the total maximum compensation from £2,400 to £3,000.

The Chief Secretary: I think the amendment is consequential.

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

Hon. J. G. HISLOP: I understood that the Chief Secretary had agreed to recommit Clause 14.

The CHAIRMAN: The Bill was recommitted for the further consideration of Clauses 5 and 15.

Hon. J. G. HISLOP: Then I would like it to be further recommitted for the further consideration of Clause 14.

The Chief Secretary: Very well.

Bill again reported with a further amendment.

Further Recommittal.

On motion by Hon. J. G. Hislop, Bill again recommitted for the further consideration of Clause 14.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 14—First Schedule, Clause 7, amended:

Hon. J. G. HISLOP: I move an amendment—

That subparagraph (ii) in lines 1 to 5, page 12, be struck out.

Hon. H. K. WATSON: This is a provision which would compel the worker to have his case examined by a specialist. At present there is no power to do that.

Hon. L. A. Logan: This is already provided for in the Bill, and for a purpose.

Hon. J. G. HISLOP: There is no parallel between the two matters. This would be a shocking principle; but that to which Mr.

Logan refers is that if a man refuses to submit to examination by a specialist, he incurs the penalty provided. I have already said that five specialists in one section of medicine and surgery cannot agree as to whether a certain man should be operated on; and under this, if the specialist selected by the worker decided on surgery, the worker would have to submit or lose his compensation and that might constitute a great wrong to the injured worker.

Hon. L. A. LOGAN: If required to by his employer, the injured worker must select from the panel of names which appears on the register a specialist to whom he will go for treatment; and if he refuses, his weekly payments are stopped.

Hon. G. C. MacKINNON: If I broke my leg and had to select a specialist, I might choose the wrong man as I would have no idea who to pick. I think the worker should have the right to secure a second opinion, in the case of surgery particularly.

Hon. J. G. HISLOP: I would point out to Mr. Logan that I have not seen the list of specialists as it is not yet brought up to date; and whether it contains names of specialists in their groups of specialties, I do not know. A list handed to a worker in alphabetical order would not distinguish one from another.

Hon. L. A. Logan: His doctor could advise him.

Hon. J. G. HISLOP: He would have little choice and he would have to take someone's advice. Having made his selection, the injured worker must abide, under this clause, by the treatment laid down by the specialist.

Hon. L. A. Logan: What other people could he get?

Hon. J. G. HISLOP: One cannot help those who will not understand. I think I have said sufficient to show that this is a dangerous provision.

Hon. F. R. H. LAVERY: I hope the Committee will agree to Dr. Hislop's amendment. This Bill has been a source of worry to me ever since it came before the House. I do not think Mr. Logan has got the full picture in regard to this point. There are many workers who have been injured in the transport industry, for example, and as a result have suffered from bad backs. Over a long period they have tried to carry on with their work, and have attended a general medical practitioner when they come off duty; but eventually they have had to attend a specialist. In my opinion, no harm can result from the amendment.

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

Bill again reported with a further amendment.

BILLS (2)—FIRST READING.

1, Brands Act Amendment (No.1).
2, Land Act Amendment (No. 2).
Received from the Assembly.

BILL—BREAD ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [12.20] in moving the second reading said: At the outset I might point out to the House that amendments to the Bread Act are generally brought forward at this stage of the session.

Hon. J. G. Hislop: Yes, and generally in the last week of the session.

The CHIEF SECRETARY: The object of this Bill is to ensure that in areas where it is considered desirable, it shall be mandatory for bakers to deliver bread to any customer who orally or in writing requests delivery. These deliveries would be in reasonable quantities and at reasonable intervals during the hours and within such distance of the bakehouse that are prescribed by regulation. The Bill allows bakers to refuse delivery to any person who refuses to pay for the bread on delivery. Many bakers, however, may be prepared to accept payment weekly, fortnightly or at some prearranged interval.

I have been informed that in New South Wales the enforcement of bread deliveries is working satisfactorily and that no complaints of any moment have been received. If, following representations from any particular part of the State the Minister for Labour considers that bread deliveries are warranted there, he can promulgate a regulation specifying such area as a "prescribed area" under the Bill.

Members will be aware that residents in Kalgoorlie have been perturbed about the cessation of bread deliveries there. Following an interview by the master bakers held last night with the Minister for Labour, in Committee I intend to move an amendment to enable deliveries of bread to be made on Saturdays and holidays to commence at 4 a.m. instead of 5 a.m. I move—

That the Bill be now read a second time.

On motion by Hon. L. A. Logan, debate adjourned.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT (CONTINUANCE).

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [12.22] in moving the second reading said: Members representing country provinces will be aware that the principal Act came into operation in January, 1931, and that many thousands of farmers sought its protection during the early years of the Act's existence. With the introduction in 1935 of the Rural

Relief Fund Act, a majority of the farmers obtained financial assistance to adjust their creditors' claims and had their stay orders cancelled.

The two Acts are complementary, and it is necessary to extend the Farmers' Debts Adjustment Act to enable the Rural Relief Fund Act to continue to function, as that Act provides for the continuous use of the funds held by the trustees for debt adjustment purposes only. Assistance under the Rural Relief Fund Act has amounted to £1,291,730, of which £1,283,000 was granted by the Commonwealth Government, and the balance made up from money repaid by farmers.

The fund at the 31st October, 1956, stood at £199,037 9s. 1d. and is gradually being augmented by repayments by farmers. Since the Act was amended to provide for the discharge of the mortgages on payment of 20 per cent. of the amount, 2,172 farmers have taken advantage of the concession and repaid £208,617 11s. 11d.

There is still a large number of farmers who have not availed themselves of this generous concession. As a result of the advent of more prosperous times in the farming community, the two Acts are practically dormant, and administration work is carried out by officers of the Lands Department as part of their normal duties.

The principal Act over the years has been of material benefit to many farmers, and it is considered advisable to keep it on the statute book, not only to enable the functions of the Rural Relief Fund Act to be carried out, but to ensure in an emergency that a farmer could be granted a stay order to give him an opportunity to put forward proposals to his creditors for carrying on his farming operations. The Bill provides for an extension of the principal Act until the 31st March, 1962. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till 3.30 p.m. today (Thursday).

Question put and passed.

House adjourned at 12.26 a.m. (Thursday).

Legislative Assembly

Wednesday, 5th December, 1956.

CONTENTS.

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

QUESTIONS.

RAILWAYS.

(a) Establishment of Marshalling Yard, Marbellup, etc.

Mr. HALL asked the Minister representing the Minister for Railways:

(1) Will the proposed closure of the Elleker-Nornalup line mean the establishing of rail head or marshalling yard at Marbellup?

(2) If not, will he give an assurance that goods will be taken to Albany for marshalling?

The MINISTER FOR TRANSPORT replied:

(1) No.

(2) Yes.

(b) Condition of Elleker-Nornalup Line, Tabling of Papers.

Hon. A. F. WATTS asked the Minister representing the Minister for Railways:

Will he lay on the Table of the House for this week only, all papers covering reports on the condition of the Elleker-Nornalup railway?