

they wanted to be nurses; and, as a result, we are missing out on some very good girls.

Mr. Moir: You could not be more right.

Mr. Rowberry: It is a natural gift and all the degrees in the world cannot give them that.

Dr. HENN: I think I have kept members long enough on this matter; and, after all, I can always speak on it again at some other time.

Progress reported, and leave granted to sit again.

BILLS (4)—RETURNED

1. Agriculture Protection Board Act Amendment Bill.

2. Western Australian Marine Act Amendment Bill.

Bills returned from the Council without amendment.

3. Railways (Cue-Big Bell and Other Railways Discontinuance Bill.

Bill returned from the Council with amendments.

4. Industrial Development (Resumption of Land) Act amendment Bill.

Bill returned from the Council with an amendment.

METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it had agreed to the alternative amendment made by the Assembly to amendment No. 2 made by the Council.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

First Reading

Bill received from the Council; and, on motion by Mr. W. Hegney, read a first time.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier): I move—

That the House at its rising adjourn until 11 a.m. today (Friday).

Question put and passed.

House adjourned at 12.38 a.m. (Friday)

Legislative Council

Friday, the 25th November, 1960

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The PRESIDENT took the Chair at 11 a.m., and read prayers.

QUESTION ON NOTICE

CROWN LAND

Burning Off in Metropolitan Area

The Hon. E. M. DAVIES asked the Minister for Local Government:

Further to my question on Thursday, the 10th November, 1960, relating to burning off Crown Lands in the metropolitan area, and in view of the particulars of such

land in the Fremantle City Council area as shown hereunder, will the Minister advise if action can be taken by the Government to ensure that the fire hazard which exists on this land is eliminated?

Description of Land; Street; Utilization; Area.

Commonwealth Lands:

Defence—

- 23; Daly Street; Department of Navy; 1r. 36.2p.
- Pt. Co-Sd. 128 and 203; Douro Road; Oil Tanks; 6a. 0r. 24p.
- 1366; Swanbourne Street; Oil Tanks; 14a. 1r. 14p.
- 1367-1362; Fairbairn Street; Drill Hall; 1a. 1r. 1p.
- Reserve 10517; Arthur's Head; Signal Station; 1a. 0r. 31p.
- 5 and 6 of 17; Mandurah Road; Post Office Site; 10a. 1r. 16p.
- Pt. Co-Sd. 551; South Street; Social Service; 53a. 0r. 29p.

State Lands:

Education—

- 804; Swanbourne Street; Education Department Res.; 2r. 20p.
- 21679; Annie Street; School Site; 7a. 0r. 34p.

Reserves—

- ; Finnerly Street; Public Utility; 1a. 3r.
- 46; Clontarf Road; Water Reserve; 9a. 2r. 27p.
- Res. Temporary; Blinco Street; P.W.D. Architectural Division; 3a. 3r. 26p.

Departmental—

- 1384; Beach Street; Public Works Department; 3a. 0r. 32p.
- Res. 6204; Marine Terrace; Public Works Department; 1a. 1r.
- 40 and 41; Marine Terrace; Pumping Station; 1a. 0r. 30p.
- 1598; Marine Terrace; Pumping Station; 35p.
- Pt. 1383 Res. 4472; Marine Terrace; Public Works Department; 1r.
- Res. 21563; End High Street; Harbour Trust; 1a. 3r. 39.8p.
- 1038/1044; Blinco Street; Education Endowment; 1a. 2r. 12p.
- 1186/1190, 1227/1224, 1228/1236; Knutsford Street, Amherst Street; Oil Tanks, Education Endowment; 12a. 1r. 20p.
- 1037/1043; Amherst Street; Education Endowment; 3a. 1r. 18p.
- 1250/1262; Fothergill Street; Vacant Land; 4a. 1r. 30p.
- 1266/1270; Stephen Street; Vacant Land; 1a. 1r. 28.1p.
- 988; Forrest Street; Vacant Land; 1r. 20p.
- 188/189; Marmion Street; Worker's Homes Board; 1a. 0r. 6p.
- 4; Holland Street; Workers' Homes Board; 28.75p.

- 3; High Street; Workers' Homes Board; 28.75p.
- 86/87; 88/98/94/97/145/144/98/101/138/139; Stephen Street; War Service Homes; 5a. 2r. 28p.
- 92/93, 90; Hope Street; War Service Homes; 5a. 0r. 18p.
- 106/109/110; Watkins Street; War Service Homes; 4a. 3r.

The Hon. L. A. LOGAN replied:

The answering of this question involves a great deal of research, and consequently the information may not be ready before the House rises; in which case it will be available to the honourable member at the Lands Department.

MOUNT YOKINE LAND ACQUISITION BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [11.5 a.m.]: I move—

That the Bill be now read a second time.

The reason for the introduction of this measure dates back to a period some time in 1957 when the W.A. Golf Club Inc., probably better known as the Mt. Yokine golf club, found itself in difficult circumstances because of the increase in valuation of its property. The club is one of two in the metropolitan area which own their properties freehold.

At that time the club approached the Perth Road Board and reached an agreement with that board which would have overcome the problem. The agreement was that the golf club would hand over to the road board the whole of its area for the sum of £30,000 and, in return, the road board would lease it back to the golf club for a period of 99 years at a rental of £600 per annum. That was a firm agreement between the road board and the golf club. At the time I think Mr. Wise was Minister for Local Government, and I am sure he will agree with me that the mistake made at that time was that the Perth Road Board was trying to do something without consulting its ratepayers.

A draft Bill had been prepared ready for presentation to Parliament, and under the provisions of that Bill the road board would have raised a loan for the purchase of the land for £30,000; but without the ratepayers having a say. I believe that agreement was a good one, because it gave the Perth Road Board a very valuable piece of land for such a small sum of money, although I admit that it was to be leased to the club for 99 years; and that was the second reason why the Bill was prepared. As most members know, the maximum lease which a local authority can grant is for 21 years; so it was necessary for a Bill to ratify a 99-year lease and also the purchase of the land

for £30,000. That was a mistake because the board was doing something without consulting its ratepayers.

Naturally when the ratepayers found out they objected most strongly. From there the club put in an application to the Town Planning Department for a subdivision of the land for use as a housing settlement. At that time it was offered a sum of £200,000 by someone who was prepared to subdivide the land if he could get hold of it. Concurrently with that the Perth Road Board made an application to the Town Planning Department to have the area re-zoned into a private open space. Because of its desire to maintain the area as a public open space, the Town Planning Department approved of that application for re-zoning; and at that stage I had to make up my mind whether or not I would approve of it.

Knowing full well that the application for subdivision was before the Town Planning Department I sought legal advice on the matter, and that legal advice was to the effect that if the re-zoning were agreed to it was within the province of the club to claim compensation, which at that time could have amounted to £150,000 to £200,000. As Minister I was not prepared to take the risk because it could possibly have placed the Perth Road Board in a position where it would have been forced to find compensation up to that figure; and, in effect, instead of buying the land for £30,000, as was originally intended, it could have cost the board between £150,000 and £200,000.

I then arranged a conference in my office with the two parties concerned—the Perth Road Board and the golf club. I suggested to the road board that it make another firm proposition to the golf club. That suggestion was agreed to; and, after many months of discussion, the club eventually refused the offer made by the Perth Road Board. When one realises that the offer was only for a re-zoning, which did not get the club out of its financial difficulties, one can understand that the club would not have been any better off under that arrangement than it was before. Ever since then I have been endeavouring to find an answer to the problem.

The Hon. F. J. S. Wise: And in the meantime it would probably have been destroyed as a club.

The Hon. L. A. LOGAN: It would have been. Since then I have been endeavouring to find an answer to the problem because it was obvious that the Perth Road Board desired to keep the area as a public open space. The club, too, wants to maintain it as a golf course and an open space, and the Town Planning Department obviously was prepared to do everything possible to keep it as an open space.

Then the National Fitness Council came into the picture. That council had a deputation to the Attorney-General and

asked that this area be maintained as an open space, and suggested that the Government buy the land for £30,000. At that time the Government might have been prepared to buy it at that sum provided the course was left open to the public. That, of course, could not be acceptable to the club; and I do not blame the club for it because it would have meant that any individual could have used the amenities and facilities provided by the club members.

Therefore I arranged another conference between the Attorney-General, representatives of the club, the Town Planning Department, and myself. Eventually we decided upon a plan whereby it would be possible for the club to sell about 15 or 16 acres of land comprising two holes at the course. This is an ideal residential area, and the proposal was that the Government would purchase 13 acres of land so that the club could move the two holes to which I have referred; and, in return, the club would transfer all its rights and titles in the other 90 acres to the Government. The Government would then make the area given to it by the club, plus the 13 acres which the Government would purchase, a Class "A" reserve, and that would then be leased back to the club for a payment of £650 per annum, that sum being 5 per cent. interest on what it cost the Government to buy the 13 acres.

Because the club was giving 90 acres of first-class land to the Government—land which is worth at least £170,000 to £175,000—I do not think the Government could have asked it to pay anything on that land for the next 40 years. Five per cent. on £13,000 works out at about £650 per annum. So it was agreed that a lease for 40 years be granted to the club.

There are some figures relating to other golf clubs in the metropolitan area which I think should be mentioned so that members may have some comparison of the position of this club with other clubs. The Sea View Golf Club is on a reserve of 50 acres. Its local authority rates are nil and its water rates are nil. The land is vested in the Cottesloe Council and leased to the club at £150 per annum. The club house is on private land and the rates for that are £46 and water rates £48 15s.

As regards Lake Karrinyup, which is the only other privately-owned golf club in the metropolitan area, it is situated on 1,360 acres of land but the local authority rates are £317 12s. 6d., water rates £79 13s., land tax £111 10s. 8d., metropolitan improvement tax £30 5s., and vermin tax £30 5s. So members can see that as regards the privately-owned clubs the costs are much in excess of the other clubs.

The Mt. Yokine golf club is situated on 111 acres of land and its local authority rates are £1,291 5s. 8d., water rates £108 15s., land tax £633 1s. 9d., metropolitan improvement tax £121 1s. 9d., and vermin tax £121 1s. 9d. So it will be seen

that the club's rates and taxes were roughly £2,300, which is a tremendous amount for a private club to have to pay. I did have the figures relative to other golf courses, but I cannot lay my hands on them at the moment.

The Royal Perth Golf Club, which is situated at South Perth, is on a "B"-class reserve. That club pays no rates and taxes; it has a lease at a peppercorn rental. The club at Melville is in the same position; and so is the golf club at Nedlands, with the exception that in the case of the latter the local authority put up the club house and the club pays rent to the extent of about £650 a year in repayment of the money borrowed from the local authority for the erection of that club house.

Accordingly it is in keeping with the position of the other golf clubs in the metropolitan area for the Government to lease back to the Mt. Yokine golf club a little over 100 acres, 90 acres of which has been given by the club itself. As I say, there is a valuation of £175,000 to be considered. The only alternative to the plan which the Government proposes to adopt is to subdivide the land into residential areas and sell it.

That would mean that a very valuable piece of open space land in that area would be lost for all time. The only people who would gain any advantage from such a sale would be the land agents who might be offering enough to buy it. They would be the ones who would make the money out of it. The proceeds of the sale—if this course were adopted—would of course be used by the Mt. Yokine golf club to enable it to establish a golf course further out in a suitable area.

It is not known how much further out the club would have to go. The club would, of course, naturally have had some money left over after the transaction. But the main consideration and fact is that a valuable open space area would have been lost for all time. I might point out that the Perth Road Board, the members of the golf club itself, the Government, the Town Planning Commissioner and the National Fitness Council, together with the residents of the area, have asked that it be retained as an open space area.

I have mentioned before that petitions are not in my line of country at all; I do not take much notice of them as a rule. I would point out, however, that I received a petition with over 500 signatures on it of people living in the area, asking that this land be retained as an open space area. The petition was addressed to the chairman of the Perth Road Board and reads as follows:—

We, the undersigned, residing in the Mt. Yokine district of the Perth Road Board, declare that the open land known as the Mt. Yokine Golf Links is an integral part of this district, and it is essential that it be retained as

an open space for all time. We draw your attention to the alarming shortage of recreational ground in this area and request that positive action be taken to guarantee the continuity of this area as open land.

I might add that the 500 signatures on this petition were taken in a very short space of time.

So here we have a situation where everybody who knows anything about the position at all is desirous of retaining this area as an open space area. Naturally as an open space green belt area it could be of immense use, and put to the purpose for which it was designed. We certainly want it to continue in that manner.

The membership of the Mt. Yokine golf club is in the vicinity of 625; which is quite a large membership for a golf club. In view of the size of the membership it means of course that the club cannot accommodate all players on the weekend; it is necessary for some of them to play mid-week if they want to get a game. A suggestion was made that the club should open its books and take in a certain number of members; but I do not think we should dictate to a private golf club—providing it plays the game—as to what its membership should be.

The membership will, of course, not remain at 625, because the club will open its books to mid-week players. I have a plan of the area which I will lay on the Table of the House for the information of members. For my own part, and after having considered the matter for 15 months or more, the solution now before the House seems to be a very reasonable and simple one. It is expected that the area which we will allow the golf club to retain and sell and subdivide will bring in sufficient income for the club to liquidate its liabilities.

That, however, is up to the club. It will also be incumbent on the club to put down links on the area of 13 acres which we purchase and which will be incorporated in the 90 acres which will come to us as an "A"-class reserve. Mention has been made of the fact that the rates and taxes will be lost to the Perth Road Board. In this context I might say that the Perth Road Board was prepared to reduce the valuation by half if it were given the opportunity to do so. That was one of the reasons for the re-zoning; and apart from that we were given straight-out facts by the Taxation Department that if it were re-zoned as a private open space the land tax collections would have been reduced by half.

The area on which the golf club stands will remain the property of the club; and the club will, of course, pay its rates and taxes on that area. There is no exemption on that. The area which the club will subdivide must increase in value, and the

rates and taxes on the area will be increased enormously. By the time it is subdivided, and by the time the club pays the rates and taxes on the golf house area, I think we will find that the Perth Road Board will not lose very much in view of its previous desire to reduce the rates and taxes by half. The road board will be in pretty much the same position.

So I ask members to give the Bill favourable consideration, because I think it is the only solution to the problem. One of the difficulties with an "A"-class reserve is that if the Government leases it back to anybody it is still subject to land tax. There was no alternative but to find some means of taking it out of that bracket; and that is one of the reasons the Bill is before the House.

We have not tried to hide anything in this measure. We have put our cards on the table. Had it not been for the land tax issue this matter could have been settled without coming to Parliament. But, as I say, we have nothing to hide. It is an open Bill, and I think it only right that Parliament and the public should know just what the Government proposes to do.

I would point out, however, that the whole matter is, of course, subject to confirmation by the golf club itself. The letter I wrote to the golf club said in no uncertain terms that the final decision would have to be made at a meeting attended by all its members. I also told the golf club committee that for my part I would do everything I could to put the Bill through Parliament; that it would still be subject to Parliamentary approval, and that the golf club committee would have to take that risk. Both the Mt. Yokine golf club committee and the Government are prepared to take that risk.

I might stress, in conclusion, that the only alternative is for the area to be subdivided and used for residential purposes, with the consequent profit to one, or possibly two subdividers. In addition to this, of course, we would lose a most valuable open space area which we wish to retain.

On motion by The Hon. F. J. S. Wise, debate adjourned to a later stage of the sitting.

(Continued on page 3272.)

PARLIAMENTARY SUPERANNUATION ACT AMEND- MENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.25 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to provide for a new scale of benefits in regard to present members and to improve the lot of widow

beneficiaries under the Act. In line with the general trend in other parliamentary funds in Australia, it is proposed that on the retirement of present members, the pension benefit shall be paid for life as distinct from the present method of limiting payments to a period of 10 or 20 years.

The scale of contributions and benefits in other Eastern States funds has been examined; and, following as closely as possible the average benefits of those funds, the benefit scale as set down in the Bill has been adopted. To provide for the altered benefits it will of course be necessary to increase the income of the fund. Accordingly it is proposed to increase the members' contribution rate to £4 per week with the State contribution being maintained on a pound for pound basis. Any amount which may be required in future years to meet any insufficiency of funds to meet liabilities, will also be met by the State. However, it is not anticipated that in the latter event any great sum will be involved; and such a position would probably not arise for some years.

A further provision has been made to increase or improve the widows' position. While a member on cessation of membership may be able to rehabilitate himself in private enterprise, the widow is reliant on her husband's resources for her future sustenance. It is proposed therefore that widows should be paid a benefit at a rate of 75 per cent. of her husband's entitlement under the Act, but for his death. The provision will embrace both the existing and future widow, and pensions will be payable for life or until remarriage.

In the event of an existing widow marrying before the period during which under present legislation she would draw benefits, it is proposed that her pension shall not cease, but shall revert to the amount of pension and for the period she would have drawn benefits had this amendment not been effected. At present no provision exists whereby the widows' pension ceases on remarriage; and while provision is made in this Bill for cessation of pension on remarriage, any right at present held by an existing widow should not be affected.

A further provision has been made to allow any member who did not previously take advantage of the provisions of section 10 (4), a further three months in which to exercise his option to "backpay" contributions to the 1st January, or later month of the year of election, subject to the payment so made bearing interest at 4½ per cent. I might add that the proposals contained in the Bill have been accepted in principle by the Rights and Privileges Committee formed some time ago by members of both Houses.

I usually read the leading article in *The West Australian*, and in conformity with my usual practice I read the one

that appeared in this morning's paper. I want to say that I am not at all pleased with it.

The Hon. F. J. S. Wise: Do you think it was fair comment?

The Hon. A. F. GRIFFITH: I propose to tell the House what I think of it. But, to answer Mr. Wise, I do not think it is fair comment at all, because the person who wrote it obviously did not know the facts. Had he known the facts, or bothered to find out what they were, he could not possibly have written in those terms.

I would, however, like him to be advised that the committee to which I have made reference—the Rights and Privileges Committee—whilst it is not one of our Standing Orders committees, it is a committee which has been formed by the members, collectively, of both Houses of Parliament, and it is charged with the responsibility of acting as a liaison body between the trustees of the Parliamentary Superannuation Fund and the members of Parliament themselves. For *The West Australian* newspaper to say that this Bill is hasty and ill-conceived—I wonder whether it did say "ill-conceived." Perhaps I had better make sure about this. The paper said, "The measure is going to be pushed through both Houses with indecent haste." Of course that is not true.

The Hon. G. E. Jeffery: Picking on the "*West*," are you?

The Hon. A. F. GRIFFITH: Do not bring in side issues. I would prefer to keep to the inaccuracy of this leading article. The honourable member can do as he pleases, but I want to stick to the point.

The Hon. L. A. Logan: We got the B.H.P. Bill through in one night!

The Hon. A. F. GRIFFITH: Mr. Logan has stolen some of my thunder. I was going to say that there have been Bills of much greater magnitude to the State than is this one which, on occasions, have been dealt with by Parliament not in one night, but in one hour. Sometimes there are reasons for such a course of action being taken. Last night, in the space of perhaps 10 minutes, with the co-operation of Mr. Wise, we amended, in a small way—but in an important way—a simple Bill in connection with industrial development.

The Hon. F. J. S. Wise: That does not mean to say it was the first time we saw it or knew of it, surely.

The Hon. A. F. GRIFFITH: That is right. All I was going to say was that the small time we spent on the amendment we made to the Industrial Development (Resumption of Land) Act had no relation to the great importance of that amendment to the State in regard to any future action the State might take as a result of that amendment.

The Hon. E. M. Heenan: How long did we take over the B.H.P. Bill?

The Hon. A. F. GRIFFITH: The Government as a Government took many months to bring it to Parliament; and then we took considerably longer than we do perhaps with a lot of other Bills, to put it through. Nevertheless, I can see the honourable member's point in that the Bill went through speedily and readily. It was a measure of far greater importance to the State of Western Australia than this one is. What the leader writer did not apparently understand, Mr. President, is that a Bill of this nature is not a political measure. It is not a Bill which the leader of any political party subsequently speaks about on the hustlings and says, "This Government introduced a Bill to increase parliamentary pensions," with a view to gaining a political point in so doing. If such an occurrence did take place it would be pure hypocrisy on the part of the person concerned, because that person would be part and parcel of any arrangement that might be entered into prior to the Bill being presented to Parliament.

That is the position with this measure. Each member of both Houses of Parliament has known for a considerable time of the negotiations that have gone on with the Rights and Privileges Committee, the trustees, and the Treasury of the State. Each member has been consulted both within his own party and, I think, collectively as a parliamentary association; and there has certainly been no haste. I am sure it is not correct to say that it is being pushed through Parliament. Of course, the leader writer must have thought that when the Bill reached the Legislative Council last night it was going to have a hasty passage. In fact, it did not. It was received as ordinary business, and I asked that it be placed on the notice paper to be dealt with at a later stage in the sitting.

As members know, we did not deal with it last night; but that was not as a result of any prior knowledge I had that a leader would be written in such unfair terms. I feel it is incumbent upon me, not only as a member of this House, but as its Leader, to make this protest, as I have an obligation to my colleagues in this matter. It is a pity the person responsible for writing the leader did not, first of all, acquaint himself with all the facts. Had he done so he would not have written in the terms expressed in this morning's leading article.

As I said earlier, the Bill seeks to improve the situation in respect to pensions. The Rights and Privileges Committee, in the course of its deliberations, sought information from the other States of Australia to obtain ideas in regard to what manner our scheme could be improved. It is basic to the improvement that the members who are contributing to the fund

should increase their payments to the fund. Accordingly, members of both Houses of Parliament, as a result of the passage of the Bill, will pay £4 per week into the fund as their contribution.

The scale of benefits provided in the Bill has been based on the approximate average benefit payable in the standard States of New South Wales, Victoria, and Queensland. I do not think it is necessary for me to go into the contributions and pension rates of those States, but a close examination was made of them by the Government, the members of this committee, and the Treasury to arrive at what was considered to be a reasonable pension rate; and the average of the standard States was taken. That is the method with which the House is asked to agree.

I do not think it is necessary for me to say anything else; apart from stating that an adjournment of this Bill is, in my opinion, completely unnecessary because every member of the House has not only had over a period of many weeks a pre-conceived idea, as to what the Bill would contain, but as I said when offering criticism of the leading article, each member has been consulted on the matter and has agreed to it. It is one of those Bills with which every member in each House of Parliament concurs because he has been consulted on the whole question over a period of time.

THE HON. C. H. SIMPSON (Midland) [11.40 a.m.]: I would like to comment on this Bill. Before I enumerate the various points on which, for the information of members, I wish to speak, I would like wholeheartedly to concur with the remarks of the Leader of the House in regard to the leading article which appeared in this morning's issue of *The West Australian*. Parliamentary superannuation is in line with the practice ruling in Government departments in all States, and in many private institutions; and, I should say, West Australian Newspapers Ltd. probably has a similar scheme in operation, though the contributions and benefits may differ.

The Hon. G. Bennetts: Local governing bodies, too.

The Hon. C. H. SIMPSON: Yes; and they are all established along the same lines. The parliamentary superannuation fund has, in fact, existed for a number of years embodying the same principle, but it has been adjusted from time to time in the light of changing values of money and with the knowledge of what has been done under comparable conditions in the other States of the Commonwealth. There is nothing strange or new about this fund; and, I should say, it is mainly our own business. It is not something that is of extreme concern to either *The West Australian* or the public which it sets out to inform.

Over the years, when any change has occurred in regard to the adjustments of the pensions, the allowances, or the salaries of members of Parliament, there has always been distorted criticism in the columns of the Press. I take strong exception when the Press says, "No other section of the community can help itself from the public purse in this way." That is an indictment of Parliament, and I will return to that point later.

If there is a tendency to bring a Bill such as this down in the dying hours of the session, that action recognises two principles: That public business is more important and must be dealt with first; and that business which affects members of Parliament can be left to a later stage of the session, when it does not have to run the whole gamut of Press criticism which we know from experience in the past is very seldom fair, but is mostly unfair.

We have nothing to hide in regard to this fund or any of the funds which have been brought into being to make the life of a member of Parliament not only self-supporting, as it were, but conform to the desires of the average man to make provision for his wife and family in later years.

The Rights and Privileges Committee has been working for a number of years; and it has taken formal shape over the last year or two, inasmuch as that committee comprises two members from each of the parliamentary parties. It is in the nature of a research and recommending committee rather than one entitled to exercise any powers in its own right. That makes the task of the committee somewhat difficult. The committee has first of all to study the opinions of the various delegates; and it very often happens that each member of the committee has a different idea. So it is necessary to obtain some unanimity of opinion which is only brought about after considerable debate and often amendment of the original suggestion. Then the matter has to be presented by the delegates to their respective parties for approval.

Then and only then could the committee act as a mouthpiece for the members of Parliament in presenting a case—it might be the Government, in regard to allowances; or the Taxation Commissioner in regard to allowing deductions, and so on. The committee has been charged with that particular duty, and I can assure members that it does a tremendous amount of work. It is served by a secretary who is a member of our own parliamentary staff and who not only does the work required in the preparation of data for meetings but who keeps in touch with other States as to constantly changing conditions in regard to concessions, salaries, allowances, pensions, necessary legislation, and the like; and who keeps records which are

open to any member of Parliament upon request. There is a good deal of responsible work to be done, and it is not, by any means, a dip in the public purse, as suggested by the leader writer of *The West Australian*.

It is something that is considered in a very responsible way and, as a rule, follows the pattern that has been generally established by similar funds under similar circumstances in other States of the Commonwealth.

The committee collected certain data, and in line with an expressed desire, it asked the Government whether the pension could be made a life pension and not be restricted to a certain number of years. In presenting the facts the committee put up what I consider were interesting figures regarding the experience of past years, which had a definite bearing on the possibility of such a request being favourably considered by the Government.

It has, from time to time, submitted the fund to actuarial investigation. That, as a matter of fact, is provided for in section 18 of the Act. The trustees are careful to see that those obligations are carried out. This fund varies from a similar fund in the Civil Service. The Civil Service fund, which was not referred to in any way by the Press, benefits more substantially from Government contributions. Experience has shown that a parliamentary member, instead of retiring at 65, as is the case under the compulsory retirement conditions of the Civil Service, often continues on for probably five or ten years.

In so doing two things are achieved. First of all, he is building up the fund by contributions during the whole of that period; and his expectation of life, when he does retire, is correspondingly reduced. Experience has shown that the average life of a Western Australian parliamentarian, after retiring from Parliament, is only nine years. Under the old scheme of ten years' full benefits, the fund would be well able to meet such claims without imperilling the stability of the fund. A member who continued in Parliament for 10 or 20 years might draw upon the fund only for a short time. There have been members who, on retirement, have drawn on the fund for a matter of only weeks or, at the outside for a limited number of years. Then again, the committee found that members, in the first seven years of their parliamentary life, are subject to what one might call the greatest mortality rate.

But once a man serves seven years—three elections in the Assembly and two in the Council—he generally goes on for a considerable length of time. Here we are only considering the instance of risk during that time. The fund is not only assured of the benefit of £4 a week from every member of Parliament, but it

is assured of the Government's supplementation during a fairly long period; whereas the risk of having to pay out considerable sums is less after a parliamentary period of seven years or more.

Most members who have served seven years are established in their constituencies and they often carry on for as long as they desire. Those are features of the parliamentary fund that are peculiar to the fund itself, and are not common to other funds such as, say the Civil Service fund or other Government funds, or other funds doing the same job.

The committee not only informs itself on the question of basic salaries, the question of expenses, and the question of pensions, but it also studies the question of privileges to which, over the years, members of Parliament have been entitled. These vary quite a bit from State to State. It has always been a member's privilege to have a gold pass which provides certain travel concessions; and that still obtains. However, a member relying on his gold pass when serving his constituency these days, not only finds that transport services are far too infrequent, but that the points he desires to visit are not accessible by rail; and of necessity the member has to be equipped with a motorcar.

There are smaller concessions that have to be considered, such as allowances to cover various expenses, stamp bill, telephone bill, telegrams, and so on. Those also vary from State to State; and it is one of the things that the Rights and Privileges Committee tries to have adjusted, if possible, from time to time. I might say that our own stamp allowance is regarded as average; but it is adequate.

The gold pass used to be applicable for travel on metropolitan transport when it was operated by the Government. But since this has been taken over by the Metropolitan Passenger Transport Trust that privilege has been withdrawn. Another very valuable amenity which I think was appreciated in the past, was the fact that in my time as Transport Minister, a bus used to travel right past the door of Parliament House; it used to go round a loop at the end of its run to and from Victoria Park. Quite apart from the fact that members have to pay their own fares on buses, it was a decided amenity for older members to be set down at the door; whereas now they either have to engage a taxi or walk—and the taxi fare costs about 3s. or 4s.

Earlier in this session the Rights and Privileges Committee, after due consideration and reference to various bodies, approached the Government with the request that the Government appoint a tribunal to consider the question of salaries. The approach was on the sound premise that the job of a parliamentarian nowadays is a full-time job, and it is important to retain men experienced and well equipped for parliamentary work.

The Hon. G. C. MacKinnon: I think that was discussed in committee.

The Hon. C. H. SIMPSON: If we want to attract men of suitable calibre to Parliament, we have to provide salary allowances commensurate with the responsibility. The committee was empowered to submit representation to the Government—

The Hon. G. C. MacKinnon: Then I was under a misapprehension.

The Hon. C. H. SIMPSON: Mr. Graham had strong views on this matter. The Government was approached; and the Government, in its wisdom, did not agree to it. However, it did agree to a super-annuation review, and this is the Bill that has been brought down. It is not quite in line with the recommendations made by the committee. It has scaled down the top rates, which experience seemed to warrant, and it has stepped up the lower rates; and I think it is a good idea.

We have to remember this: If a man, after seven years in Parliament, suddenly has to retire, he has broken off the old ties which he had, and is completely at a loss to resume his old occupation. If he has a business or a farm, he is fortunate. However, positions are very difficult to obtain these days; one is told that one is too old, and it is difficult to have to compete with younger men. So I think there is some justification for a man, who has served seven years or more, and given a great deal of time and work, and been involved in a great deal of expense at party elections, to have something adequate in order to take up life anew under vastly changed conditions from what they were before.

The Government rightly took the view that it was better to work out a pension scale that was in line with those of the States of Victoria, New South Wales, and Queensland. The Government knew what the contributions were; it knew what the benefits would be; and the funds in those States had been actuarially examined and found to be sound. In each case the fund is guaranteed by the Government. Pensions in all three States are life pensions, and there is a higher scale for widows' pensions than under our own existing system. So the Government has followed the practice of claimant States; and that is what has been done. If it had not been done that way and we had tried to secure higher rates than those which operated in other States, I think we would have had a query through the Grants Commission. However, that contingency has been avoided.

As I mentioned previously, the idea of a retirement scheme goes back to 1941 when the Members of Parliament Fund was first constituted. It has since been absorbed by the present fund. In return for contributions made at that time the pensions scale of £6 per week was awarded after so many years of contributions by a member. At

that time it was about 20 per cent above the ruling basic wage. Of course, the inflationary trend had an effect on the basic wage and increased it by about 3½ times over a period of 20 years. Obviously, all funds, on that assumption, had to keep in line and be adjusted accordingly.

We find that the fund has been well managed by the trustees. Over the years it has withstood the demands made upon it by the payments required for pensions; and it is now £70,000 odd in credit. So it is obvious, after a fairly good trial, that the fund is stable. Whilst there is provision under this Act for the fund to be guaranteed by the Government, I think we have satisfied the actuaries that there is no prospect of the fund becoming insolvent. Section 18 of the Act provides for a review of the contributions made from time to time, and from that, one can assume that members will not rely on the Government to any substantial extent or perhaps, at all, but will be expected to contribute an amount that will guarantee their pensions over a period of time.

If the value of money changes over the years, obviously the rates of contributions must also change. One good move that has been made, is the decision of the Government to allow widows of deceased members to have their pensions adjusted more along realistic lines than on the lines they were adjusted to before. There were widows of well-known ex-members in the past whose rates of pension were scaled down as low as £1 15s. per week with the prospect of their becoming non-existent in two or three years' time. The widow's pension, of course, was based on the amount of pension payable at the time the member died. I would point out that there are now, in all, about 30 widows actually drawing benefits from the fund.

The new scale, however, provides that the widow shall receive 75 per cent. of the amount her husband was entitled to at his death; and that means that that will be for life instead of becoming extinguished as time goes on. In regard to widows, I would like to quote an extract taken from the Richardson report which report, incidentally, I think members should read. This report, too, by the way was most unfairly criticised by the Press of Western Australia. The following extract appears in paragraph 23 of page 11 of the report:—

The full-time service of a Member usually carries with it the part-time service of his wife.

She is expected to attend many functions in the electorate with him, and to represent him at others during his absence in Canberra. As one Member said, "Attending official functions in connection with Red Cross, hospitals, crippled children, churches, schools, social clubs and so on is a regular part of the life of a

Member's wife." She is elected to office in various charitable and public organisations, and is expected to take a leading part in their activities. In her husband's absence she attends to many telephone calls and personal applications from constituents. In addition, she suffers the disruption of normal family life. One Member remarked, "The real heroes of politics are not the men but their wives and children."

I now come to join with the Leader of the House in his protest against the leading article in this morning's issue of *The West Australian*. To my mind this article is an indictment of Parliament and every member in it because it brings not only the Government into its criticism for introducing the Bill at this late hour, but also, without any knowledge of the facts, it equally castigates the members of the Opposition for having joined forces with the Government of the day in supporting this legislation. Members may be vaguely aware that under the traditional privileges which are granted to them, a member of Parliament has the right, at any time he believes that he has been maligned in the Press in any way, to request the House to consider the matter and to suggest, or even demand, that the guilty party or parties be brought before the Bar of the House.

Members will recall that, some years ago, Mr. Charles Morgan, the Labor member for Reid in New South Wales, in the Commonwealth Parliament, had occasion to exercise his privilege; and, as a result of his representations, the House gave the matter consideration and the owner of the offending newspaper, (Mr. Fitzpatrick) and the editor (Mr. Brown) were gaoled for three months because it was considered that they had been guilty of intimidation or contempt of Parliament. I wish to assure the House that I intend to do exactly the same thing when Parliament meets again. It is time for a showdown. The Press in this State appears to take unto itself the responsibility of telling the Government what it shall do—if not directly, then by innuendo.

The Press in this State has a monopoly of the daily publications and it can, in an extremely biased way sometimes, inflame the public mind when that action is not only wrong, but also grossly reprehensible. I think we can take into account, too, that in publishing the statement in the leading article this morning, *The West Australian* is probably doing itself more harm than good. Take the case of a local member of Parliament, who is only one of a body of men who has to put up with this sort of thing. Who are the people going to believe when he is asked to pass comment on such a statement? That honourable member is a man who has grown up in the community he represents. He is known to his constituents as a man of honour and integrity, and he is highly respected.

The members of the public would take the word of a man they know and would obviously accept anything stated by him as being the truth, before they would accept the casual writings of an editor who, possibly, knows very little or nothing of the facts. So I am giving warning that it is my intention, when Parliament again meets, to bring this question before the House and to ask it to consider the application of the age-old rights of Parliament which come to this and other Parliaments for the purpose of determining who shall rule the State—Parliament or the Press. The tone of the leading article has on this occasion more or less brought me, as Chairman of the Rights and Privileges Committee, into the picture.

I am only expressing what other members have in mind; namely, that we are extremely grateful to the Government for having brought this scheme to Parliament, and I compliment the Government on the consideration it has given to it and to the terms in which it is framed.

On motion by The Hon. H. C. Strickland, debate adjourned until a later stage of the sitting.

(Continued on page 3276.)

WORKERS' COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 24th November.

THE HON. J. G. HISLOP (Metropolitan) [12.12 p.m.]: The House, realising my views upon workers' compensation, could not expect me to feel elated by the introduction of this measure, because it perpetuates the old method of compensating an injured worker; introduces no new thinking to the picture; and leaves me with the feeling that the mills in the department in control of workers' compensation grind much more slowly than other mills.

The time must come when we will realise that the correct method of rewarding a worker for any injury he receives in industry is by the payment of a pension, and that the widow of any worker who is killed in industry should also be entitled to a pension. It is rather a curious coincidence that we have been discussing a Bill which deals with a subject that appeals to us all; namely, the payment of pensions to ex-members of Parliament and to the widows of deceased members of Parliament who had given many years of service to the State.

If we look at the question of workers' compensation on that basis; that is, that contributions should be made by the three parties concerned—the worker, the Government, and the employers—we will be getting nearer to the point of adequately meeting the problem. I believe

it is a method of compensation that should be considered seriously; it should be dealt with by an expert, and a report should be submitted by such a person at a reasonably early stage.

I would not have much reason even to vote for this measure if it were not for the fact that the interests of two sections of the community would be prejudiced if two of the clauses in the Bill were not enacted.

One of the main purposes of this Bill is to delete from the Act, the three-year limitation relating to the right of claimants to a pension under the silicosis, pneumoconiosis and tuberculosis provision. I cannot understand the import of the amendment of the Minister for Mines, or the amendment given to me by people wanting to render helpful advice, or the amendment suggested by Mr. Heenan. I have examined the three of them, but I am still in difficulty as to their meaning.

The reason for the reference to the three-year limitation in all the amendments is to get over the question of retrospectivity in the particular section of the Act. Why not bring in a provision which states that the section shall apply only from a certain date and thus avoid the misleading reference to the three-year limitation. It is exceedingly difficult to decide, under the provisions of the Bill, which party shall be responsible for the payment of the compensation after the worker has left the mining industry and has been working somewhere else, despite the fact that under the Act a worker who is suffering from silicosis is able to claim from the people who employed him previously.

Difficulties can arise in deciding the party responsible for payment. A worker might have worked in a quarry for three years after leaving the mines. In that event the quarry would have to accept the full responsibility for the payment of compensation under the silicosis provision, although a worker might have worked in the mines for a considerable time previously. The apportionment of the compensation payments is very difficult to determine.

Members might be interested to know that in South Africa a document of considerable size is required to cover the incidence of silicosis. This is the Silicosis Act, 1946, relating to miner's phthisis. Some of the provisions are well worth considering. In respect of silicosis, the time when the worker who is affected has been working in the mines is known to the board, and the compensation payment is divided proportionately, according to the length of service, between the various employers of the worker concerned. That is a fairer method than the method which provides that the employer who engages a worker for three years, after the worker has left the mining industry, shall be

solely responsible for the compensation payment. If the period is less than three years after the worker has left the mines, the compensation payment would have to be apportioned between the two employers.

However, the first employer could refuse to make the payment, because the Act empowers a person, who received a notice, to join other parties. I do not know what is the meaning of the term "join." Is it a legal term meaning that other parties are joined automatically to the claim; or does it mean that the matter has to be arranged between the two parties?

The Hon. R. F. HUTCHISON: Would this not be worked out between the insurance companies?

The Hon. J. G. HISLOP: It would be the subject of arrangement between the employers concerned, and therefore between the insurance companies. I am not happy about the silicosis provision in the Act. I consider it should be thoroughly amended.

I know cases of workers who, in recent times, were most unfairly treated in respect of workers' compensation after they had left the mines. It is very difficult at times to determine whether or not they are suffering from silicosis. I have had experience of physically big men of Slav origin who could not continue working. Yet, the extent of silicosis—determined through X-ray and other methods—was very small indeed. Sometimes an individual with very little evidence of having silicosis is in grave distress. We endeavour to ascertain whether such people are suffering from pulmonary disability; but pulmonary disability is not covered by our Act. We have to establish that the worker has silicosis; and we have to determine that mainly by an X-ray examination. The whole thing is absurd and needs a complete review.

It would be of interest for me to read out the definition of pulmonary disability in the South African Act, under an amendment made in 1952. The definition is as follows—

"pulmonary disability" means an impairment of the cardio-respiratory functions of a person which, in the opinion of the Bureau—

- (a) has substantially and permanently diminished the capacity for manual work of the person in question; and
- (b) resulted from the performance, by the person in question, of work in a dusty occupation;

but does not include silicosis or tuberculosis; and for the purposes of this Act a person shall be deemed to be, or to have been, suffering—

- (i) from pulmonary disability in the first stage, when the Bureau has found him to be,

or to have been, suffering from pulmonary disability which, in the opinion of the Bureau, does not, or did not, incapacitate him from performing moderate manual work, but does or did incapacitate him permanently from performing manual work more strenuous than moderate manual work;

- (ii) from pulmonary disability in the second stage, when the Bureau has found him to be, or to have been, suffering from pulmonary disability which, in the opinion of the Bureau, permanently incapacitates or incapacitated him from performing manual work more strenuous than light manual work.

That is a very fair definition. It enables the board to say to a worker, "We have found you unfit to continue work."

We here have tried all sorts of tests and have sent cases to the chest hospital where a machine is available to test the pulmonary function. Surprisingly, some of the persons to whom I have referred as not being able to continue work have given a normal pulmonary function result after the test.

When I discussed the question of the appointment of the committee to inquire into the incidence of silicosis last year, I referred members to the work which was being done in Rumania to diagnose silicosis by testing the amount of silicic acid in the blood. It would not take the Royal Perth Hospital a month to set up the apparatus for so testing the amount of silica absorbed in the blood; yet, the committee did not consider doing that. All it did was to recommend an amendment to the Act to endeavour to apportion the payment of the compensation during the three-year period.

The whole question of silicosis must be tackled soon. We should not allow the injustice suffered by some people to continue. Until there is a complete review of our approach to silicosis we cannot make any headway, even if we did agree to delete two or three words from the Act.

If this Bill had been introduced earlier in the session and had there been more time for debate, I would have referred members to a number of the provisions in the South African legislation. Let me refer briefly to the way in which compensation is applied in that country. The disabilities are divided into three parts—pulmonary disability, silicosis, and tuberculosis. Compensation is based on the first stage, and if the worker has pulmonary disability and either of the other two, he passes on to the second grade. If a worker comes under grade 2, or alternatively, has silicosis, he receives the full pension. As far

as I can ascertain this pension goes on being paid. The matter of disability is reviewed from time to time.

The most important aspect of the South African legislation is the establishment of a research committee. I have complained before that I do not believe the board in this State has ever carried out the investigations which it has the right to carry out—a right given to it when the major amendment was made to the Act. Under the South African Act a research committee is established. In my view, that is the only way to bring justice to the worker. There is a tremendous field for research.

A greater amount of justice will result from having a board of three experienced members to make determinations, than from a determination of the amount of compensation being made by one person after he has examined an X-ray film. I have often wondered why the miners themselves have accepted this position, and why even the members in this House representing Kalgoorlie have been satisfied with the retention of the present system.

It would be of no help if the three-year limitation were lifted, should difficulty be experienced in diagnosing silicosis, or in accepting the worker's disability after he had been working in the mines. This matter must be taken up on a very high level. I admit that it will cost money to do that. What is paid to the unfortunate men who have given their lives to the goldmining industry is a mere pittance compared to what is paid to the Collie coalminers, simply because the Collie coalminers have the opportunity to exert more political pressure. That is not the way for Parliament to behave.

It is true that the State Government Insurance Office building has been constructed mainly with the profits it made from premiums on mine insurance coverage. I am not at all certain there is not a large reserve lying in that office, which has accrued from the same premiums. It is wrong to say that this provision cannot be made retrospective when there is such a large sum of money in trust. It is an injustice to the workers that an exhaustive inquiry has not been held. I could say a lot more on this subject but other speakers will no doubt do so.

I do not believe that this Bill or the suggested amendments will bring about what is required in relation to the time factor in framing compensation under these headings. That can only come when we establish some basis on which to diagnose the disabilities that are common to the goldmine worker.

It is about time, too, that we introduced into this measure a clause dealing with those men who really come under the silicosis section, but who deserve a section to themselves. I am referring, of course, to those men who work in the asbestos fields. From what I can gather of the type

of disabilities these men encounter, it is much more active than that which afflicts the goldminer. It is still a form of silicosis, but with the absorption of the asbestos fibres as well it appears that the life of a man is considerably lessened in comparison with that of a man afflicted with silicosis in a goldmine. I noticed in some of the literature I have read that it has been found that once the disease has been definitely diagnosed as acute, the life of the person can be over within five years.

On the other hand, Kalgoorlie miners go on living for many years—most of them. The question of the workers in the asbestos fields should, therefore, be very seriously considered.

As to the administration provisions in this measure, I know that the rights of an insurance company to refuse to accept the insurance of an employer whom they consider a bad risk have been under discussion for a long period. Whilst the Bill does not give the board the right to let an insurance company refuse to insure an employer against all or any liability under this Act, it does not do very much in my opinion to state how the workers employed by such an employer are going to be covered. Admittedly there is a provision in the original Act that if an employer fails, then the money can be paid out of the fund. But I cannot see any means by which the board itself can direct either the State Government Insurance Office or some other company to take over the insurance of those workmen considered to be a bad risk.

Once a man has been refused by the board, because he is *non persona grata* to an insurance company, what chance has he of getting any insurance cover from any other company? One must realise that we are not trying to protect the insurer or the employer, but the employee. I would like it made quite clear that once the board has decided that a company can be relieved of its responsibility in regard to any employee, as is possible under clause 9, the employee has no protection.

One of the other provisions we must consider is that of the uniform policy. I doubt whether this is going to meet the requirements of employers because I think we have to realise that the present form of insurance covers an employer under common law and under fatal accidents. I doubt whether this Workers' Compensation Board is capable of granting such cover. Therefore, while we may obtain uniform cover for compensation, the employers would still have to take out additional premiums to cover fatal accidents and also their position at common law; whereas at present it is all done under the one insurance policy.

We must accept the fact that the increase from £100 to £150 for medical expenses is warranted; and although the

Minister says that this Bill does not go as far as he would like it to go, it probably will cover the majority of cases. But there is the odd case where a man, who is seriously injured, will require a great deal of medical and hospital care. It is nearly always one section of the community that pays the bill of the seriously injured person—the orthopaedic surgeons. They are the ones who nearly always deal with this type of injury and at times receive a *pro rata* payment of a very small character. I am not exactly sure of the figures, but I think the Secretary of the B.M.A. told me the other day of a case where an individual member of the orthopaedic group received about 10 per cent. of his account which was in the vicinity of £200. When a man does all that amount of work to protect a man who has been injured in industry, it does not seem altogether fair that he should be the one person in the community to carry the burden.

The hospital costs have been raised from £150 to £250. Because hospital expenses have risen so much, it is now almost impossible to get a private ward under 30 guineas a week. It is only because of the kindness of the St. John of God Hospital, and some other hospitals, that we have been able to place workers in beds in hospitals apart from Royal Perth Hospital and other public hospitals. That is something which should not continue. We should not have to ask these organisations to bear the burden of injuries sustained to workers in industry.

The way the clause is worded does not make it clear to all concerned, because there has been a basic wage rise in these allowances; and I understand it is commonly accepted by those working in this field that medical costs of £150 would by automatic basic wage increases, be now £179; and the hospital costs of £250 would, by basic wage rises, be somewhere in the vicinity of £310.

The Hon. C. H. Simpson: What period does that cover?

The Hon. J. G. HISLOP: Since the last amendment was made dealing with hospital costs. I do not know the year. The amount has increased consistently since we provided for the basic wage adjustments to be taken into consideration.

The Hon. J. J. Garrigan: On the 2nd May, 1960.

The Hon. J. G. HISLOP: That date applies to this measure. The amount of £100 has gone up to about £135; and the amount of £150 has gone up to about £179. On the other hand in another place it was said that the amount of £150 is to be regarded as the present base figure for medical expenses, and the amount of £250 is to be regarded as the present base figure for hospital expenses. That matter ought to be cleared up before this measure is passed.

The House must realise that I express disappointment at the Bill because it is only five years since I first mentioned bringing about a pension plan for injured workers, and I had hoped that some notice would be taken of it; but apparently the years will still have to go by before we will realise that we are wasting a lot of money by making lump sum payments to men who have received minor injuries and who have not been incapacitated at all; and that, on the other hand, we are depriving seriously injured workers of a real benefit; and we certainly are not doing justice to the widows and children. I think the Workers' Compensation Act must soon be amended along these lines.

The Hon. A. R. Jones: What about suggesting a committee?

The Hon. J. G. HISLOP: The Minister formed a committee some three or four years ago and I was invited to be a member. The moment I suggested a pension arrangement, the representative of the workers said he could never sell the idea to the workers; that they could never be expected to pay 6d. a week to insure their wives; and some doubt was expressed as to the wisdom of what I suggested. No further meetings were held. That is how far we got with a committee. Since then I have not attended any meetings of the committee; I have simply adopted the role of a lone wolf and have tried to persuade this House that the real measure of compensation for an injured worker must be a pension.

The Hon. A. R. Jones: You have one convert in me.

The Hon. J. G. HISLOP: I hope to get more as time goes on. What I have suggested is certainly the answer to the question; and it certainly is the answer to the problem of the widow who is left with a family, and who is given a lump sum of money which soon disappears.

The Hon. J. M. A. Cunningham: Your idea is based on the coalminers' pension scheme.

The Hon. J. G. HISLOP: Yes. In recent days a difficulty that has arisen is this: If a worker is injured in the course of his duties, or if a person receives common law injuries or injuries coming within the provisions of third party insurance, he can apply for rehabilitation under a Commonwealth scheme, and the cost has to be borne by the individual from the money he receives as compensation; so I doubt very much whether a worker will be as well off in the future as he was in the recent past.

So the whole question of the Act must be reviewed, not in the light of previous legislation, but in the light of a modern approach to pensions.

THE HON. E. M. HEENAN (North-East) [12.45 p.m.]: Members will agree that this is one of the most important Bills that has come before us during the present session. I say that, because matters relating to workers' compensation have a far-reaching effect on the lives and the material well-being of a large section of the community.

Every worker and his or her dependants are vitally affected by the provisions of the Workers' Compensation Act, because accidents of all types are liable to happen; and the consequences can be far-reaching.

Employers are also affected, but, as is well known, the insurance of all employees is compulsory, and the obligations of employers are now assumed by insurance companies. The employer, therefore, for all practical purposes is concerned only with the amount of premiums which he has to pay for his policy.

The Bill is a very brief measure, and I feel that the reaction of most members will be one of disappointment: they will consider the Bill is something in the nature of an anti-climax. The only worthwhile amendments concern claims for silicosis, and the amounts payable for hospital and medical expenses. The other amendments are merely of a technical or consequential nature.

There are numerous other matters relating to workers' compensation—some, perhaps, of a controversial nature—which are entirely passed over by this measure. That is an unfortunate position, but there it is! We can deplore the position, as Dr. Hislop has done, but we have to deal with the Bill as it is.

The Hon. A. R. Jones: You can vote against it.

The Hon. E. M. HEENAN: In dealing with the amendment to section 8 of the Act—the first amendment in the Bill—I shall refresh the memories of members by repeating what the Minister said last night. He had this to say—

The industrial disease provisions in the Act provide simple machinery for the bringing of claims by workers provided disablement occurs within three years of last working in a job to the nature of which the disease was due. The usual period of 12 months, which is ample for all diseases other than silicosis, was extended to three years for all diseases because of the particular problem of silicosis. It has been conclusively established medically that disablement from silicosis can occur more than three years after the last contact with silica dust.

Sitting suspended from 12.49 to 2.15 p.m.

The Hon. E. M. HEENAN: The Minister then went on to say—

Some workers have been barred from claiming because of the limiting period of three years named in the Act. The time bar will be removed entirely in the case of silicosis, subject to certain safeguards designed to prevent persons developing the disease outside this State and claiming compensation from employers within the State.

This is an important part—

The only claims in future excluded will be those in respect of men who died or became disabled prior to the proclamation of this amendment, but more than three years after leaving the industry. Serious consideration was given to making this amendment completely retrospective, but practical considerations prevented this. The chief reasons against are—

- (1) Impossible to estimate the number of claims that might be brought but it might be very great and no financial preparation has been made to meet them.
- (2) Where considerable time elapses since death or disability it becomes impossible in most cases either to prove or disprove the real causes of death or disablement.

This amendment is a serious effort to remedy any injustice, it is a considerable advance, and goes further than any previous Government has gone.

Now I shall quote a short paragraph from a work entitled *Industry Tuberculosis, Silicosis, and Compensation* published by the National Tuberculosis Association of New York, and dated 1945. This paragraph may be instructive to members. It reads—

A majority of silicotics are unaware that they have developed a disease because symptoms are lacking. It is only when they have been X-rayed that their condition has been revealed, and in many cases, where the exposure to dust has extended over long periods of time, the X-ray findings demonstrate much less reaction than might have been anticipated. Most of the men are capable of doing a regular day's work, as many of their forebears, ignorant of the findings of physical examinations and X-rays, have done for years before. They still continue to produce effectively without discomfort, even after having been informed that their roentgenograms show accumulations of dust.

From the preceding remarks it would be wrong to assume that silicosis is not a dangerous disease. It very definitely is.

My purpose in quoting that extract is to emphasise the point that silicosis is a disease which takes many years to assert

itself; and in the majority of cases the individual affected is unaware of the fact that he is suffering from silicosis. Only X-ray examination can disclose that the condition occurs.

This work was published in 1945, and for many years the medical profession held the view that if an X-ray examination did not disclose silicosis it was extremely unlikely that a man who left the industry would develop it at a later stage. That theory has now been completely disproved, as the Minister stated in his remarks. The position has come about, through this three-year limitation period, that certain men who left the mining industry, and who were X-rayed and found to be clear of silicosis, naturally had no claim for compensation at the time. But subsequently, after a three-year period had elapsed, they underwent examinations, and in certain cases silicosis was revealed; and that in spite of the fact that they were pronounced clear when they left the mining industry, and in spite of the fact that in subsequent years they had not worked at mining or any allied industry.

It must also be borne in mind that while those men were working in the mining industry the companies that employed them paid premiums for their protection, and if the X-rays had disclosed silicosis they would have been entitled to compensation. If medical science had been sufficiently advanced to determine the condition, they would have been entitled to compensation. They were unaware of the fact themselves. They were not fraudulent; they were not guilty of any misconduct; they were victims of circumstances entirely beyond their control.

I greatly appreciate the efforts the Minister has made in attempting to alleviate the lot of the men employed in the industry who, in the future, may be confronted with that situation. I agree, as he said, that the amendment is a serious effort to remedy an injustice; and I agree it is a considerable advance, and that in the future we will not have this unfortunate state of affairs occurring.

The Hon. G. Bennetts: It is a pity the Bill did not include those we know now.

The Hon. E. M. HEENAN: The people on the goldfields are grateful that the Minister set up a committee to inquire into this situation; and, as far as it goes, I frankly admit the amendment now proposed to section 8 of the Act, abolishing the three-year limitation period, is a good step forward. However, what we are disappointed in is that this relatively small group of miners who entirely through no fault of their own, and only because of a set of circumstances over which they had no control whatsoever, should have been denied their compensation rights; and,

they will never be able to recover them unless an amendment somewhat along the lines I have proposed is made to the Bill.

The Hon. A. F. Griffith: How many would you estimate there are?

The Hon. E. M. HEENAN: I was hopeful that the committee could have given us some lead in that connection; although I appreciate that it would not have had much material to guide it. However, I think that one of the best guides would be we members from the goldfields. This matter has been given a certain amount of publicity in the Press, and I myself, who have been fairly actively engaged with the matter, know of only five or six individuals who may be affected if the matter is made retrospective, or if a general cover is given. I do not know them all by all means.

Since this Bill to amend the Workers' Compensation Act has been mentioned I have had telephone calls from two individuals who are in Hollywood Hospital at the present time. They telephoned me to find out when the compensation Bill was coming on; and all their hopes have been pinned to the belief that some remedial measures may be adopted to meet their condition.

I realise that there are financial considerations involved; but my honest belief is that there would not be a great number of cases. This has to be borne in mind: In nine cases out of ten the X-rays reveal this condition and men make their claims within the three-year period. In the great majority of cases that happens. There are regular X-rays and the men are made aware of the fact that they are suffering from silicosis; and if they want to make a claim, they know they have to make it within the three-year period. They are aware of the fact that they are dusted. They go on working in the mines, but after having left the mines they claim compensation for silicosis.

There is only a small number of cases where the X-ray does not reveal the incidence of silicosis. I think the methods used nowadays are more efficient. Doctors know far more about the subject than they did; and, from now on, I do not think there will be many of these cases which I have under review. But I hope we can do something for this small lost legion.

If a man loses a finger or receives an injury to his eye, the Workers' Compensation Act rightly lays down stringent provisions under which he must give notice of the accident to his employer; and he must make his claim within the earliest possible time. That is only right because the employer has to be protected from wrongful claims or fraudulent claims. Therefore, it is entirely reasonable that notice should be given and the claims made without delay.

However, we must bear in mind the fact that these unfortunate individuals are entirely unaware that they are dusted. They were told by the doctor and shown by X-ray results that they were free of silicosis. The error that crept in was the medical theory in the past which held that silicosis was not a progressive disease, and that once a person left the mines silicosis did not develop. Dr. Hislop said that he did not comprehend the meaning of the amendment to section 8. I think it is entirely intelligible. Its clear meaning is that from the passing of this Bill and onwards, the three-year limiting period will not apply; or in future it will not matter whether a man suffering from silicosis makes his claim within one year or even within ten years after leaving the mining industry, provided the X-rays reveal he is dusted. The intention of the provision in clause 3 is clear; and I frankly admit that, as far as it goes, it is a good one; and I am sure the Bill will receive the approval of every member who has knowledge of the subject.

Repeating myself: Where the measure misses out is in regard to the unfortunate individuals I have referred to. I know of one man who was about two months over the three-year period. He would not have known this had he not gone for a compulsory X-ray. He was an Italian who had worked all his life in the mines at Kalgoorlie, Gwalia, and Laverton. It takes a long time to acquire silicosis. It does not come in one year or two years. It is a slow and gradual process of breathing in and breathing out silica dust. Mr. Garrigan knows a lot about this subject because he worked in the mines for years and he was one who unfortunately had this condition.

The Hon. J. J. Garrigan: It is slow suicide.

The Hon. E. M. HEENAN: Yes. This man, whose case I am quoting, is a typical example. He worked underground for years and years and finally came to Perth with his family after having saved up a bit of money. He wanted to better his family, and he came down here to take up a market garden; and just by this chance X-ray he was told that he had quite a degree of silicosis. This man did not miss out on anything. He was X-rayed, and he thought he was entirely in the clear so he did nothing more about it.

I realise that members may be reluctant to agree to a suggestion that this matter should have some retrospectivity, because they will rightly ask, "Who is going to pay for it? Where is the money going to come from?" I do not think that people who have died from the disease should come into it at all as it will be very hard to trace them, anyway. I am mainly concerned with the men who are alive. How are we going to set about compensating them?

As I previously pointed out, the premiums for their compensation have been paid year after year by the companies that employed them, and they would have got their compensation then without any question; and I cannot see why a man, if he was entitled to compensation in 1955 and did not claim it then, could not have it paid to him in 1960 or 1965. The fees and the premiums to safeguard him were duly paid and must have gone into some fund or other.

I also understand that the State Government Insurance Office has what is termed a silicosis fund which amounts to something in the vicinity of £900,000; and I really think that proper ways and means could be found for paying these men what is due to them.

I am sorry that Dr. Hislop is not here; but I have an amendment placed on the notice paper which, to the best of my belief, would have the effect of embracing these men about whom I have been talking. My amendment is an all-embracing one; it covers the man who worked in a mine 10, 15, or 20 years ago. That might be going further than members are prepared to go; although it will be readily believed that there are not many silicotic miners about who worked in mines that length of time ago.

On paper it looks as if it may possibly be going too far back. If any members are of that belief, I would be prepared to modify my amendment. But the people we are concerned about are those who are not very far out of the three-year period. The case to which I have referred was just out of the three-year period at the beginning of last year. Unfortunately, time has been running against that man and the period has lengthened now to five years; it is about five years since he left Gwalia.

I do not want this remark to be misunderstood, but his position would have been bettered if legislation similar to this had come in six months ago. I point out that a year or two quickly runs by, and time is quickly running out for these men.

The Hon. A. F. Griffith: His position would have been equally bettered if such an amendment had been introduced to cover three, four, or any other number of years.

The Hon. E. M. HEENAN: That is so. I should repeat that medical diagnosis and medical theories in regard to this matter have, in recent years, undergone a big change; and Mr. Garrigan and other members will tell the House how, a few years ago, doctors on the goldfields used to state positively that if a man left the mining industry free of dust, he would never develop dust; and I think the doctors believed that. They said it was a non-progressive disease and that if one did not have dust at the time one got out of the mines, one would not develop it.

But that theory has been disproved; and it is only in comparatively recent years that the present point of view has been established. When we come to the amendment, I am sure members of this House will give the matter careful consideration. I am sure that if they can possibly arrive at some reasonable amendment they will. I ask them to constantly bear in mind that these men are not at fault at all; they are purely the victims of unhappy circumstances, and the victims of a degree of ignorance on the part of the medical profession and others who were not as well informed a few years ago as they are now.

Members will note that I have placed on the notice paper another amendment which relates to expenses for air travel. The point arises largely from experiences in the Kimberleys and the north-western portions of this State where, on occasions, patients have to be flown from their place of residence to hospital and later, perhaps, to Perth.

My information is that the expenses for such air travel are not covered by the Act; or at least there is some ambiguity as to whether or not they are covered. The Minister will no doubt have some up-to-date information on the subject. I have had a look at the Act myself, and I must admit that I am inclined to believe that it covers the position at present, although there is some ambiguity; and, with a view to clearing up that ambiguity, I will move the amendment, unless, of course, the Minister is able to satisfy me conclusively that it is not warranted.

The Hon. A. F. Griffith: Have you had a look at the first schedule—paragraph (c) of clause 1?

The Hon. E. M. HEENAN: Yes; I have had a good look at it.

The Hon. A. F. Griffith: I think it is pretty clear there.

The Hon. E. M. HEENAN: That is about all I have to say; and I apologise to Mr. Watson for going over my time to the extent of a quarter of an hour.

THE HON. R. F. HUTCHISON (Suburban) [2.50 p.m.]: I will speak for only a few minutes on this Bill. I wish to protest against a measure of this nature being introduced into the House at this late stage of the session. When the previous Labor Government was in office I heard the present Minister protesting vehemently about the number of Bills that were introduced in the dying hours of the session. To me, this is the most important piece of legislation that has been introduced to the House this session. I am just telling the Minister that there are more Bills being packed into this last day than the Labor Government could introduce in a fortnight, if they were to be dealt with properly.

I am one of an age that has known and seen the incidence of this dreadful disease known as miner's phthisis. That was the name of it until the medical profession saw fit to tag other names to it as a result of research. I have seen the dreadful results of this disease on men who have contracted it. Not long ago I referred to the case of a man named George Brown, and my speech in regard to that man's case is recorded in *Hansard*. George Brown died almost within a stone's throw of my home in Bedford. Before he died I made repeated attempts to have his case reviewed, but, unfortunately, I came up against the provisions of the Workers' Compensation Act because he had gone over the limiting period of three years in which he had to make a claim for compensation.

After working on the mines in Kalgoorlie and contracting the disease he left this State and went to South Africa, and when he returned to Western Australia it was discovered that more than three years had elapsed since he had contracted the disease and therefore he was ineligible for workers' compensation.

The Hon. A. F. Griffith: When was this?

The Hon. R. F. HUTCHISON: The year before last. I took the member for Boulder (Mr. Moir) with me to see Mr. Brown and both of us tried to do something for him. Therefore, the clause which relates to the payment of compensation to those workers who contract an industrial disease is one which I am happy to see in the Bill. Its provisions should be made as retrospective as possible in order that they may embrace everyone who is at present suffering from this disease; that is, if we call ourselves humanitarians. The time has long passed when we can sit idly by and witness people die in misery; because that is how a worker, suffering from miner's phthisis, does die.

The Bill does not go as far as it should. On the whole, it is inadequate to meet the commitments of injured workers. Although I do not take much notice of the Press, I was amazed to read in the newspaper the other day that a Minister in another place had said that the Bill did not go as far as the Government would like it to go, but that the Government could not let its feelings run away with it on the matter. I thought that was the weakest statement ever made by a Minister. We, as members of Parliament should do our utmost relieve man's suffering. If a machine breaks down, there is a hue and cry about it and everything is done to get it working again as soon as possible; but if the human machine breaks down the person concerned can rot and die, because not sufficient consideration is given to his complaint or injury by the legislation which exists at present.

I am glad to support the Bill and I hope that next session I will not be obliged to say what the Minister has said in past years; namely, that apparently all the important measures are introduced for consideration in the dying hours of the session. I therefore hope that no bitterness will occur by my being forced to make such a statement in the next session of Parliament.

The Hon. A. F. Griffith: You are a good judge of bitterness!

The Hon. R. F. HUTCHISON: I am merely handing back to the Minister what he handed out to the Minister in this House who was representing the Hawke Government when it was in office—a Minister who, unfortunately, is no longer with us. I would certainly like to see a provision included in this legislation which would ensure that the compensation payments due to an injured worker were forwarded to his wife and family as quickly as possible. I have known of many injured workers whose wives and families had to wait for unduly long periods before receiving the compensation payments that were due to them.

I repeat that I resent extremely a Bill such as this being introduced at this late hour of the session. Next year if a similar measure is introduced early in the session, I will have more to say in debate. I cannot do much about this Bill, no matter what I say.

I still remember George Brown; I do not think I will ever forget him and the way he was allowed to suffer on account of this three-year limitation in the Act. That man was advised to leave the mines; and his card at the laboratory showed that he was a query case. Apparently, however, his disease was worse than it appeared on the surface, and he died whilst in receipt of an invalid pension which was not sufficient to supply him with decent living amenities and other comforts that are necessary to relieve the sufferings of a sick man. I have cited his case in order to emphasise how this dreadful disease makes men suffer.

THE HON. J. J. GARRIGAN (South-East) [2.58 p.m.]: I wish to make a small contribution to the debate on this Bill because it is vital to the interests of the people in the district I represent. I, too, wish to protest about a Bill of this nature being introduced at such a late hour in the session. In my opinion a measure as important as this could involve weeks of debate.

In regard to clause 8 of the Bill, I can cite my own case as an example. I worked underground for about 25 years. I joined the goldmining industry in the early years of its history when the conditions differed greatly from what they are today. In my opinion the working conditions for miners

have improved 200 per cent. in the last 30 years. When I joined the industry there was no ventilation in the mines, no electric fans installed, and no air fans. In other words, the conditions were absolutely deplorable. They have since been vastly improved.

I think that Mr. Heenan omitted to refer to an item which affects clause 8. Everyone knows that when a miner leaves the goldmining industry as a result of his contracting an industrial disease, in order to remain eligible for his entitlements he must return to work in the industry at least once every three years and must report to the Commonwealth laboratory at least once every two years. I make a point of submitting myself for examination by the laboratory every year.

Should I lose my seat in Parliament, I can return to the goldmining industry if any mining company is prepared to employ me; and, by doing so, I would be entitled to receive full compensation for the industrial disease I had contracted. When I left the industry on the 8th January, 1954, I was regarded as having a 45 per cent. disability. Recently I had a reassessment and I am now regarded as having a 50 per cent. disability. The condition of workers who left the industry 10 years ago to better themselves, or for family reasons, must have deteriorated over the years.

The Minister is to be congratulated for including in the Bill the provision to which I have referred; but it would be much better if it were made retrospective for a period of 10 years. If it were, many workers would be included; and the amount of compensation required for this purpose would not deprive the State Government Insurance Office of a great deal of the fund it has in reserve. That fund could well stand the amount which is required to cover workers who are outside the scope of the Act at the present time.

THE HON. R. THOMPSON (West) [3.1 p.m.]: I support the second reading with some reservations. As was suggested by several speakers, this measure is being introduced too late in the session to enable members to conduct a thorough research into the amendments. Even with the inclusion of these amendments in the Act, some workers who have contracted silicosis or miner's phthisis will still be denied compensation.

The Minister, during his second reading speech, did not give an assurance that a worker suffering from silicosis would receive any benefit. He could have been truthful in that respect.

The Hon. A. F. Griffith: Did you say the Minister might have been truthful?

The Hon. R. THOMPSON: I said the Minister could have been truthful.

The Hon. A. F. Griffith: The Minister is truthful.

The Hon. R. THOMPSON: If the Minister is truthful, *The Kalgoorlie Miner* does not report him as such, because, on the 19th February, 1960, the following appeared in the newspaper:—

Unfair Clause to Go

Silicosis Sufferers Will Benefit

Announcement by Minister for Mines

In accordance with a recommendation made by a committee appointed by the Legislative Council to inquire into the restriction contained in the Workers' Compensation Act limiting claims by miners suffering from silicosis to a three-year period after leaving the industry, the State Government intends to remove the restriction, the Minister for Mines, Mr. Griffith, said last night.

Details of the amendment necessary to secure that were under consideration and would be put to the Minister for Labour, Mr. Perkins, prior to the next parliamentary session.

"If accepted they should remove any possibility of injustice to miners whose silicosis progresses after they leave the mining industry," Mr. Griffith said.

He added that in his travels he had encountered several instances of injustice occasioned by the restriction in the Act.

Mr. Griffith, who is on a short visit to the Eastern Goldfields, had discussions on aluminium therapy at the Chamber of Mines yesterday. He will leave for Perth this afternoon.

On the 2nd October, 1959, the following appeared in the same newspaper:—

Conference on Silicosis

Minister Reveals Government's Plans Compensation Claims After Three Years

The Government would arrange a conference of interested parties to discuss compensation for silicosis sufferers, the Minister for Mines, Mr. Griffith, told the Legislative Council.

He was speaking on a motion by Mr. E. M. Heenan (Labor) that the Workers' Compensation Act be amended to give silicosis sufferers the right to claim compensation after three years.

At present there is no liability for compensation payments if a claim is lodged after a three-year period.

The Minister said that three representatives of the Workers' Compensation and representatives of the Medical and Mines Departments and the State Government Insurance Office would be invited to attend the conference.

Mr. G. Bennetts (Lab.): A member of the mining division of the A.W.U. should attend.

Mr. Griffith: I see no objection to that.

The object would be to make recommendations to the Government about compensation.

I take it that in making the first announcement I referred to, namely, that silicosis sufferers would benefit, the Minister intended that persons at present outside the scope of the Act would benefit from an amendment to the Workers' Compensation Act.

In his second reading speech the Minister said there was a danger in the retrospective application of the provision, because a worker who had left the industry for 10 years might develop a wheezy chest and claim on the fund. He said he would not be prepared to go back as far as 10 years. However, he should be agreeable to five years' or seven years' retrospectivity.

The money to cover the additional compensation payments, if my proposal is agreed to, is already available in the fund. Over the years the premium rates have been reduced from 84s. to 20s. per cent. The published accounts of the State Insurance Office for 1959 show at page 5 that the amount held in reserve in that fund was £1,495,740 for the 1958 financial year.

This fund is beginning to earn some money through reinvestment or interest from Government loans. Perhaps the fund could have been responsible for financing the building of Government works and offices. Despite the huge amount held in reserve in the fund, persons suffering from silicosis, arising from employment in the mining industry, are to be denied the right of compensation.

Dr. Hislop was right when he said during this debate that we have a long way to go before we can establish when silicosis begins to affect the worker. If it should begin to affect a worker five or 10 years after he left the industry, he should be entitled to compensation. Workers in the industry should be given the assurance that they and their dependants would be no worse off if following their employment in the mines they contracted silicosis.

There are many machinery clauses in the Bill. Clause 4 (b) (1a) provides as follows:—

Where a worker is disabled from earning full wages by reason of suffering from, or his death is caused by, silicosis, pneumoconiosis or miner's phthisis and the disease is, or was, due to the nature of any employment in which the worker was employed at any time previous to the date of the disablement, he, or in the case of his

death his dependants, shall be entitled to compensation in accordance with this Act, if it is shown to the satisfaction of the Board that, since he was last employed in the State in any employment of that nature,

I want the Minister to inform me—and this could arise—whether a miner would be covered under the New South Wales Act if he left his place of employment in Western Australia and transferred to New South Wales, and was away for a period of, say, seven or eight months during which time he was working somewhere where he was coming into contact with silica? Would the Minister indicate whether there would be any reciprocity between the States in that respect; or would the worker be debarred from a pension under the New South Wales Act if he was, say, just over the stipulated period?

I do not like the provisions contained in clause 5 which reads as follows:—

5. Section twelve of the principal Act is amended by adding after subsection (5) the following subsection:—

(6) A person who fraudulently attempts to obtain any benefit under this Act, by malingering or by making any false claim or statement, and any person who, by a false statement or other means, aids or abets a person in that attempt, is guilty of an offence.

I have no knowledge of a single person who has been proved to be malingering in Western Australia. As a matter of fact I can recall an instance which occurred in a union in which I was working where a man of particularly large stature was suspected of malingering. He looked healthy and walked all right, but he claimed he could not work because he could not bend down. Anyone looking at him believed him to be in perfect health. Finally he was refused compensation, but he still would not return to work, because he claimed he could not work. It was about two or three years later that he contacted an ordinary medical doctor who immediately diagnosed his injury. He had been to all kinds of specialists but no one before had been able to ascertain that anything was wrong with him, and therefore he could easily have been accused of malingering under this provision. Even some of his fellow workers thought he was not playing the game, but in actuality he was in a very serious condition, although the top medical men had not been able to discover this. I will certainly be moving in Committee to have the provision dealing with malingering deleted.

The second part of this clause is also too silly for words. Fancy providing that a person who makes a false statement in this matter is guilty of an offence. Anyone who has worked in industry knows that workers are sent out hundreds of times on

their own to do a particular job. They might be sent to a factory, or to a farm, or anywhere like that. When they return they claim they are injured. The insurance companies send out witness forms which they stipulate must be signed. It is reasonable to believe that a person who considers that another has been injured on the job will sign such a form although he was not at the scene of the alleged accident. If it were found subsequently that the injured person had not received the injury on the job, but away from the job, under this legislation, the person who signed the witness form would be guilty of an offence.

That is an unreasonable provision because insurance companies demand that witness forms be signed; therefore it would be impossible for this provision to be successful in even 50 per cent. of the cases, let alone 100 per cent. of them. I am certainly not going to agree to that clause.

Clause 7 amends the principal Act by repealing section 16. This would throw the onus on the compensation board fund to meet the claims of uninsured workers. Perhaps I should amend that to say that the fund will have to meet the claims of subcontractors of uninsured workers. That provision would destroy the principle of compulsory insurance. In this Bill there is one provision stating that insurance is compulsory, and yet in another part it claims that the fund is to cover uninsured workers.

Section 16 safeguards the insurance company because it is called upon to pay money into this fund; and yet if an employee or subcontractor does not take out insurance, the fund has to pay for it. Therefore, the insurance company is paying out money for which it has received no premium. I cannot see the logic of deleting this provision. Would the Minister give an assurance that the compensation board could apply to the court in order that an injured person might have the right to proceed against the employer through the uninsured fund? At present it is a long process, as Mrs. Hutchison said, and it sometimes takes workers many months to obtain their money. The process should be speeded up so that when a person is injured, if he is in the unfortunate position where he has not been insured by the employer, the fund should pay out immediately.

Clause 8 provides that section 27 of the Act shall be amended. The amendment deals mainly with the question: When is a man a worker, and when is a man a subcontractor? We find in the building industry, and in some forms of agriculture where fencing is carried on, the question of when a man is a subcontractor, or when he ceases to be a worker, arises. There should be a dividing line but, as I understand the Act, there is no dividing line,

and the question usually has to be decided by the court; and each case is dealt with on its merits.

The Hon. A. F. Griffith: What is the difference between subcontracting and piecework?

The Hon. R. THOMPSON: If the Minister can answer his own question he will be pretty good, because some of the courts cannot.

The Hon. A. F. Griffith: I was wondering whether you knew.

The Hon. R. THOMPSON: No. A provision defining when a man is a worker and when he is a subcontractor should be written into the Act. The position in regard to that question is not very good; and it will not be very good even under the proposed amendment, because the amendment will not cover a person who thinks he is being employed by a contractor when, virtually, he is a subcontractor and is employing labour; and an anomaly arises when one of his employees is not covered, and when he receives an injury and has to fall back on to the board's funds for compensation.

Perhaps the most miserly thing in the Bill is the provision dealing with the increases in hospital and medical expenses. I have read the speeches made by Dr. Hislop in 1948, and I hope the views he expressed then are still his views; they are certainly mine, and they are those of anyone else who has worked in industry. We find that limits are put on medical and hospital expenses. It is safe to say that the proposed expenses will suit 995 cases out of every 1,000, but the remaining five people—people who have received serious injuries—would soon spend the money allowed.

I know of one chap who is by no means cured or even patched up—he will never be cured—whose medical expenses at present amount to £584. Admittedly he will get a lump settlement when no more can be done for him, but out of the lump sum payment he will have to pay everything in excess of the medical and hospital allowances at present provided; and the present amounts allowed are: £119 10s. 1d. for general medical expenses, and £179 5s. 3d. for hospital expenses. This man has received a permanent injury, and out of the compensation he will receive he will have to pay the doctors and hospital bills, otherwise the doctors and hospitals will not get paid.

Dr. Hislop, in effect, said this in 1948: Is it reasonable that a limit should be put on medical and hospital payments? When a person has used up all that money he has to rely on the charity of the hospital and the honorary surgeons or doctors attending that hospital, when it is no fault of the patient that he has sustained his injuries. Therefore, I say the limits should be completely removed.

We find that only a few cases in 1,000 will benefit as a result of removing the present limits; but at least those who will benefit will be persons who need the money. The increase in general medical expenses proposed in the Bill is, in fact, not £50, but £30 9s. 11d. That is only a slight increase. Again, although the increase in hospital expenses appears to be £100, it works out at £70 14s. 9d. If hospital charges keep rising, that amount will not be worth having. A man injured two years ago might have been better off with £150 than a man who may be injured next year or the year after, and who then receives £250.

If the limit is not to be removed, the board should be given power to exceed the limit in necessitous cases so that there may be equity and justice. It is true there is power in some cases for the board to make advances, but the advances would be very small and would not suit a person who had sustained a major injury and as a result was called upon to pay medical and hospital expenses out of any settlement he received.

Also I think there should be some retrospective condition in regard to people such as the chap I have just mentioned—a very genuine fellow with a family. At present he will be allowed only the amount provided for in the Act; but when he reaches finality I think he should be allowed whatever is decided by this House.

I support the Bill with reservations; I am sorry that it came here so late in the sitting. I shall have more to say when the Bill is in Committee.

THE HON. G. E. JEFFERY (Suburban) [3.30 p.m.]: What I have to say about this Bill will be more in sorrow than in anger. When we realise that the present Government has been in office for one year and seven months and we have a Bill like this presented to us, it is no wonder that members of the Opposition are disappointed. As a matter of fact I think we are in the same position as the wives of an ancient wise man who boasted of possessing 1,000 wives. Opposition members are as disappointed as his wives were when through a shortage of beds, he had to bunk in with his son-in-law.

There was much bellowing and noise in another place when a motion of congratulation was carried. It was moved by a junior member of the Government parties, but I guarantee he became a much more mature member of Parliament when, after having moved that motion of congratulation to the Government, he saw the Bill that was subsequently presented. I am sure he matured rapidly in the art of politics from this experience. From the noise made one would have thought the Government was giving birth to a mighty Bill, but it was like the maharajah's elephant which gave birth to a mosquito. It

might have reached even greater proportions and been like the ice-age mammoth which gave birth to a Lake Monger midge.

I think we all hoped that a more comprehensive measure would have been presented to Parliament; but, as this measure envisages certain improvements, although one is disappointed with it, one naturally must support it. It is a great pity that many of the things we desired are not included in this legislation; and we are disappointed on that account.

I feel very sorry for those men who work in the mining industry—and not only the mining industry but any other occupations where they become victims of miner's phthisis or allied diseases. My colleague, Mrs. Hutchison, earlier in the debate spoke of a Mr. Brown; I can recall a gentleman whom most of us will remember very well. I refer to the late Dave Leahy, a man who graced the Legislative Assembly of this State for a period of years. He was the member for Hannans; and anyone who has seen a man suffer from the disease from which he was suffering for such a long time, brought about by the occupation in which he earned his daily bread, could not have anything but sympathy for him, and could not but hope that something would be done to lighten the burden.

I believe quite frankly that, with respect to compensation for a man suffering from miner's phthisis, it is only natural that the board should have some discretionary power. If others had as much confidence as I have in the board set up under this legislation, they would allow it to handle miner's phthisis cases at its own discretion.

The Hon. A. F. Griffith: Do you think this Bill is worthwhile going on with?

The Hon. G. E. JEFFERY: The Minister, like many other members in this Chamber, takes every opportunity to speak. It is quite late in the afternoon and if the Minister wants me to be brief he should refrain from interjecting.

The Hon. A. R. Jones: It took a long time to say it.

The Hon. G. E. JEFFERY: I could repeat the same advice to Mr. Jones. If he likes to sit after tea I am quite happy to oblige him.

The Hon. F. J. S. Wise: We can adjourn the debate till next Tuesday. That will do me.

The PRESIDENT: Order!

The Hon. G. E. JEFFERY: I have a distinct recollection of certain remarks made by members of the Government parties; and I suppose one has a nerve to be disappointed over this measure, because when one sees legislation presented to this Chamber, and compares it with the attitude of certain members, who are now the Government, when they were in Opposition, one should not be surprised.

I agree with Dr. Hislop who has pioneered several fields of thought in workers' compensation. I believe that increases in the amounts allowed for hospital expenses and medical fees should be granted. Naturally the increases envisaged in the Bill will help those who are unfortunate enough to meet with an accident during the course of their employment. The sum of £250 would probably keep a fellow in hospital for about 10 weeks; and, depending on the nature of the injury, the £150 medical expenses might cover the costs associated with it.

I have been told that there are only about three or four cases in every 1,000 of workers' compensation where the specified amounts are exceeded. Therefore I suggest the Government could have gone a little further and given more discretionary power to the board to increase the amounts allowed when the respective sums have been expended, so that the fellow who has had an accident might be given relief. I do not think there is anything revolutionary about that. It would be a fair proposition because a case would have to be presented to the board by the man's medical adviser; and I think that is one point the Government could give consideration to in the next session of Parliament, because it is not possible to do it under this Bill.

I want to compliment Mr. Heenan, and those associated with him on the goldfields, for the constant fight they have waged for some recognition of the mining fraternity. With the way modern industry is expanding, I think we tend to place all the emphasis on those associated with mining instead of realising that there are other industries, such as quarrying, where cases of silicosis occur. I am told that the board has a case of this sort that occurred in an establishment which does sandblasting or where grinding machines are used. There are other fields of industry where men can contract these diseases, and where they can possibly have them for a little longer than on the goldfields before they are detected; because on the goldfields people are more conscious of the disease. They are familiar with the complaint and realise fairly quickly that something is drastically wrong with a man.

If the Minister is concerned at the disappointment of the Opposition, I would remind him that it is our right to be disappointed because we believe that something better should have been introduced. After all, the premiums on these men are being paid, and I think improvements could have been brought about by this legislation. As regards malingerers, I suppose there are such cases. Before I became a member of Parliament I worked in an industry where accidents occurred; and we were closely associated with workers' compensation cases; probably much more so than people in other industries.

I suppose there were a few malingerers but, after all, the fellow who wants to mangle has to put it over his medical advisers; and the average fellow is much more interested in getting back to work, and getting fixed up completely in health so that he can return to his duties and draw the proper rate of pay. The average man has a certain amount of dignity; and I do not think there need be much worry about the malingerer because the number of cases would be very small. If a person is malingering I do not see any reason why he should not be punished for it. But I think those cases are in the minority. We hear a lot of talk about people who put it over, but on many occasions I think they are bolstering up their own ego and that there is not much basis for their talk. I think there would be very few cases of malingering.

As regards the subcontractors, I was wondering—and perhaps the Minister could let me know—whether or not the present section in the Act could not be allowed to remain and the clause in the Bill run side by side with it. The very fact that the uninsured workers' fund stands today at £3,000 is because of the system employed to maintain it at that figure; and the proposed change in the set-up to allow the board to strike a rate presupposes in my mind, at least, that there is a belief that there will be an increase in the number of people who will make application for compensation as the result of having been employed by people who do not meet their obligations—in other words, by men of straw.

I do not propose to say much more because I think most of the ground has been well covered by previous speakers. I quite agree with Mr. Heenan and other members that slight though these increases may be, at least they are improvements and therefore one must agree with them. However, as Dr. Hislop said this morning, I think it is most unfair that if a doctor performs an operation on an individual, he should, because of the expenditure of the amount allowed under the Act, be prevented from getting his full fees. It has been known that a doctor has received only 10 per cent. of the fees to which he was entitled.

That strengthens my claim that the board should be given discretionary power, so that if a man has expended the amount allowed under the Act, through no fault of his own, the board should be able to have the discretion to say whether or not a further allowance should be made. In the ultimate I think it would be a cheap investment. We may save money if we do not allow further funds to be provided from the Workers' Compensation Act, but I suppose that as a taxpayer of the Commonwealth he would become a social service pensioner, and we might conceivably pay more by way of unemployment benefit

while he receives further treatment under his own steam. So I do think a little mercy could be exercised in that direction.

I do not quite agree with the fears expressed by some people. I certainly have heard no complaints in this matter. It would be competent for the board to decide these things and make a decision accordingly. With those qualifications, and with the right to support any amendments that might be moved, I support the second reading of the Bill.

THE HON. G. BENNETTS (South-East) [3.41 p.m.]: I support the Bill, because I firmly believe that little fish are sweet. This Bill has been left till very late in the session.

The Hon. N. E. Baxter: As usual.

The Hon. G. BENNETTS: It is a great pity that the Bill has been brought down so late, because it is an important measure. It would have been a great help if the Government had brought it down a few weeks earlier to enable members to glean all the information they desired.

Members will recall that last session the Minister gave us an assurance he would appoint a committee to go into the ramifications of the Workers' Compensation Act; and that he would appoint one of the A.W.U. members at Kalgoorlie on that committee because of his great knowledge in relation to these matters. There was no desire to put anything into the Act that would be contrary to Government policy, or anything like that.

The man concerned would have been one who was handling workers' compensation cases on the goldfields continuously; and it is possible that he might have been able to give the Minister the names of those people who come into the class to which we have referred. I have heard a lot of discussion on this matter and I would certainly be very surprised if the number of men involved was more than ten. I do not think there would be more than five or six such men who would be claiming compensation for silicosis.

I would like to take members back some 66 years, and ask them to consider the conditions that applied on the goldfields then. For my own part I did not go underground until 1912. In those days there was no ventilation at all; the firing would be done from the time the men were working on the levels; and there was always the possibility that the men concerned would contract these diseases.

I must add, however, that I was rather fortunate. I was employed in that work for only twelve months. But I would like to point out that due to a condition that has been overcome now, I was buried in a stope. Today, however, because of the approaches made by the A.W.U. and other unions and organisations, which have resulted in legislation being passed to protect

the worker, the mining industry is now very much safer; and the work done is of a very much higher standard. I am certain that few men today would contract the diseases associated with mining in those days. This possibility would only occur in some of the mines in the outback areas where, perhaps, the ventilation is not up to the standard that it is in some of the larger mines in Kalgoorlie.

Along with the workmen's inspector, the mining companies do maintain a high standard in most mines. But the person to whom I made reference earlier in my speech would have been able to assist the Government considerably. I think the Bill could best be described as a sausage. It has a certain amount of meat in it, but there could be a lot more put in.

The amounts to be paid for hospitalisation have been increased; but these of course are not nearly enough when we consider the increases that have occurred in hospital charges. Apart from this, the cost of living has gone up so much that the extra amount to be granted will not go very far.

Sitting suspended from 3.46 to 4.4 p.m.

The Hon. G. BENNETTS: I understand that in certain States the compensation allowances are greater than those in this State. Perhaps the day will come when we will get closer to those States than we are now. I was quite impressed with what Dr. Hislop had to say about the necessity for more research into these diseases; and with his suggestion for setting up a board for this purpose.

I do not know very much about the asbestos industry, but I should think it is one which would be bad as far as these diseases are concerned, because of the fine nature of the commodity. However, I cannot speak on this subject because I have insufficient knowledge. The amount of compensation allowed to a widow whose husband's death results from an accident in a mine or in connection with other employment is less than that paid in the case of road accidents. In some cases, the compensation payable in respect of road accidents is in the vicinity of £10,000 or £15,000, while the widow I have just referred to would receive £3,000. That is a very small amount of money to pay to a widow who has lost the breadwinner. Perhaps the next time a Bill to amend the Workers' Compensation Act is before the House we will be able to do something in that regard.

Before concluding, I would like to point out to members that this Bill does not include the *to-and-from* provision which is in the Acts of some of the other States. Such a provision would cover a man while travelling to and from his place of employment. If a person is on his way to work or on his way home from work and happens to be skidded on his bike or

knocked by a motorcar, he should receive compensation; but he does not get any. Such a man would not have been in that particular position on the road if he were not going to work, or proceeding home from work; and that is why I think he should be paid compensation. A certain route from his home to his place of employment should be established, and he should be required to use that route. However, if a man did not follow the route laid down; or if he called into several hotels instead, I would not support him. Perhaps next time the Bill is before the Chamber consideration can be given to the inclusion of a *to-and-from* provision.

THE HON. J. D. TEAHAN (North-East) [4.10 p.m.]: I wish to make a few comments in regard to this measure. These comments have no relation to what the Bill contains; they concern what has been left out of it. The Workers' Compensation Acts in the other States of Australia are much more generous than the Act of this State; and I would have thought that with altered values of money a different attitude would be adopted towards the widow of a breadwinner who was fatally injured as a result of his employment, and that some action would be taken to increase the benefits he would receive. As mentioned by the previous speaker, the amount allowed under our Workers' Compensation Act in these cases is far below that awarded in the case of road accidents. Therefore, in order to keep up with modern-day trends, I would have thought the amount of £3,000 would be lifted.

There is every reason why medical and hospital expenses should have been increased. It is becoming an almost fear-some thing to have to go to hospital; and it certainly gives one a shock to compare the charges today with those of 20 years ago. I am sorry for everyone who happens to be in hospital and who is not covered by some benefit fund. That is a tragedy. If I know of anyone who is not covered by a friendly society or some other society I endeavour to get him to do something about it. Medical and hospital expenses are so high today that they could completely break a person.

There will be some increases as a result of the measure, but they are not of a generous nature having regard to adjustments of the basic wage. I also agree with the previous speaker that we were expecting to see a *to-and-from* provision in the Bill. This is included in the Acts of at least two of the Eastern States, but there is no mention of it in this Bill.

Finally, I am of the opinion that the amendment to section 8 will provide much relief for those working in the mining industry at the present time; and I am glad the Minister has seen fit to include that provision in the Bill. The amendment will remove the limit of three years. I can, however, almost feel the distress that is being felt by those who left the industry

four or five years ago, and who are now dusted miners. They will receive no relief under this Bill.

I come from a household where the breadwinner died as a result of being a dusted miner, and no compensation of any kind was paid. I was a witness to his slow death. Death from this disease is one that lasts, not for weeks or months, but for years. It is a progressively slow death. I should have thought there would be some way of covering those people. They have been studying the papers from day to day looking for some evidence of relief, but they have looked in vain. They can expect no relief from this measure. Having made my comments, I support the second reading.

THE HON. A. R. JONES (Midland) [4.12 p.m.]: Having been one who worked for a boss some years ago; and having been an employer of labour for a number of years, I can look at workers' compensation from both angles. I am pleased indeed to note the benefits, particularly in relation to miners who have, for many years, suffered a disability through working underground; and it is also pleasing indeed to know we are again to give consideration to increasing the benefits in some way or another.

However, while many members have grizzled at the fact that the compensation payable is not sufficient, we have to be fair and look at this matter from the point of view of the employer as well. After all is said and done, he pays the whole of the money into a fund from which these benefits are derived. If members seek more and more, the position could be reached where the fund would not balance and industry would not be able to afford to pay the amounts necessary to provide the insurance.

The Hon. E. M. Heenan: These men have already been catered for.

The Hon. A. R. JONES: I know, but I am speaking in general. In view of what some members have had to say about what the benefits of workers' compensation should or should not be, I would hate to hand over the Act to them for the purpose of their amending it, because I suggest the rate of premiums might go up. I am going to ask members to be fair in this matter. We cannot have greater benefits than those which are paid for. As time goes by, and as the necessity arises, there is no doubt that the benefits will be increased.

I do not deny the right of people who are working for a particular industry to try to get as much as they can, but I do suggest that they have to be reasonable about it. I would very much like to see a Bill introduced in this House, Mr. President—and I have no doubt that you would, also—whereby the people in the industry we represent—farmers and others—would receive some benefit by legislation. We would not require it very often; but

we usually have to pay out with no chance of recovering any costs. I would welcome a chance to stand up in this House and say that some legislation which was going through would give us something. That is what this legislation does for certain people.

I would also remind members that, as Dr. Hislop said this morning, a committee was formed. The reason it broke down was because Labor members did not agree to the committee formulating a plan for the allocation of funds to injured workers over past years. I think that Dr. Hislop is definitely on the right track.

Some men lose a joint of a finger and they receive medical and hospital expenses. They are not incapacitated in any way and yet they receive a lump sum; but there are other cases, about which Dr. Hislop has given us illustrations, where persons should be paid more than they now receive. The sooner we appoint a committee that will make a thorough job of this matter, the sooner we will have a compensation Act better than the one we have today. I have pleasure in supporting this measure, because it is giving something extra to those workers who have been injured, and who may be injured in the future.

THE HON. J. M. A. CUNNINGHAM (South-East) [4.19 p.m.]: There is very little that I can add to what has been said already. However, I think it is expected that I, like other members from the goldfields, will have something to say about the measure; and I intend to do that rather than cast a silent vote.

I would like to say, first of all, that I was perturbed at the tenor of the debate when it first started. I was beginning to hope that the opposition to it, which I had inferred from the criticism of members, would not be endorsed to the extent of this Bill being defeated. Small as it is, and short as it falls in regard to the things we would like to see in it, it is still something in the way of progress and advancement in the treatment of and the compensation for those who suffer from certain diseases in the mining industry.

Opinions have been expressed to the extent that we might be led to believe that it would be better if the Bill were not passed. To describe the Bill, such terms have been used as "a sausage," "a pregnant pelican," "a mismarriage between a mosquito and an elephant"; and Mr. Bennetts termed it a little fish which, although little, was sweet. That is the best way to look at it. It is a small fish, but a sweet one—and to those who will benefit from it, a very sweet one.

The point that must have struck a lot of members is that each goldfields member who has spoken has admitted knowing one or two cases that may be affected by a retrospective clause in the Bill. They

are the members who are most closely associated with those who are most concerned in the industry; yet, between them, the number of people they know who may be affected by a retrospective clause amount, perhaps, only to one, two, or three. It is quite likely that there is duplication in regard to the men they do know.

It is reasonable to expect that the number ultimately will be small. For that reason I join in hoping that the suggested retrospective amendment to be submitted by Mr. Heenan will be accepted by, and will be acceptable, to the Government.

The reasons for refusing such a clause can be many, but they would be based on surmise. I personally know of a man living in this city today who is reputed to be a textbook case of a silicotic leaving the industry with a small percentage. His job in the metropolitan area can be termed a sedentary one. He is a caretaker. His quarters, where he is living, are on the top of one of the highest buildings in Perth. There is no healthier spot in the city. Yet beyond the three-year period he had a test and an X-ray and it was proved that he had advanced 10 per cent. after he left the industry.

General opinion, up to a few years ago, was that it was not a progressive disease. Much has been said about persons who left with a clear ticket and who were shown by subsequent X-rays to have a spot. But there are those who left the industry with a ticket of early silicosis; but despite every precaution being taken to incur no further risk of advancement of the disease, subsequent tests have shown, beyond any shadow of a doubt, that the disease has progressed with them.

A new theory that is still being explored is that the particles of silica which are directly breathed in with the atmosphere besides lodging on the inside lining of the lungs, must also of necessity, lodge in the blood stream of the person concerned. There has not yet been any statement as to whether this theory is correct, but it seems a reasonable one; namely, that the silica particles are impregnated through the whole of the body. Whether this can be proved, we do not know. Yet how can we account for the fact that subsequent X-rays show that the disease has progressed, if there is not the introduction of extra bodies from outside sources.

Although members have been critical, I think it has been a case of their not being satisfied that the Bill goes far enough. I echo Mr. Bennett's sentiments that it is a little fish, but a sweet one; and let us enjoy it.

THE HON. W. R. HALL (North-East) [4.25 p.m.]: I rise to support the Bill. I am in favour of anything that is of advantage to the worker, whether it is in connection with the Workers' Compensation Act or the

State Government Insurance Office Act. I feel that the matter raised concerning the retrospective clause will be a godsend to a number of men. I visit the chest hospital regularly and I can instance the case of a brother and brother-in-law. One was in bed with active T.B. and the other was a silicotic. The one who was in bed was in a bad way; but he had kept up with his examinations and he came within the Act. The brother-in-law left the goldmining industry knowing full well what would happen if he remained in the industry long enough. He left the industry and went on a property in Spearwood. He is a Slav. He encountered language difficulties and did not have sufficient knowledge of the Act. This Act has been amended so many times that one has to be a Philadelphia lawyer to follow it. By making representations on his behalf to the State Government Insurance Office, I found that he did not come within the scope of the Act. He was out by some seven years, and so was precluded from making a claim.

It is a well known fact that when one is a silicotic, one does not get better; one gets worse as time goes on.

The Hon. G. Bennetts: You fade away.

The Hon. W. R. HALL: That all depends. I have worked underground in my time, but I didn't stop there long enough to contract much of the disease, as members can see. I realised that if I stopped there I would finish up with only one way out. I have seen men pass out of this planet through working too long underground. I have known men with 13 dust tickets, and yet they were still in the industry. Such men are advised to get out of the industry, but they remain in it because the compensation is limited; and yet if they stay in the industry, the ultimate is well known.

The late Hon. Charles Williams, who was a full bottle on the Workers' Compensation Act and the Miner's Phthisis Act, knew the position full well; and he expounded his views in this Chamber regarding those people whom he represented—and he was the member for the South-East Province, which took in the big mines. He grew up with those men. I would like to pay a tribute to him. No other man in this Chamber knew as much as he did regarding the Workers' Compensation Act and the Miner's Phthisis Act.

I am pleased to support the Bill; it does not matter how little there is to be gained from it, it is something. I hope that as time goes on—and in the not-too-distant future, I hope—workers will benefit from further improvements to the Act. Times have changed. We know that, because of improved systems, the industry has not the same ill effects that it used to have. Silicosis is one of the worst occupational diseases anyone can contract. I support the Bill, and I am pleased to think that those men who have been debarred from making a claim through a period of time elapsing, will now be able to do so.

THE HON. E. M. DAVIES (West): [4.30 p.m.]: I intend to support the Bill. First of all, I would like to say that I am not complaining about the Bill being introduced at such a late hour in the session. My complaint is that it was not brought down last session. Most of us who have been dealing with workers' compensation matters realise that there are some anomalies created by the Act which have existed for some time and therefore it is unfortunate that the Bill was not introduced last session instead of this session.

The Bill does not offer a great deal, but there will be some improvements effected by it, particularly with those clauses dealing with pulmonary diseases. Everyone will be pleased to know that consideration is to be extended to the men who are suffering from such diseases. One knows, of course, that a man who suffers from an industrial disease cannot expect a great deal of enjoyment for the remaining years of his life which, unfortunately, in most cases are not many. Other clauses which will effect an improvement are those which seek to increase the amounts allowed for medical and hospital expenses. However, whilst the increases proposed are acceptable, if we take into consideration the value of the pound today, we find they are not nearly as great as they should be.

In view of the many new drugs and modern methods of treatment, hospital charges today are extremely high; and, to a person who can afford it, the cost of hospitalisation is most formidable. Those who are in indigent circumstances are also called upon to make some contribution towards the cost of their hospital expenses. Therefore, as I have said, the increases that are to be granted by this Bill are not sufficient, in some cases, to meet adequately the medical and hospital expenses of an injured worker.

Although the State, in regard to workers' compensation, may take a step forward with the passing of this Bill, in comparison with the legislation that has been enacted in other States of the Commonwealth we will still be lagging a few paces behind. This State used to be credited with the reputation of having the best Workers' Compensation Act in the Commonwealth, but I regret to say that with the passing of the years we have lost that reputation to other States.

As I have said, I support the Bill, because, like a drowning man who clutches at a straw, I am only too anxious to accept any improvement to the Workers' Compensation Act which will help to relieve the lot of an injured worker. The Bill has been adequately discussed by other speakers and it is not my intention to deal with those parts of it that have already been referred to.

I wish, however, to draw the attention of the House to certain practices that are being indulged in by some insurers. I have known injured workers who, when it came to a question of their receiving compensation were approached by representatives of the insurance company to sign an agreement which would permit them to be granted their compensation in a lump sum.

However, it has been found that such an agreement contains a clause that the insurance company is absolved from any future claims that may be made by that injured worker.

In my opinion, I think that is most unfair because, if a worker suffers an injury as a result of an accident at his employment, although he is nursed back to health to enable him to resume his work, there is always the possibility that his disability may recur; and, should he sign an agreement such as I have referred to, he would not be able to receive any further compensation for his injury.

Any injured worker who has sought my advice on the matter has been informed by me that in no circumstances should he sign any agreement because he would be entitled to compensation for his injury as his just right. Should any worker be refused payment of compensation because he will not sign the agreement presented to him by the insurance company—as invariably happens—he can appeal to the Workers' Compensation Board to have his case determined.

I now wish to refer to the plight of deserted wives whose spouses were killed whilst working in industry. I raised this question during the debate on the Married Persons (Summary Relief) Bill. I have been approached by the widows of men who deserted their wives before their death by accident. These women have battled on to maintain themselves and their families. When their husbands have been killed as the result of an accident the insurance companies have used, as an excuse for not paying the compensation that is due to them the fact that they have been able to maintain themselves.

The unfortunate part is that those women found themselves in that position as a result of their reluctance to apply for an order to commit their husbands to prison for not complying with the maintenance order taken out against them through the court. Instead, with the feelings of their children in mind, those women battled on to maintain themselves and their families.

There is another aspect of workers' compensation which has been mentioned already this afternoon but regarding which I would like to make a few comments. I refer to that unfortunate individual who, whilst working for an employer, suffers an injury without anyone else witnessing the accident. I know of the case of one worker who was employed on fencing work on a

farm. Whilst this worker was out in the paddock the farmer had to go to town on business and, during his absence, the worker unfortunately met with an accident in which some of his fingers were severed. He received first aid from the farmer's wife at the homestead, and then she drove him to hospital in a car; and eventually when a claim for compensation was made, the insurance company put up every excuse possible to avoid making a settlement, because it tried to show that the injury had been self-inflicted. Its claim was based on the fact that no witness was present at the time of the accident. I cannot imagine any worker severing several of his fingers with a view to receiving compensation for them. Such a person would suffer a tremendous disability for the rest of his life, and the financial reward he would gain would not be sufficient compensation for that.

Members of Parliament, as a result of their experience in making representations on behalf of injured workers, can see many anomalies that are created by the application of the Workers' Compensation Act. Many men approach me for advice and I always do what I can to give them the best advice possible.

This Bill refers to malingering. Most members of Parliament have heard that term used in their experience with the Act. I will admit that in any section of the community there is always somebody who could be classed as a malingerer. However, most men who are injured and who receive compensation, are anxious to return to work. The principal reason is that they have families to support, and what they receive in compensation is in no way comparable to the full amount of their wages.

I can remember that, on one occasion, a worker, after being injured at his job, failed to report the accident; and he treated his injury at home. He continued with his treatment for about a week, but finally he was forced to attend a doctor. The doctor signed a certificate that he was unfit for work for a week and suggested that during this time he should rest. This worker was immediately presented with a query by his insurance company as to why he had waited a week before reporting to a doctor for treatment. The man explained that he did not wish to be placed on compensation because it meant loss of pay; but he gave an assurance that the next time he met with an accident he would report it immediately and send the bill for his medical expenses to the insurance company for payment.

I have yet to meet people in industry who could be regarded as being malingerers. Those people who apply that term to any worker may be applying a measure of themselves by so doing. I repeat that the Bill will effect some improvement to the Act; but I regret, of course, that it was not introduced 12 months ago, because if it had been, many workers suffering from industrial diseases would today be enjoying its benefits.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [4.42 p.m.]: To those members who have contributed to the debate I extend my thanks. If I were to reply in detail to every speech made by members of this House, I would have to direct my remarks, in the main, to matters that are not embraced by the Bill. It can always be expected that when a Bill to amend the Workers' Compensation Act is introduced its provisions are not adequate; and I suppose such a reaction can be understood. Nevertheless, I think this measure will effect some improvement to the Act. The fact that it has received substantial support leads me to the belief that it would be far better to deal with the provisions in Committee rather than attempt to answer the various questions that have been raised by members during the second reading debate. In Committee, as each clause is dealt with, I can take the opportunity of answering the points that have been raised.

As I said when I introduced the Bill, I regret that it has been introduced at such a late hour in the session. However, some Bills have to be introduced at this late stage. Nevertheless, in this instance, the late hour has not prevented some members from placing amendments on the notice paper, and I am glad they have been able to avail themselves of that opportunity. I think the most advisable course to adopt is to permit the Bill to go into Committee at which stage I can deal with the various points that have been raised by members.

Question put and passed.

Bill read a second time.

BILLS (3)—ASSEMBLY'S MESSAGES

Messages from the Assembly received and read notifying that it had agreed to the amendments made by the Council to the following Bills:—

1. Fremantle Harbour Trust Act Amendment Bill.
2. Railways (Cue-Big Bell and Other Railways) Discontinuance Bill.
3. Industrial Development (Resumption of Land) Act Amendment Bill.

MOUNT YOKINE LAND ACQUISITION BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

THE HON. F. J. S. WISE (North) [4.47 p.m.]: This Bill has been introduced to overcome what appears to be an impasse in connection with the transactions between the Perth Road Board and the Mt. Yokine golf club, which transactions affect very many separate entities and different people.

Following upon the untimely death of the late Mr. Gilbert Fraser, I became Minister for Town Planning. I recall that the subject matter of this Bill began to ferment and bubble. Action—allegedly unknown to the ratepayers—was taken between the parties and very serious circumstances developed. This Bill appears to be a way of extricating all the interested parties from a difficult situation.

My analysis of the Bill suggests that no party, except the Mt. Yokine golf club itself, will lose anything substantial in a monetary sense. The club has made an offer to the Government, as outlined by the Minister when he introduced the Bill, the acceptance of which will offer a solution to the impasse, and an answer to what appears to be a very real problem.

It was not very long ago when it appeared that the differences between the Perth Road Board and the club were almost irreconcilable. The dispute brought in a sharp difference of opinion between the ratepayers and the road board, which involved the public interest as well as the Government, through the Town Planning Board.

The area referred to in the Bill is a very important open space close to the city. The means by which the club considered subdividing the land into valuable building blocks were costly. The preservation of this land as an open space ranks as an important aspect in the consideration of the Bill. It is proposed that the area will be retained as a reserve until Parliament alters that circumstance. That is a very important aspect. Other members have stated that the golf club, as lessees of the Crown, will provide not only to its members, but also to the public, a breathing space in this important locality. I am conscious of the fact that many people are looking askance at this Bill, because they say it has been introduced to enable a very exclusive sort of club to continue. In resolving the many difficulties associated with the proposition in the Bill, we must look at the picture from a broader basis.

Firstly, we must look at the situation from the general public's point of view. To me this Bill will confer a great advantage on the public, because it seeks to preserve this open space for all time, while acknowledging that the land is for the golf club to use.

Even if we have sharp differences of opinion and hold opposite beliefs on what some regard as a very exclusive club, should we cavil at the rights of the people who belong to, say, the Royal Freshwater Bay Yacht Club, or any other club for that matter, to follow their particular bent in recreation in a manner which they are able to afford?

We must consider the Bill less selfishly, and have regard for the aspect that it will be the means of extricating the

club from a very difficult position—a club which could otherwise be disbanded. In conceding this area of land to the Crown, the club will be giving away a valuable asset which will benefit the Crown enormously. Whoever evolved the proposition in the Bill has done so in an ingenious way to overcome the difficult situation in which the club is placed. I support the measure.

THE HON. A. R. JONES (Midland) [4.54 p.m.]: I support this Bill. At the same time I draw attention to some of the factors which might influence our thoughts in the future when similar propositions are placed before Parliament. It is commendable that this area of land is to be retained as an open space, rather than be subdivided into building blocks.

There is at present little enough in the way of reserves in the metropolitan area. We should take every opportunity to conserve whatever open spaces are now available. As new areas are subdivided and built on, and as the population of the metropolitan area increases, there will be a greater need for open spaces to meet the recreation needs of the people; particularly the young people.

What Parliament decides to do on this occasion might be taken as a precedent in the future. There is another golf club which is in a similar position to that of the Mt. Yokine golf club. The rates and taxes which that club has to pay are increasing year by year, and are imposing a heavy burden on the club. In a year or two that club might be in the same straits as the Mt. Yokine golf club. I am referring to the Lake Karrinyup golf club.

We should bear in mind that the W.A. Turf Club owns huge tracts of vacant land in the metropolitan area. From inquiries I have made and from what was revealed in the findings of the Royal Commission into betting, the Turf Club is not a very financial organisation. In the future, Parliament could receive a proposition from that club similar to the one before us.

The W.A.C.A. is yearly finding it more difficult to finance its programme and to keep its head above water. This club has some 25 acres of land, which is very valuable indeed. The increasing rates and taxes are becoming a burden to the club.

The W.A. Cricket Association also pays water rates and land tax each year. Attendances at cricket matches these days are not as high as they used to be, therefore the revenue of the club is diminishing. It is not unreasonable to expect this club to approach the Government with a proposition similar to the one in the Bill. Should support be given to the proposition put forward by the Mt. Yokine golf club, what will be the attitude of Parliament then?

By giving support to the various clubs which are in need of assistance, the Government could take over many open spaces not only in the metropolitan area, but also in the country, and preserve them. In the country, some football, tennis, and golf clubs are established on "A"-class reserves and some on privately-owned land. If such clubs should get into difficulties, Parliament would have as much right to consider their position, as it has to consider the position of the Mt. Yokine golf club.

While I support the Bill because I consider the open space should be retained, I would like to see the facilities of the club made available to as many people as possible. There are approximately 117 acres of land involved, on which is established an 18-hole golf course. From the information given during this debate, we find there are 625 members—practically all playing members. It can be said that the club accommodates over 600 golfers.

On another "A"-class reserve, less than half the size of the one in question, the Nedlands Golf Club is located. The figures I am about to give will be found to be correct on examination. That club has 460 playing members, and a further 200 members of various types including country members, social members, and the like. Therefore that golf club is doing an excellent job in providing playing facilities for something like nearly 500 people, if we include a few country members, whereas an 18-hole golf course at Mt. Yokine is accommodating only about 600.

The Hon. J. M. Thomson: How many country members has Mt. Yokine got? Have you made any inquiries?

The Hon. A. R. JONES: No; I do not know.

The Hon. J. M. Thomson: It certainly has a few.

The Hon. A. R. JONES: It has a proportion, but the figure given was 625 members who are nearly all playing members. Therefore when we consider this, I am sure all will agree that this course should be made available to the greatest number possible; and I think we should ask the Minister to ensure that this is done. Clause 6 is as follows:—

The Governor may lease the reserve for the purpose of golf links, for such period, at such rental, being not less than six hundred and fifty pounds per annum, and on such terms and conditions, as the Governor thinks fit.

That is a pretty open provision. I would not be surprised if the golf club desired something more specific than that in order that it might know something of the conditions or agreements it would be asked to accept. I certainly would like the Minister to give us some more details of that aspect if he can.

We should insist on a minimum membership of the club to make sure it does not exclude people who are not wealthy. We should also have some clause in the Bill which will prevent the club raising its fees without first consulting someone. I say this because if we let the club decide what membership it will have and what fees it will charge, it could become a very exclusive club.

The Hon. R. F. Hutchison: It is very exclusive now.

The Hon. A. R. JONES: If the club so desired it could reduce its membership to 300; and this we have to guard against by all means; and the only way to do it is to have a very strict agreement.

I have been informed that the Nedlands club was able to obtain Government backing for loans in order to make some improvements and to erect buildings. It is paying this money back over a period of years; and, in fact, up to date it has met every obligation. It pays a sum of £650 for its lease of an area of 50 acres. The figure mentioned in the Bill for Mt. Yokine is also £650. It is a little out of proportion that a golf club which has an acreage such as Mt. Yokine, with 18 holes, is expected to pay only the same amount as a club which has nine holes and a much smaller acreage; particularly when it is realised that Mt. Yokine is going to retain the freehold of one acre on which is erected its buildings. The buildings at the Nedlands club have been built at the club's own expense; and, furthermore, if its lease were terminated, the buildings would revert to the Government. In view of this fact, the lease under this Bill has been worked out on a very unusual basis.

However, I ask the Minister to explain the situation in order that we might fully know the position, and so that when the Bill is in Committee I will know whether my desire is the same as that of the Government.

THE HON. J. G. HISLOP (Metropolitan) [5.5 p.m.]: I applaud the ingenuity and skill with which this Bill has been framed. I do not know whether it was framed by a bush lawyer, a fully qualified lawyer, or a Minister, but it represents a wonderful feat in overcoming the initial difficulties which surrounded this planning; and I would without hesitation say that it is absolutely vital to retain a breathing space in a suburb like Yokine. It is essential purely from a health point of view.

Let us consider what would have happened if this club had decided, because no progress could be made, to sell the land. It is estimated to be worth £750 an acre. I guarantee that if Mr. Watson would like to give me advice as to how to organise a company to take it over, we would sell every quarter-acre for £1,250, ending up with £500,000 out of which would have to come only the original cost. That is

what could have happened if this club had not seen the necessity for maintaining the open space in the suburb. At the moment this suburb has a great deal of open space but if this land were to be sold, as has occurred in the rest of the suburb, the whole atmosphere of Yokine would disappear.

I would not like this House to direct that the Minister should formulate too hard-and-fast a set of rules as to who shall be members of the club, etc., because there must be differences in the status of clubs. It must be remembered, when considering the comparatively higher membership of the Nedlands club, that it contains a large proportion of week-day golfers. During the ordinary course of my duties, I pass by the Nedlands club occasionally and each time I do the links are being used. Many retired people live in Nedlands and can therefore devote their time to playing golf during the week; but this type of person does not as yet live in Yokine. For this reason the Mt. Yokine Golf Club could be thrown open to a large number of mid-week players.

We must also take into account when discussing the question of areas to be set aside for recreation, that there must be championship courses as well as ordinary courses. I believe the only two courses which can be used for championship matches are those at Lake Karrinyup and Mt. Yokine. It is possible that Fremantle might be another, but that one is at the other end of the metropolitan area.

I would not like to see any Parliament take away from the Minister who has made this agreement the right to discuss this matter with the club. After all, a club which is willing to cede to the Government an area of valuable land like this is not a club which will wreck its own future or destroy its status.

The club and the Government are to be commended and I think that the residents of Yokine will be very grateful in years to come that this open space has remained. It will remain for at least 100 years; and who knows what will happen by then? We may not be living in the same sort of conditions. We may even all be living in blocks of flats. Conditions may alter tremendously; but that open space will remain to protect the health of the public and the growing children for many years to come. I congratulate the Government.

THE HON. F. R. H. LAVERY (West) [5.11 p.m.]: I rise to support some of the remarks made by Mr. Jones; and, like Dr. Hislop, I agree that this is a very wonderful way out of what was becoming almost a farce. But I desire to make one or two comments. Clause 6 states that the rental shall be not less than £650. I think that Mr. Jones might have missed the words "not less than."

In Melville there is an area of land called Tompkins Park, which was reclaimed from swampy ground and turned into a playground, and which is used by the Applecross hockey team, and 400 to 450 of the youth of Melville, including the members of the Melville Amateur Athletic Club—a group of young people all of whom are under the age of 21, but the majority of whom are under 18.

This athletic club is asked to pay £150 per annum for the use of the park. I am wondering, when considering the figure of £650 which Mt. Yokine Golf Club will pay for this land, whether a road board has the right to ask a group of amateur players to pay £150 for what would be eight or nine acres.

I now desire to say something which I believe to be correct. I cannot vouch for it absolutely, but I feel I should mention it in view of the remarks which Mr. Jones made. He said there should be a widening of the membership. I do not want to tell the club whom it should accept as members, but the information given to me is rather drastic and I feel I should pass it on. I have been told that no member of the Jewish community is acceptable as a member of this club. I have it on record that at least some influential men in the city had their cheques and nominations sent back to them. If that is the case, I do not think the club has made a very good start.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [5.14 p.m.]: Although I am replying quickly, and mainly to Mr. Jones, at the same time I would like to thank Mr. Wise and Dr. Hislop for their contributions. Mr. Jones used as comparisons the W.A. Cricket Association ground and the Turf Club; but there is no comparison whatever. The W.A.C.A. ground is owned by the W.A.C.A. and is open to the public on a rental basis. People are charged to go there, and it becomes a revenue-producing ground. Not only is cricket played there, but the Sunday football league has a lease, the night baseball players use it, and inter-school sports are held there; and again payment is made. The W.A.C.A. is in an entirely different position from that of the golf club.

If the W.A.C.A. got into such financial difficulties that it could not carry on and it was prepared to hand over all its ground to the Government, and then lease it back just for the purpose of playing cricket and providing an amenity for its own members, I do not think anyone would object. But we do not want the Cricket Association to get to that state.

The Hon. F. R. H. Lavery: Nobody is objecting.

The Hon. L. A. LOGAN: The W.A.C.A. has been used as a comparison, and I am just pointing out what the position would

be if it made an application to the Government similar to that made by the golf club. The same thing applies to the race-courses which are revenue-producing.

The suggestion has been put forward that we might impose a condition on the membership. I point out that the Royal Fremantle Golf Club has the lease of an "A"-class reserve, comprising 192 acres. The club does not pay any rates and it has to meet a minimum charge of £4—a peppercorn rental. That is all the club pays—£4. Nobody has imposed a limit there.

The Hon. A. R. Jones: It is about time someone did.

The Hon. L. A. LOGAN: The Royal Perth Golf Club has an area comprising 75 acres. The club pays no rates and taxes, but it pays a nominal rental of £37 10s. for the piece of land on which the clubhouse is situated. There is no limitation in regard to the number or class of people who may be members. I do not think that we can lay down any conditions or standards in regard to membership when we give a lease to a club.

The Hon. R. F. Hutchison: Is that a public course?

The Hon. L. A. LOGAN: No; Wembley Downs is the only public golf course. Because the membership figure of 625 has been mentioned, that is not to say that it will always remain at 625, or that the same 625 people will use the course in the next 40 years. Many different people will use the club's facilities.

When I introduced the Bill I said that the membership was still open for mid-week players. The only time a limitation has to be imposed is on Saturday afternoons, when, as Mr. Jones, who is a golfer will appreciate, only a certain number can play. At the moment, however, there is no restriction on mid-week players joining the club. The amount of £650 has to be paid as interest on £13,000 for 40 years; and there is no other money involved. For this payment the club is giving back to the Crown 90 acres of valuable land. Surely we are not going to charge the club rent for that land. As Mr. Wise said—and he knows something about the situation—this is the only way out.

In regard to this matter, I finally called a conference which was held in the Attorney-General's office. Those present at the conference were the Attorney-General, Mr. Sexton, Mr. Kidson from the golf club, Mr. Collins from the Town Planning Department, and myself. After about an hour's discussion this scheme was finally arrived at.

I am perfectly certain that the majority of the people who know anything of the situation will be prepared to accept it. I would not be prepared to include any limitation. If we try to impose a limitation on these people we will have to withdraw the lease and tell them what they shall do. We

are not in a position to know what they should do. I hope members will give further thought to that point.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6—Power to lease:

The Hon. A. R. JONES: This clause is all-embracing. I thought I made it clear I wanted to know the conditions of the lease. If the Minister has gone to the extent of bringing the Bill before this Chamber he must know what the club and the Government are prepared to do.

The Hon. L. A. LOGAN: I do not know what more I can say. Under the agreement the club will hand over 90 acres of valuable land to the Government, and the Government in turn will purchase 13 acres at a price. The two areas will be joined together to make an "A"-class reserve which will be leased back to the club for 40 years at an amount not less than £650 per annum. Also, the club will be allowed to obtain the freehold of a small piece of land which it may sell; and it will retain the freehold of the clubhouse. What other conditions can be imposed?

The Hon. A. R. JONES: Will the Minister tell us what will happen at the conclusion of 40 years?

The Hon. L. A. LOGAN: No; and if anyone can tell me what is likely to happen in 40 years' time, I will be pleased.

The Hon. A. R. JONES: Can the Minister tell us whether the agreement will provide for some limitation in respect to membership? If we leave the position open, the club will be able to do as it likes. I believe this club will overcome its financial difficulties; and I am not criticising the Bill as far as the Government is concerned, but I feel that this land, being an "A"-class reserve, should serve as many people as possible.

When the club gets out of its troubles it could become very exclusive and provide for a membership of only 300, at an increased fee. The nomination fee at Lake Karrinyup is £50, and the annual fee is about £50. We do not want the Mt. Yokine golf club to develop in that way.

The Hon. L. A. LOGAN: How can anything such as has been suggested by Mr. Jones be done? There are all sorts of clubs throughout the metropolitan area using "A"-class reserves, and I guarantee that not one of them is subject to an agreement which contains a clause providing a minimum membership.

The Hon. H. K. WATSON: Or whether they should wear calico hats or straw hats.

The Hon. L. A. LOGAN: That is so. In my discussion with the club I said it was expected that the club would put the land to the best possible use.

The Hon. H. K. WATSON: Mr. Jones's query as to what will happen in 40 years' time reminds me of a song George Gee used to sing. The words are as follows:—

You won't be there,
I won't be here
One hundred years from now.
Somebody else will wear the crown
And the world will still go round.

Clause put and passed.

Clause 7—Exemption from rates and taxes:

The Hon. F. R. H. LAVERY: What were the total rates and taxes?

The Hon. L. A. LOGAN: The local authority rates were £1,291 5s. 8d.; water rates £108 15s.; land tax £633 1s. 9d.; metropolitan improvement tax £121 1s. 9d.; vermin rate £121 1s. 9d.

The Hon. J. G. Hislop: It would have to be a very exclusive club to pay those rates.

The Hon. L. A. LOGAN: Mr. Jones mentioned the Lake Karrinyup Golf Club. There is a difference between that Golf Club and the one at Yokine. The Lake Karrinyup Golf Club has an area of 1,360 acres, so it has a lot of land to play around with before it gets into strife.

The Hon. H. K. WATSON: The authors of the scheme did not exercise as much foresight as I originally gave them credit for. The clause provides for the exemption of various taxes. Had I been assisting in the drafting, I would have included a further paragraph to provide for such other rates and taxes as may hereinafter be conceived by any Government.

Clause put and passed.

Title put and passed.

Report

Bill reported without amendment and the report adopted.

Third Reading

On motion by The Hon. L. A. Logan (Minister for Local Government), Bill read a third time, and passed.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

THE HON. A. R. JONES (Midland) [5.30 p.m.]: We jump from one thing to another so quickly that I did not realise that this was the Bill I wanted to speak to.

The Hon. A. F. Griffith: I am sorry.

The Hon. A. R. JONES: I only wish I had the eloquence to say what I would like to say about the leader writer who wrote the article which appeared in this morning's issue of *The West Australian*. It was a dastardly and untimely article because the Bill has not yet been passed; it does not become law for some time, even when passed. Yet the paper has the temerity, in a leading article, to say, among other things—

No other section of the community can help itself from the public purse in this way.

If that is not something to which we should take exception, I do not know what is. I think the general public should take exception to it, too; and I only wish I had the ability to use words which I feel should be used in a case like this to an organisation which I believe is really embarrassed by the wealth it has and the profits it makes. It makes such profits that it sends men all over the world, on trips to England, Ireland, Scotland, Wales, the Olympic Games, and elsewhere; and it extorts all the money to do that from the general public of Western Australia.

I was told only the other day by the motoring people that advertising rates are going up again; and surely they are extortionate enough at present. For a paper which finds itself embarrassed in spending all the money it has—profits which it makes from the general community—to have the temerity to say what it has about members of Parliament, with absolutely no foundation for it, is beyond description.

I wish to protest strongly about this leading article, and I hope the paper will give some publicity to what I and other members think about what has been written in the leading article, and what we have to say in regard to it. However, I do not think our comments will be published very fully.

I do not want to keep the House very long, but I want to make one or two observations to justify the statement that we are not putting our hands into the public purse and taking something for ourselves. As members of Parliament we are endeavouring to pass a Bill which will increase our pension rates.

The Hon. J. M. A. Cunningham: Not pension—superannuation.

The Hon. A. R. JONES: Yes. We are doing that by considerably increasing our contributions to a point where we will be paying in £4 a week; and that is not a small sum in anybody's language.

The Hon. L. A. Logan: It is not chicken feed.

The Hon. A. R. JONES: It is not. I know it is difficult to make comparisons, but I would like to compare the superannuation scheme which operates with

respect to civil servants and the Parliamentary superannuation scheme. I suppose to a degree we could be placed in much the same category as civil servants because we work for the Government; the Government is our boss and pays us, and so we could be placed in a similar category.

Whilst civil servants are able to take out a certain number of units, we have no option. We have to take the limit. I can remember when I first entered this House I did not want to join the scheme because I felt I could get better interest on my money than would probably accrue to me from the scheme. However, we have no option; we have to contribute; and, if this Bill becomes an Act, our contribution will be £4 a week, which will entitle us, if we remain members for 16 years or more, to £20 a week on retirement.

A civil servant who paid £4 a week would be paying for 28 units, which I think is about the maximum. If we take the average age of a person entering this House at 35 years, and the average age of a person joining the civil service at 35 years, we find that the civil servant who retires at 65 years, and whose contribution was £4 a week, would receive £24 10s, a week pension as against £20 which a member of Parliament would receive when he retired. But I venture to suggest that many members who join our scheme would pay in just as much as, if not more than, the average civil servant, because the average age of a person retiring from this House or another place would be 70, or perhaps more. As a consequence a member of Parliament would get less from the parliamentary scheme than a civil servant would get from the Civil Service scheme, because he retires at 60 or 65.

As regards the Government's contribution, in the case of the parliamentary superannuation scheme the Government contributes on a pound for pound basis, but in the case of the Civil Service scheme the contributor pays in two-sevenths and the Government five-sevenths. So there is a big disparity there. I realise that it is not possible to make a real comparison between these schemes, because they are different, but I merely point out those differences to members. As I said, the Government pays into the fund on a pound for pound basis, but up to date the fund has not had to call on the Government to make good any money for the scheme, and it looks as though, when this Bill is passed, no call will be made upon the Government, as guarantor, at all. However, it is a scheme under which members of Parliament are contributing more than anyone else under other superannuation schemes.

I wonder how the scheme for employees of *The West Australian* would measure up with our scheme? However, I feel that what was said in this leading article is a downright lie; it is certainly a lie to say

that we can help ourselves from the public purse. I and other members know that some members of Parliament have contributed to the scheme from its inception and have not received any benefit from it. Some of the widows of deceased members are receiving only a very small benefit even now, because the original scheme made it possible for a widow to receive only 50 per cent. of her husband's entitlement. The benefits in this regard have been increased to a certain extent; but the same applies to widows of civil servants: their pensions have been increased. In the past they received 50 per cent. of the sum the retired civil servant received, but that has been increased.

We must not forget, too, that the pension which a retired civil servant receives continues until the end of his life, and then his widow receives a proportion of that pension for the rest of her life. We contribute fairly heavily to this scheme, and it is in a healthy position. I support the second reading, and at the same time register my utter disgust at the article which appeared in *The West Australian* this morning. There was no justification for it whatever.

THE HON. H. K. WATSON (Metropolitan) [5.40 p.m.]: I did not intend to intervene in this debate. I thought the Minister, when he introduced the Bill, dealt very fully with the objects of the measure, and also fully and fairly with the editorial which has been directed against the Bill.

On the other hand, I cannot altogether agree with the remarks of Mr. Simpson; I want to dissociate myself from practically the whole of those remarks.

The position of a member of Parliament has its rights and privileges; but it also has its obligations. No-one is compelled to be a member of Parliament; the position is there for one's own seeking. My conception of the position of a member of Parliament is that a candidate seeks it, not as a job but as an opportunity for rendering public service. I believe that in no respects should a member of Parliament enjoy privileges which are not shared by the general community. I think the point made by Mr. Jones was well taken. He emphasised that the superannuation scheme of the Western Australian Government, in respect of civil servants, is on the basis of a contribution of two-sevenths by the contributor and five-sevenths by the employer—the Government. That I would say is a pretty fair criterion of the basis of most superannuation funds, public or private.

The Hon. A. F. Griffith: Not forgetting the millions paid out in pensions that are not subscribed to in the National Parliament.

The Hon. H. K. WATSON: Yes. Yet we find that the contribution to this fund is on a pound for pound basis—that is,

members subscribe £1 and the Government contributes an equal amount. In addition to what I have just said, it is a fact, that as the Minister mentioned in moving the second reading of the Bill, before the measure was brought down the matter was gone into by a committee consisting of members of all parties who, having arrived at their decision and their recommendation, unanimously had the proposal referred to the individual members of the respective parties.

It was agreed to; but from some of the remarks I saw in the Press—and I mean remarks apart from the editorial—and from the complete silence in this House of all Labor members on this question, I think it should be made very clear that this is not a Government proposal as such, but that it came down at the request of Mr. Hawke; at the request of Mr. Andrew; at the request of many other Labor members. I take a pretty dim view of the attitude of any member of Parliament who either directly, or by silence, would leave it to be inferred that this is a Government proposal, and a Government raid on the Treasury.

I have risen to make this point clear, only because it seems to me to be nothing but a repetition of what happened just before the salary increases of 12 months ago.

The Hon. C. H. Simpson: They were expense allowances.

The Hon. H. K. WATSON: The expense allowances were introduced as a result of the persistent prodding of Labor members; and yet, two days before the election, Mr. Hawke in a broadcast speech criticised the Government for bringing down an increase in members' allowances. If we are going to have what I frankly describe as something a little short of double dealing—

The Hon. A. F. Griffith: The three-card trick.

The Hon. H. K. WATSON:—or, to quote an old phrase, the three-card trick, let us be perfectly frank and have a showdown on the question. As I say, it was not my intention to intervene in this debate, but, having regard to the course it has taken, I propose to vote against the measure.

THE HON. H. C. STRICKLAND (North) [5.49 p.m.]: I regret I was not present when Mr. Watson opened his remarks. I did, however, hear the tail-end of his speech; and it reminded me of the speech made by a member in another place when the Labor Party raised the salaries and superannuation benefits of members. I recall that some very critical and caustic arguments were put forward by the honourable member who was opposing the proposition. Although he voted against the Bill he certainly lined up and accepted all the payments; he did not donate them to charitable institutions as he suggested he might in his speech.

I remember that in my early days in this House when an alteration to the system of remuneration for members of Parliament was made by the McLarty-Watts Government, that there was also some caustic criticism from Mr. Watson. If my memory serves me aright he objected on the ground that it was reducing us to the level of charwomen, or something to that effect, by tying basic-wage increments to the salaries of members of Parliament.

In any case I think that all members who have criticised any increases that might have been made, have always accepted the emoluments that came forward. I regret very much that I was not present in the Chamber when the Minister introduced the Bill. I would have liked to have a discussion with the Minister about this in the hope that I could obtain some knowledge about the matter before speaking. Now that it has come up, however, I hasten to say that I agree entirely with the remarks made by Mr. Simpson, to which I listened very intently.

Mr. Simpson is the chairman of the Rights and Privileges Committee which represents every member of Parliament in any proposals that are put to the Treasurer. Any such proposals which may be put to the Treasurer from year to year are directed through the Rights and Privileges Committee, which is the mouthpiece of the members of both Houses of Parliament. As such these proposals are the result of party deliberations, at which we all have the opportunity to discuss and criticise, and to agree or disagree with them.

I do feel, however, that when ultimately the Treasurer of the day agrees that the circumstances are such that the superannuation benefits of members of Parliament are due for a revision and for an increase in order that they might conform with present-day values—and we must not forget that the subscriptions have been increased—it is something that is soundly based. Unfortunately, however, the matter is in the hands of members themselves; they must look after their own benefits and salaries. That is the unfortunate part of it. It would be far better if a committee were set up similar to that appointed by the Commonwealth Government; because that would lift from members themselves the responsibility of fixing or recommending salary increases.

It would not, however, protect them from the attacks of the Press. It would not matter who fixed the salaries for members of Parliament, some sections of the Press, anyway, would still attack members for agreeing with the body that was established.

The Hon. A. R. Jones: Perhaps we could ask *The West Australian* to do it.

The Hon. H. C. STRICKLAND: It might be a very good thing if the principals of *The West Australian* would stop for a

moment to consider just what members of Parliament are subjected to; and compare the salaries and allowances which members receive with those paid to their managing editors and leader writers. It would be interesting for them to compare the hours of work put in by a member of Parliament as against the time put in by officials of *The West Australian*. It would be particularly interesting if they compared the expenses received for that work.

The Hon. A. R. Jones: And also the humbug they write.

The Hon. H. C. STRICKLAND: We know that these officials are constantly going on safaris around the world. I would have no hesitation in appointing *The West Australian* to act in this capacity because then, as a result of the comparisons I have suggested, its recommendations would be on a very high footing. It would then be obliged to bring our salaries up to the level of those paid to its own executives.

I am not aware of the number of Press reporters up here at the moment, but I do know that not a great deal of the proceedings of Parliament is reported. It is apparent, however, that there is certainly a big staff of pressmen in and around Parliament House. I daresay that they, too, would be well paid; otherwise they would, perhaps, be looking for other work. I have a recollection of what Mr. Menzies said about the Press when his Government and he, and all members of Parliament in the Federal sphere, were severely criticised and attacked by the Press for accepting increases in their salaries which were recommended by an independent authority.

We, however, are in a worse position. We are in the position of having to ask one of our own members, who is the Treasurer—he is one of our own association, because we all belong to the Parliamentary Association—to consider any rises in salaries that may be necessary. I am certain, however, that by no stretch of the imagination do our salaries and superannuation benefits outweigh those of private organisations and businesses, or even those of the Government service.

The West Australian can draw a very wide conclusion and can snipe at every one of us from under cover. This, of course, impresses the public immensely. Years ago in this House I mentioned that it was my opinion that leader writers and article writers in any newspaper should be required to sign their names to the articles or leaders they write so that the next-door neighbour would know who is talking about whom, and what is being talked about. But under cover of being the mouthpiece of the people it is possible for *The West Australian* to sit and snipe at us individually and as a body; and yet we do not know who is doing the sniping. I presume that whoever he is he will be

drawing a salary which is far greater than that paid to the Governor of the State, and to which is added an expense account and certain other gratuities which would undoubtedly be as much as a private member receives.

Of course we know that the public pays for all this. It is paid for in the cost of advertisements, which is passed on in the cost of commodities. The public pays for everything, so I agree wholeheartedly with the speech Mr. Simpson made in the House. I regret Mr. Watson took umbrage because no Labor member had spoken. A Labor member has spoken now.

The Hon. H. K. Watson: Had you made the speech which you have just made I would not have risen.

The Hon. H. C. STRICKLAND: I am sorry about that, but I only arrived at the tail end. However, that is my opinion. I feel we should, perhaps retrieve the position in which the Press is all powerful; it can say what it likes; and nobody knows whose views are being presented. Over the years I have had the opportunity to talk to directors and big shareholders. I have asked them whether they agreed with the articles published in the papers, and they have told me that they did not. Therefore, let us be told whose views they are. The accepted theory is that they are the views of the paper. Of course it is the paper, but it represents the views of one or two men.

The Hon. A. R. Jones: There must be a nigger in the woodpile somewhere.

The Hon. H. C. STRICKLAND: Let us be fair about this. If people are to be subjected to ridicule or criticism which can injure them in the public mind, surely the person who is responsible for the article should sign his name so we will know who is who. We see plenty of examples of journalists who are not afraid to sign their names to their articles. We read these sorts of articles every day in the daily Press.

The Hon. A. F. Griffith: They often have to take a stand to get their names in the paper—and justifiably.

The Hon. H. C. STRICKLAND: Apart from the facts, their views are also expressed. In the ordinary course of reporting an editor will advocate things; he will sift something out of a situation and will write a leading article and say it is the view of the paper. If a person has an action in a court against a paper, he has to sue the printer; he is the man who is responsible.

The Hon. A. F. Griffith: His job is to put it in black and white.

The Hon. G. C. MacKinnon: You can sue the editor.

The Hon. H. C. STRICKLAND: Yes, but the printer or the managing director is responsible. As a body, I feel we could give

consideration to legislation which would merely require the person who writes an article which could injure anybody's reputation in the public mind to sign his name to that article.

THE HON. J. M. A. CUNNINGHAM (South-East) [6.4 p.m.]: I, too, would like to express my regret at the atmosphere of ill will in the article which we read in *The West Australian* today. I do not think we should be as upset about it as some members appear to be because so much has been said that is obviously untrue and obviously intended to be misleading. The heading of the article refers to a pension, when in actual fact the article describes the Bill as referring to superannuation.

Whenever the question comes up about superannuation I always answer this way: When I finish my work in Parliament House I will have paid for my superannuation—and paid plenty. Therefore, I am entitled to it. With reference to my salary and expenses, I work hard for them. I earn them and am entitled to them. Finally, I am worth it. I refer to the three elections I have contested and won. The people in my district have sent me back to continue to do, for the same salary, the job I have been doing.

THE HON. R. F. HUTCHISON (Suburban) [6.5 p.m.]: I also agree with the last speaker; and I have no hesitation in saying that I will earn the money I am paid here. As a matter of fact, I do not think parliamentary salaries are high enough. I do not want to be misunderstood about this matter, though.

The Bill we are dealing with is in relation to superannuation; it has nothing to do with pensions. Superannuation is something which one pays for. I am not going to allow myself to be slighted by other people simply because I am a member of Parliament. We know the way people talk about parliamentarians.

I came here because I was elected by the people to do a service for the people; and I conscientiously perform that service. I work as hard here as I did when I was rearing seven children on my own—and that is not an easy job, either. I am on tap seven days a week. I was pulled out of bed at 11.15 on Sunday night to listen to a constituent. I willingly work on behalf of several movements—I enjoy this; and I am not afraid of hard work. However, I object strongly to my status being lower now than it was before I became a member of Parliament. A member of Parliament is worth his superannuation; and he is worth his money, too. It is bad psychology for parliamentarians to be talked of as they are. The party line is played up in Australia by a capitalistic system which can afford to be scathing about what parliamentarians earn and

what they say. These men have plenty of property and money; they do not exist on the salary they obtain. Like most Labor members, I exist on what I get.

Had I known I was going to speak on this matter I would have written down my expenses on paper and presented them to the House. People would be surprised to know how little there is left at the end of a parliamentary career. I know widows of parliamentarians who have to live on a pittance, so they go to work. Cognisance should be taken of the cases of heart complaints among parliamentarians. It might be interesting to read the statistics in regard to parliamentarians who have had breakdowns.

I have little respect for our papers in Western Australia. I have nothing to worry about because they never report me; or, if they ever do, it is a mere line or two.

The Hon. F. R. H. Lavery: They cannot even spell your name correctly.

The Hon. R. F. HUTCHISON: They do not report me because I am too much news. I am on my mettle; and I will give a concrete instance. Representations were made to me in regard to the closures of railways which were discussed yesterday. Some residents of Boya and Koon-gamia approached me with respect to the closure of the railway line that affected them and asked me whether I would bring the matter before Parliament. Despite the fact that *The West Australian* mentioned the name of every man who spoke to the measure, no mention was made of my name. Yet I spoke: I was the member who was asked by those constituents to raise the matter here.

Mr. President, you do not hear me grumbling much about indignities and things like that, or that I am too much news for *The West Australian* and other papers to quote what I say. I quietly go about my work and I do a lot of good in this community. I am glad that I am a member of Parliament and in a position to do this work. I do my best to relieve the hardships from which people are suffering. I do not mind a bit. I would not feel flattered if *The West Australian* wrote a leading article about me. The leading article which appeared in today's paper is a "misleading article." This is purely a measure dealing with a superannuation scheme, which is something we all pay for and few enjoy; and a superannuation scheme is something the public service workers enjoy.

I was present at the mills when superannuation was first brought forward, and now many of the workers are covered by a superannuation scheme. If the salaries of members were compared with those of some of the departmental heads of the Civil Service, it would be found that they

receive £1,000, or £2,000 a year more than we do—yet we work harder than most of those people do.

The newspapers will not hurt me if they misrepresent me. The Press is supposed to be a source of news for the people and it is supposed to come from an ethical source. That ethical source was left behind when that chap walked into the Stock Exchange in England and said that he was going to sell news as they sold butter. That is what he did; and it has gone on from that day. Politics have been used where they can do harm to a person who has views against the capitalistic system under which we live and suffer.

The Press often misquotes; and this time it has really misquoted. People should be able to read an article written in plain language; and they should be told the truth.

These days reporting is done by inexperienced people. I do not mean to say anything against them, but when one looks up at the gallery, one can see that most of the members of the Press are immature people. It is not fair to place the responsibility on them.

The Hon. G. C. MacKinnon: They are good reporters. The trouble is with the leading article.

The Hon. R. F. HUTCHISON: The reporters have neither the experience nor the knowledge to write an article, yet they come here and report Parliament, which, owing to the system under which we live, is the highest institution in the State under the Sovereign; and we must uphold the dignity of Parliament. The Press should send someone commensurate with the standing of Parliament so that its proceedings can be reported with ethics and truth.

Sitting suspended from 6.15 to 7.30 p.m.

THE HON. G. C. MacKINNON (South-West) [7.30 p.m.]: I think it was fairly obvious that I originally had no intention of speaking on this matter. The debate, while having been interesting, has been extremely varied and has ranged from very severe criticism of the Press through to virtually an annual report of the Rights and Privileges Committee. Very little has been said about the measure before us or its purpose, which is to adjust and alter the superannuation fund and the various scales of benefits.

When anything happens such as the publication of the article in this morning's paper there should be some normal method of redress. I take it that the normal method is for the Leader of the House to make a statement about it; and this was done. If anything further requires to be done there should be some Standing Order under which action could be taken and the matter then fully debated.

I was somewhat upset—and I indicated this by interjection—that the reporters who report our proceedings in this House were taken to task for the leading article appearing in this morning's *The West Australian*. It must be quite obvious that those reporters, at this stage of their careers, do not write the leading article for *The West Australian*. From my reading of the newspaper, I thought that the actual news version as published in yesterday's issue was quite fair and good. I thought it was quite reasonable.

Why we should be upset because a leader writer takes the easy way out and writes a leading article like that, does not appear to me to be quite reasonable. The fact that he has taken no time or trouble to examine the measure and decide upon its merits, or to give any sort of constructive criticism, is no reason for this Chamber, with the important work it has to do, to spend its time taking the newspaper to task.

It is easy to write such a leading article; perhaps the writer had a bad night last night, or perhaps he was very busy. There is a lot of merit in the measure before us—a lot of merit indeed. It does exhibit, in regard to a member who has broken his career, a reasonable attitude towards what he needs to maintain himself in some sort of standing. As anyone with half a brain must know, if one lives the sort of life that a member is expected to live—and a member must live that life whether he does the job or not—one has certain obligations to meet. If a member is defeated and leaves the House, he is entitled to some sort of benefits, or an addition to his pay to tide him over that period when he has to continue to meet certain obligations.

A good deal of thought has gone into this measure. I think members will agree it meets the requirements of a man who has a broken career. The pension scale has been adjusted to the extent that there is some encouragement for a man reaching more mature years to say, "I have done my bit; I will get out and make way for a younger man." It is reasonable to suppose that after 16 years or more a man could say, "If I leave, I drop off all those social obligations which are extremely expensive, and £20 a week superannuation is reasonable for my wife, and myself; we can get by on that."

As pointed out by more than one speaker, it is only reasonable that in any occupation there should be some security given to the widow. From several aspects the alterations as envisaged in this measure have merit. They have merit from the point of view of the State, and of Parliament as an institution, which is the aspect any person in a responsible position should look at when he examines a measure of this type.

It is about time people realised it is not the fault of Parliament as an institution if any particular member of Parliament does not measure up to the critic's idea of what a member should be. We as a Parliament accept the members who are elected to this House by the electors, and the ultimate responsibility as to the worth or otherwise of members rests with the electors and not with this House. When judging the worth of anyone, particularly from a monetary point of view, we must accept the fact that the labourer is worthy of his hire; if he is not, it is not our job to question him; it is the job of the electors. Whether or not we are worthy is for posterity to decide. It is for posterity to decide whether we have left our mark and have warranted the expenditure.

I wish to raise one or two matters which I consider make this particular alteration of the Act well worthwhile. I also wish to place on record my views of the reporters who reported the matter. I consider their news report, as it appeared in the Press, was fair and just. I also consider, since strong exception was taken to the newspaper's leading article, that we should not take the easy way that was taken by the writer: we should continue to spend time examining the Bill before us.

I feel that I am entitled to voice this criticism here: Matters discussed by the Rights and Privileges Committee concern private family finance. I will elaborate on an analogy which was given this morning; namely, that when one is discussing one's financial situation with a banker, one does not go into details of what one's children have, or discuss private fiddle-faddle which goes on in the home. This parliamentary committee has been set up to enable members to discuss certain matters. The place for those matters to be discussed is at a meeting of all members of this Parliament; and matters which are discussed by the committee are then submitted to all the members. The fact that matters of this nature have been discussed here does not make me, as a member of the Rights and Privileges Committee, very happy.

THE HON. F. R. H. LAVERY (West) [7.38 p.m.]: I do not wish to let this occasion pass without commenting on the criticism of Mr. Watson. As members of Parliament, we have the Commonwealth Parliamentary Association, and we have the Rights and Privileges Committee. I would tell Mr. Watson that he knows very well, as we all know, that after the committee has discussed various problems those problems are discussed in the various party rooms. They are then placed before the Premier or Treasurer of the day. That is what happened in this case. I am quite sure the leader writer of *The West Australian* knows that as well as I do. Mr. Watson endeavoured to turn this matter into a political football by naming three

Labor members and saying that this is not a Government Bill. He knows that that is not correct.

The Hon. A. F. Griffith: Do you think it is a Government Bill?

The Hon. F. R. H. LAVERY: It is a Bill which has been requested by the Rights and Privileges Committee, and the Premier has kindly acceded to that request.

The Hon. A. F. Griffith: If there is much more fuss about it, we will drop it to the bottom of the notice paper.

The Hon. F. R. H. LAVERY: I am not going to be gagged by the Minister. I am defending myself as a member of this House; and Mr. Watson is not going to challenge the party to which I belong and say it is the party responsible for bringing this measure before the House. It was brought here by the Rights and Privileges Committee. If I wish to criticise the committee I will do so in the party room. Mr. Watson named three Labor members. There was no need for him to do that. This matter has been discussed in every party room; and the Premier has been sympathetic to our request.

THE HON. J. G. HISLOP (Metropolitan) [7.43 p.m.]: I think the remarks made about this Bill should be made in the light of a clear and calm investigation of the principles attaching to it. Looking at it from my point of view I think I am quite right in making the statement that a member who has served in either House of this Parliament and who has lived and worked conscientiously and attended all the functions he has been called upon to attend, and who lives simply on the salary paid to him, will have saved very little at the end of his years of office.

To most of us who are concerned about this matter the question of a pension for ourselves matters little or nothing; but the question of leaving our wives in a state of reasonable comfort is of great importance to every one of us. I would make it quite plain that I do not consider any member living on his salary has anything to spare, even with his expense allowance, because he has to maintain and replace a motor car. I find, quite apart from all other expenses, that to own, run and replace a motor car absorbs at least two-thirds of what I am allowed for expenses.

No one can estimate what my wife is called upon to contribute to bazaars, fetes, teas, and so on. We are quite unable to assess that amount, but it is certainly not a small one. I believe I can make it quite plain that, as a professional man, this is not an occupation to adopt if one is seeking to add to one's wealth. I am quite honest in making the statement that, by sacrificing so much of my professional career in the service of the people of this State and this House, I have not gained financially. I am quite convinced that I have probably lost heavily.

The Hon. F. R. H. Lavery: A very true statement.

The Hon. J. G. HISLOP: However, that does not worry me. I am somebody who has the sort of personality that enjoys the task we carry out here. Nevertheless, I want to feel that when we finish our labours here—it might be sooner or it might be later—we will all be content to know that we can leave our wives with the feeling that they will not be in want. Whether it be an honourable member who lives purely and simply on his parliamentary salary, or whether it be an honourable member who is in receipt of some additional income does not matter; in that respect we are all one and the same and we are very much in the same state in the ultimate.

I consider that the Bill is a just tribute to our wives who have done so much for us during our public careers. The Bill will now enable them, after we have shuffled off this mortal coil, to live in reasonable comfort. Therefore, I support the measure.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [7.47 p.m.]: I regret the course that the debate has taken. I think I can safely say that what triggered off the debate this evening is the leading article in this morning's issue of *The West Australian*. That is regrettable, too. What should have happened, in the normal course of events, is that, as the Leader of the Government in this House for the time being, I should have introduced the Bill. I should then have been followed by the Leader of the Opposition and, as far as I am concerned, that should have been the finish; because all members understood what was going to take place on the introduction of the Bill.

The Hon. H. C. Strickland: The Minister was aware that I was not present, of course.

The Hon. A. F. GRIFFITH: I realise that the honourable member was not present and I do not want him to take umbrage at my remarks. As Mr. Jones has so rightly said, we have dealt with the business on the notice paper by jumping from one end of it to the other. However, I know that members realise that at this stage of the proceedings, that is necessary.

The Hon. F. J. S. Wise: Mr. Strickland was not absent by choice, either.

The Hon. A. F. GRIFFITH: No; I realise that. I do not want to discuss the actions that led up to the introduction of this measure and the discussions that took place amongst the members of the Rights and Privileges Committee, because I do not think this is the place to discuss them. Members should not think for one moment, however, that I am saying that such matters should not be discussed.

I listened with interest to the outburst by Mrs. Hutchison; and, to some extent, it comforts me because obviously she is taking a great deal of interest in her work in this House and therefore I do not think she is as keen to abolish it as she was earlier. I regret the remarks she passed about the young members of the Press. As Minister in this House I want to tell her something; and I know that those honourable members who have been Ministers in the past will know what I am talking about. I have many visits—almost on every day of the week—from representatives of the Press and the broadcasting stations; and I would like to point out that members should not be misled by the youthful appearance of the representatives of the Press and radio, no matter what newspaper or radio station they represent.

Without exception, I have been able to entrust, to every one of those reporters that I know, a good deal of information that I have passed on to them from time to time.

The Hon. W. F. Willesee: As a matter of fact, you are a little youthful in appearance yourself.

The Hon. A. F. GRIFFITH: Thank you very much, Mr. Willesee, but the honourable member should not be misled by that, either. I have given these young men a great deal of information from time to time and have explained to them that, in the interests of the Government and in the interests of the State, it is not provident, at times, to publish an article about a particular matter.

The Hon. F. J. S. Wise: At that time.

The Hon. A. F. GRIFFITH: Yes; at that time. I would say, without the slightest hesitation, that not one of those reporters has ever abused a confidence I have placed in him. I think Mrs. Hutchison should have some regard for these representatives of the Press. They are not in the slightest way responsible for the leading article or for the policy of the newspaper. These men perform an excellent job of work for us, and sometimes I feel sure they must write an article and then discover the next morning, when they rise to read the newspaper, that the article has not been published as they wrote it; the principal reason being, on most occasions, lack of space.

Therefore, Mrs. Hutchison should have regard for the remarks that she makes about these reporters because the comments that she expressed this evening were completely unjustified. I hope that the reporters in the Press gallery will not take her remarks to heart. If that is the only way the honourable member can get her name in the Press, I do not care for such tactics.

I think we should now return to the debate on the Bill because, to date, most of the discussion has been on the leading article in this morning's issue of *The West*

Australian which, as I have said before, triggered off the remarks that have been expressed by various members. I do not agree entirely with what was said by Mr. Watson, but I think his remarks—also, to a degree, were responsible for triggering off the debate we have just heard. The course that should have been followed is the one I outlined previously.

The Treasurer of the day is responsible for the introduction of a measure such as this. Of course, it is a Government measure in the true sense of the word because it is introduced by a Minister of the Crown.

The Hon. H. C. Strickland: Only the Government could introduce it.

The Hon. A. F. GRIFFITH: That is quite true; because it involves the expenditure of money. The Treasurer of this State introduced this Bill not without a great deal of pressure from members of the Rights and Privileges Committee. After the Treasurer had appreciated the wisdom of the suggestions put forward by the committee, and after having obtained the consent, I take it, of every honourable member, the Bill should have passed through this House without any of the comment we have heard tonight. I do not propose to say any more except to repeat that I regret the debate has developed in such a manner and I hope it will not continue in that strain.

Question put and passed.

Bill read a second time.

In Committee

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

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [7.55 p.m.]: I move—

That the Bill be now read a third time.

THE HON. H. K. WATSON (Metropolitan) [7.56 p.m.]: I merely rise to say, following on what I said in my second reading speech, and as I explained at the time, that the Bill would have passed through the second reading stage and it would have done so long ago had I not spoken. When I did speak, the Bill then received support from other members, which support I thought I was justified in provoking.

THE PRESIDENT: It is perhaps unusual for a President to pass remarks on a Bill of this nature but I consider, as your President, following on the publication of a leading article in this morning's issue of *The West Australian*, that the remarks contained in that article are a reflection on the members of this Chamber. It has been my object, whilst acting

as your President, to endeavour to uphold the dignity of this House; and I shall always endeavour to do so. I feel that *The West Australian* newspaper has not, on this occasion, extended to Parliament, including the members of this House, the courtesy we are entitled to expect, because that newspaper criticised this legislation before any debate on it was held in this Chamber.

I say to *The West Australian* newspaper that very few of the members who supported this legislation will benefit from it. I agree with the remarks expressed by Dr. Hislop that this legislation will benefit more the partners of members of Parliament when they become widows. The wives of members, whilst their husbands are serving Parliament and the interests of the State, are to a large extent grass-widows. The wives sacrifice a great deal of the companionship of their husbands whilst they are serving in this Chamber; and the husbands, in turn, miss many nights at home in the company of their wives. However, they sacrifice these leisure hours for the benefit of the public of Western Australia.

It behoves a daily newspaper, when publishing a leading article such as the one which appeared in this morning's issue of *The West Australian*, to follow the blueprint laid down in years gone by by the *Manchester Guardian*. On that occasion, when the newspaper was criticising a particular piece of legislation, its criticism appeared in one column and, alongside it, in another was published the views of the members of Parliament.

The position could be summed up concisely by an article written by a high-school girl in the metropolitan area, when she was referring to the salaries and superannuation which are payable to members of Parliament or their dependants. She said—

A lot of people think that members of Parliament receive large salaries and retiring allowances. But unfortunately few people pause to think that not many of them live to enjoy the benefits.

Question put and passed.

Bill read a third time and passed.

WORKERS' COMPENSATION ACT AMENDMENT BILL

In Committee

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3—Section 4 amended:

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

Page 2, line 3—Insert after the word "amended" the following to stand as paragraph (a):—

(a) by inserting at the end of paragraph (a) of subsection (5) the following proviso—

Provided that where any of the amounts, payments and benefits and the specific sums, representing the maximum entitlement of the worker or the maximum liability of an employer, are, subsequent to the coming into operation of the Workers' Compensation Act Amendment Act, 1954, amended by any amending Act, such amounts, payments, benefits or specific sums shall be subject only to any increase or decrease in proportion to any alteration in the male basic wage as declared by the Court of Arbitration after, but not before the coming into operation of such amending Act.

The purpose of this amendment is to obviate the mechanical alteration of the Act each time a new benefit is inserted, or each time an existing benefit is varied.

It is necessary to alter section 4 (6) of the Act whenever a benefit is altered. The principle is that an increase shall be subject to adjustments of the basic wage which are made after the alteration of the benefit comes into operation. In the absence of the provision in the amendment I have just moved, the Act will have to be amended every year, as the basic wage is adjusted. My amendment will obviate the necessity for so doing.

The Hon. A. F. GRIFFITH: I do not oppose the amendment. I have been advised by the Crown Law Department that the existing provisions in the Act amply cover the position. If, in the opinion of the honourable member, the amendment makes the section in the Act abundantly clear, I have no objection to its being agreed to.

Amendment put and passed.

The Hon. H. K. WATSON: I move—

That the clause be further amended as follows:—

Page 2—

Line 8—Delete the words, "adding after" and substitute the words, "substituting for."

Line 10—Delete the figure "(7)", and substitute the figure "(6)".

Line 10—Delete the word "subsections", and substitute the word "subsection".

Line 11—Delete the words "and (6)".

Amendments put and passed.

Clause, as amended, put and passed.

Clause 4—Section 8 amended:

The Hon. E. M. HEENAN: There is an amendment to the notice paper in my name, which I have since modified. I move an amendment—

Page 3, line 14—Add after the word "nature", the following:—

The provisions of this section shall extend to the case of any worker whose disablement, caused by silicosis, pneumoconiosis or miner's phthisis due to the nature of any employment in which such worker has been employed, has occurred at any time within a period of ten years prior to the coming into operation of this Act.

The amendment on the notice paper does not prescribe any limiting period, and the provision could have been applied retrospectively for 20 or 30 years. By introducing the provisions in the Bill, the Government is really doing some good. The three-year limiting period is, from the coming into operation of the provisions in the Bill, to be deleted from the Act. Thereafter any worker who develops silicosis—whether it be one year or 20 years after leaving the industry—will be able to claim compensation.

There is only a small number of workers who have contracted silicosis more than three years after leaving the industry. Some of them were unaware of their condition within the three year period, and they are now irretrievably outside the scope of the Act. This has happened through circumstances beyond their control. There are only a few such cases.

I have mixed among miners for many years because I practised as a lawyer on the goldfields for a long time. Since this proposal appeared in the newspaper, a number of these persons have approached me. My estimation of the number of workers who come within this category is accurate, and notice should be taken of it. I know of less than half a dozen myself who could make a claim under this amendment.

This provision, when proclaimed, will wipe out the three-year period and will apply to all future claims; but it will have no application to claims which exist at present. I believe that was the desire of Parliament when it passed the motion suggesting the appointment of a committee. I really and honestly believe that every member had in mind that we could achieve something for these men who, through no fault of their own, were just outside the three-year limiting period.

I have mentioned that early last year I had a case that was only a few months outside the time, but since then two years have slipped by and the man who was then only a few months over the period, is now about two years over the period. There will also be a number around three and four years over the period.

I really believe that if this amendment were carried it would be a most charitable action. I reiterate that they would not be given compensation for nothing, because their employers would have paid for them over many years when they were working in the mines. After all, it took them many years to contract silicosis in the mines, and during the whole of that period the companies covered them and paid premiums into the State Insurance Office.

If claims had been made at the right time, they would have been paid. I cannot see where any hardship or difficulty could eventuate if they were paid now instead of having been paid a few years ago. I think it is due to them. Natural justice compels us to carry an amendment such as this. If any member thinks that the 10-year period is unfair, I would listen to him. No matter what period was stipulated, I suppose some would be outside and some inside the time, but we have to remember that almost two years have elapsed since we started to face up to this problem, and those two years should be borne in mind when calculating any period.

I thank members for allowing me to repeat some of the remarks I previously made, but this is a somewhat technical matter and some aspects of it may not have been quite appreciated by members from farming communities and other parts of the State if they do not come into contact with it.

The Hon. A. F. GRIFFITH: I think I have demonstrated in a practical way my interest in this problem. Mr. Heenan can take a great deal of credit for moving in the Legislative Council in August last year a motion which asked the Government to appoint a committee. I gave an undertaking after consultation with my colleague, the Minister for Labour, that such a committee would be formed; and upon that assurance being given, the honourable member withdrew his motion.

The committee was a very representative one. It was unfortunate that the A.W.U. was not represented on it. It wrote suggesting that it should have a member on the committee, but unfortunately the letter was not received until after the decision to include this particular clause in the Bill had been made. Therefore there was no purpose in doing anything but write back to say the decision had been made.

Mr. Heenan is very fair in his approach to this matter. He does not seek to take advantage of me. He does not say that I made a promise to make the provision

retrospective. However, I am a student of *Hansard* and I know that somewhere else such a claim was made.

I would like once again to read to the Committee this newspaper cutting as follows:—

Silicosis Sufferers Will Benefit Announcement by Minister for Mines

In accordance with a recommendation made by a committee appointed by the Legislative Council to inquire into the restriction contained in the Workers' Compensation Act limiting claims by miners suffering from silicosis to a three-year period after leaving the industry, the State Government intends to remove the restriction, the Minister for Mines, Mr. Griffith, said last night.

Details of the amendment necessary to secure that were under consideration—

I would like members to note those words, "under consideration"—

—and would be put to the Minister for Labour, Mr. Perkins, prior to the next Parliamentary session.

"If accepted they should remove any possibility of injustice to miners whose silicosis progresses after they leave the mining industry," Mr. Griffith said.

He added that in his travels he had encountered several instances of injustice occasioned by the restrictions in the Act.

Mr. Griffith, who is on a short visit to the Eastern Goldfields, had discussions on aluminium therapy at the Chamber of Mines yesterday. He will leave for Perth this afternoon.

The words "He added that in his travels he had encountered several instances of injustice occasioned by the restrictions in the Act" have been construed to mean that that was an undertaking and a promise by me that the clause would be retrospective. Nothing could be further from the truth. It will be appreciated by members, surely, that I was not a member of the committee. The submissions were being made to the Minister for Labour, and, at that time, I did not know what they were. I appreciate the fact that Mr. Heenan, in fairness to me, has not claimed that I made a promise in respect to any retrospectivity of this clause; and neither I did.

The amendment which Mr. Heenan placed on the notice paper could not be agreed to, and neither can this one, because we just do not know the extent of the responsibilities. Surely we have gone a long way to achieve this much.

We listened to the remarks of Mrs. Hutchison who had a friend suffering from silicosis. She even went so far as to take Mr. Moir, the previous Minister for Mines, to see this man. This, she said, was in 1957 or some like date. But nothing was done. To the best of my knowledge no Bill was

presented to Parliament to alter the clause in order to give relief to this man and others in a similar position; no attempt has been made until now.

As Mr. Heenan has stated, we have gone a long way towards assisting these people, but it is not possible for this amendment to be passed for the very reason that the extent of the liability cannot be estimated. Therefore I ask the Committee to accept the Bill in its present form. It must not be forgotten that this matter was looked into by a representative committee and the clause in the Bill was the result of an investigation made. Do not run the risk of losing this measure by trying to amend it because if we lose the Bill we will lose what has been achieved up to date.

The Hon. J. G. HISLOP: Nothing would give me greater pleasure than to be able to agree to Mr. Heenan's amendment, but I think that those who listened to me when I spoke on the second reading will realise that I tried to point out that this Bill is satisfactory for the moment in regard to the silicotic miner. I agree with the Minister. I do not think that any of us can give an estimate of the number of men who would be eligible to claim under the amendment. It would not only be wrong to pass the amendment for this reason but it would be difficult for the reasons I hinted at this morning.

First of all, how do we establish the source of the silicosis in a man who has been away from the mines for 10 years? In 10 years a good deal of degenerative progress has taken place in such a person and it would have to be decided how much the disease was industrial and how much non-industrial. It would take a board of at least three competent physicians who knew something about silicosis, and a good deal about the degenerative condition of ageing people, to establish this fact.

One of the ways in which it might be estimated would be to make a survey of the films that have been taken over the years in Kalgoorlie. But that would be a long and tedious process. In addition, there are those who showed little or no signs of silicosis, but who developed it over a period of years.

I have told members previously that I have seen men who left the mines without any apparent disability but, who, 16 years later were totally disabled by silicosis. There is no doubt that if an individual becomes disabled by silicosis after leaving a mine, it is his work in the mine which is responsible for his condition, because it is thought that what happens is that microscopic particles of silica affect the lymphatic channels of the lung and prevent drainage.

We do not know how many of these men have left the mines and are scattered all over the place. I know a few who are in market gardening and other

occupations. I expect that within the last six months I have seen six of these men who have been unjustly treated, not because of the Act but because the diagnosis of silicosis is all wrong, and because in the Act we have no reference to pulmonary disability. Most of those who would claim on a retrospective basis would have to claim for pulmonary disability rather than for silicosis. So next year we should try to include a definition of pulmonary disability. We might go further and appoint a board of three rather than have one person to decide on eligibility for a pension because of silicotic conditions.

In the main the men are X-rayed at Kalgoorlie, and this tends to make the opinion expressed at Kalgoorlie an authoritative one. Then we get an authoritative opinion from the Chest Clinic; and the men there did not start as radiologists but as physicians who became accustomed to reading X-rays.

I would like to have an assurance that an inquiry, at committee level, will be made into what it would cost to alter the basis of diagnosis of silicosis; and also to ascertain the number of men who would come under the heading of having acquired silicosis in the 10 years prior to their leaving the mines.

Again I draw attention to the fact that in the original Act we gave the board power to conduct research into these matters, but that has not been done. We might ask the board at this stage to make some research into the eligibility of miners for a pension on the basis of diagnosis, and on the basis of what it would cost if we removed all time barriers.

I would not like to see an extension of this matter at the moment; I would rather wait another year and see whether we could get further information. I am satisfied that the basis of diagnosis of silicosis in this country is not adequate. There is too much room for doubt. I feel there are methods of examination which will permit of the possibility of dividing the disability into various grades, and of coming nearer to the South African Act and the Canadian Act.

The Hon. R. THOMPSON: At the present time the fund has over £1,000,000 in it, and the premium has, since 1953 when it was 84s. per cent., been progressively reduced until today it is 20s. per cent. There is, virtually, £1,000,000 lying idle in the State Government Insurance Office.

Some members have said that they know of one or two cases that would be concerned in this matter. Mr. Cunningham said he knew of one or two cases, and they could be the same ones as those mentioned by Mr. Teahan, Mr. Bennetts and Mr. Garrigan. Admittedly the people those members referred to could have left the goldfields and taken up other employment. Those people could have become market

gardeners, but they would not qualify under this amendment because they have been gardening since the war years.

The Hon. H. K. Watson: They are self-employed.

The Hon. R. THOMPSON: Yes. I cannot see any harm in this provision, because the money is available. It is better to give the benefit of this provision to the few who would be eligible rather than to give no benefit at all.

The Hon. F. R. H. LAVERY: About three years ago I took one of my constituents to Dr. Hislop because this chap was known to have a disability of 10 per cent. which later increased to 15 per cent. When I took him to Dr. Hislop he was found to have a badly strained heart as well.

When we were leaving Dr. Hislop told me that the man did not have very long to live—perhaps only a few weeks, and he suggested that when he died I should ask for a *post mortem*. Unfortunately the chap lived for only a little over two weeks, and I was in hospital when he died so we did not have a *post mortem*. This man told me that he thought there were 15 or 16 people who were in the same condition as he was, and who could not qualify because the period that had elapsed from the time they left the industry until they applied for assistance was too long.

On previous occasions Dr. Hislop has told us of a provision in the Act—I am not aware of it myself—empowering the board to have inquiries made in regard to these patients. In the next 12 months, could the board be called upon to have inquiries made to find out how many men are affected by this complaint? That may be a shot in the dark, but it is a suggestion.

I support Dr. Hislop because I do know, from conversations I have had with him over a long period, that he is most concerned about this complaint and he has said that a disservice is being done to the men because they are not receiving the benefits they should.

The Hon. J. J. GARRIGAN: I commend Mr. Heenan for moving his amendment, and I commend Dr. Hislop for his fine contribution to the debate. I do not think sufficient time or thought has been given to the Bill which is vital to the workers in the goldmining industry. There has to be a starting point somewhere, and I think that by providing for 10 years' retrospectivity we will not break the State Government Insurance Office.

I worked in the industry for many years, and I know many men who have worked in the industry and who have gone into other walks of life such as the dairying industry. The men who are affected by silicosis are entitled to some compensation when they have given some part of their lives to the goldmining industry.

We have to arrive at a decision sometime, and the decision will only be arrived at in this Parliament.

The Hon. A. F. Griffith: We have arrived at a very good one.

The Hon. J. J. GARRIGAN: I suggest we could start on the basis of 10 years' retrospectivity, because we have to start somewhere and do something to help those who have given so much to Western Australia. I hope the amendment will be agreed to.

The Hon. J. G. HISLOP: In order to make it clear that the statement I made about the investigation itself is authentic—

The Hon. F. R. H. Lavery: I hope you didn't think I doubted you?

The Hon. J. G. HISLOP: No; I did not think that. I draw members' attention to section 29 (13) of the Act. I am not asking the board to do anything that is outside its authority.

It is interesting to note that under the South African Act a research committee has been set up which is constantly occupied with an investigation into the causes and methods of treatment of silicosis. It is only by the board setting up an inquiry into alternative methods of diagnosis in regard to silicosis—and getting away from the old pink form—and the question of investigation of the blood in regard to silicic acid, which can be done in 30 days at the biochemical laboratory at the Royal Perth Hospital, that we will get very far in this regard.

The Hon. G. C. MacKinnon: What is the cost?

The Hon. J. G. HISLOP: It is not a large sum, because it can be done at that laboratory.

The Hon. G. C. MacKinnon: Hundreds or thousands?

The Hon. J. G. HISLOP: It would depend upon how many needed to be done, but only hundreds if it were a limited number. That is not a big expenditure when it is a question of research.

I do not mind how many men are called up—men who have been 10 years out of the industry. The vast majority will be found to have a pulmonary condition, and they can get nothing under the Act.

The Hon. A. F. Griffith: They still wouldn't get anything.

The Hon. J. G. HISLOP: No; not if they have a pulmonary disability; which is accepted in all those other countries. I read four or five years ago in this Chamber a statement which showed that Canada had accepted it. South Africa covered it with a section in their Act in 1952; and only last year I read of the Rumanian experiments. The literature is in the library of the Public Health Department. We should be able to get down to a proper basis and give some justice

to these men which they have not had up to date. To do that willy-nilly, without any resources, would be disastrous.

The Hon. E. M. HEENAN: With regard to the Minister's arguments, I say again that my argument is that the premiums to cover these men have already been paid. Any man affected would be one who worked for a period, I should say, of at least 20 years in the mines. During that period the State Government would have received payments to cover him against this disease. When these men left the mines they were told that they did not have the disease; but they were wrongly told. If scientific methods had reached the stage that they have reached now, those men would possibly have been told that they had silicosis. But they were not told.

I think the silicosis fund is adequate and is morally bound to meet their claims. We are always interested to hear Dr. Hislop on these measures, and I want to pay a tribute to him for the enthusiasm he has shown and thank him for the wise advice he always gives us on these matters. I want to thank him, too, for the attention he gives to the poor affected individuals I refer to him from time to time. Dr. Hislop is perfectly correct when he says that if my amendment is agreed to the tangible results will not be great because not many people will be involved.

I use that as an argument in support of my amendment being agreed to without any worries. Dr. Hislop and I know a man in Kalgoorlie who has been in the mines for about 30 years. He is just skin and bone now; and almost every winter he gets pleurisy and pneumonia. But he is carrying on and, surprisingly enough, he has very little silicosis. That is what Dr. Hislop is working on, and there is tremendous merit in his argument. This man has no T.B., and barely any silicosis, and although he would like to get out of the mines, he cannot get compensation for the little silicosis he has. If he claimed compensation he would get relatively nothing.

I know there are some men who are not now in the mines, and who think that if my amendment is agreed to it will mean a great deal to them. That may not be the case. They will be compensated only—

The Hon. J. J. Garrigan: According to how they are assessed.

The Hon. E. M. HEENAN: Yes. A lot of them are chesty and bronchial, but they have only a relatively small amount of silicosis. I do not say that this amendment will work miracles for them; but I have to deal with the Act as it is. Although Dr. Hislop has made laudable efforts to do something about it, we have not departed much from the Act over the years, and have done little about adopting the radical and humane changes that he has in mind.

However, the amendment will give these men some small relief. The Government has made a good step forward by wiping out the limiting period, but it is not going to be of any benefit to the few poor individuals who have missed out in recent years through no fault of their own. I only wish I were in a stronger position to do something more about it. It is difficult to know how many are involved in this; no-one knows.

The Hon. J. J. Garrigan: You will never know.

The Hon. E. M. HEENAN: Many who think they will be entitled to some compensation will find that they are like the man I just mentioned. I sent him to Dr. Hislop to see whether he could help, but Dr. Hislop, like others, said he had hardly any silicosis.

I saw another little man at the Hill 50 Mine the other day. He has worked in mines all over the goldfields for the past 30 years. He is only skin and bone; but, although he is chesty, he does not have T.B. or silicosis. He showed me his certificate from the laboratory, only a few weeks ago, and it showed that he has no silicosis. Judging by his size and his appearance he should not be working underground; but if he walks out tomorrow he cannot get 1s. compensation; and he cannot do any other type of work. He is earning good money up there now but the probability is that he will die within the next year or two from pneumonia or something like that.

The Hon. E. M. Davies: In other words he is working himself to death to live.

The Hon. E. M. HEENAN: However, the amendment will benefit those who have silicosis, and I hope it will be agreed to.

The Hon. A. F. GRIFFITH: The honourable member has put up a good case and personally I am sympathetically disposed to it, because I have seen some of these people and I have talked to them—few in number, perhaps, but nevertheless I have done so. It is true that premiums have been paid in connection with them based on a three-year restriction. We must not forget that.

In his honesty of purpose the honourable member told us we cannot agree to the amendment for the same reason that the committee could not agree; the practical reason. The honourable member does not know how many cases there are. Further, after a period of years it is impossible in most cases to prove or disprove what the cause of death was. Dr. Hislop subscribes to the argument that it is quite impossible. Let us make haste slowly. We have made a lot of haste in this clause. It is 12 months since the honourable member introduced his amendment and the committee made its investigation; and now the amending Bill is being considered. But it is not retrospective; it cannot be, for the reasons given.

We should not be placed in the position of losing this benefit, and that is what is likely to happen if we send down such an amendment to another place. This constitutes a big improvement; and from time to time we will have other improvements. Up to now nobody has done anything, such as is proposed in this amendment, to remove the restriction in respect to silicosis. Let it accept what we have because I do not think we will do better.

The Hon. H. C. Strickland: Does the Minister mean there will be no conference?

The Hon. A. F. GRIFFITH: I cannot say there will be no conference, but I have reason to believe that the amendment will be opposed in another place. Members know that only one has to break down in a conference and we lose the lot. We should not run that risk.

The Hon. R. THOMPSON: I hope the Minister is not serious when he says that if we amend this Bill it will not be accepted in another place. We have the right to amend the Bill, and I cannot see why it should break down at a conference.

The CHAIRMAN (The Hon. W. R. Hall): Order! The honourable member must confine his remarks to the amendment which has nothing to do with a conference.

Amendment put and a division called for.

The CHAIRMAN (The Hon. W. R. Hall): Before the tellers tell, I cast my vote with the ayes.

Division taken with the following result:—

Ayes—14.

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

Noes—14.

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
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. A. L. Loton	Hon. J. Murray
	(Teller.)

A tie.

The CHAIRMAN (The Hon. W. R. Hall): The voting being equal, the question passes in the negative.

Amendment thus negatived.

The Hon. R. THOMPSON: Could the Minister tell me what would be the position of a worker who overstayed his six months period in, say, New South Wales, and who then developed silicosis? Would he qualify under the Act of the State in which he happened to be?

The Hon. A. F. GRIFFITH: I am informed there is no reciprocal legislation. The understanding is that a person coming here from New South Wales would be

looked after by the board, and it is expected the same would apply to a person going from Western Australia to New South Wales. There is no legal reciprocity.

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

Page 3—Insert after paragraph (c) in lines 15 to 27 the following to stand as paragraph (d):—

(d) By inserting after the word "years," in line 21 of the proviso to subsection (5) the passage, "or where the disease is silicosis, pneumoconiosis or miner's phthisis and the worker is not at the date of disablement employed in the mining industry but was previously so employed then during any prior period commencing on the date three years prior to the date on which the worker ceased to be employed in the mining industry."

As the Bill proposes to remove the three-year limit in respect to an ex-miner suffering from silicosis, so my amendment seeks to remove the existing limit of three years in respect of the right which the ex-miner's present employer, be he a stonemason or a quarrymaster, has against the mining company and the mining company, in turn, has against the insurance company.

The Hon. A. F. GRIFFITH: The object of the amendment is to preserve the right of contribution between employers, which has been enjoyed in the past. I have no objection to it.

Amendment put and passed.

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

Page 3, line 30—Delete the word "A" and substitute the word "The."

This amendment is consequential.

Amendment put and passed.

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

Page 3, line 30—Delete the words "the proviso" and substitute the words "proviso (i)."

This amendment is also consequential.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 5—Section 12 amended:

The Hon. R. THOMPSON: I move an amendment—

Page 4, lines 10 to 14—Delete all words after the word "Act" down to and including the word "attempt."

I move this amendment because a person who fraudulently attempts to obtain a benefit can be charged under the Criminal Code. I do not know of one case of malingering in this State. When a person is

off work and is obtaining compensation, his medical practitioner would know when he was fit to return to work. If the medical practitioner was satisfied that the man was fit, he would issue a statement that the man could return to work. Then, there is a right of appeal to the Workers' Compensation Board which, I think, does a good job. The insurance companies are also on the mark.

The Hon. A. F. GRIFFITH: I hope the Committee will not agree to this amendment as I think the honourable member is off the track. If a person signs a statement believing it to be true, that is not fraud. It is only fraud when a person signs a statement knowing it to be untrue. The key word in the clause is "fraudulently." If a person signs a statement knowing it to be untrue he can be guilty of fraud; but if he signs a document for something he thinks is quite all right that is not fraud, and he will not be charged. I think it would be dangerous to accept the amendment. I feel that the men whom Mr. Ron Thompson wishes to help would not be very grateful.

The Hon. E. M. DAVIES: I support the amendment. The word in the clause to which I object is "malingering." It is repugnant to me. I do not think it is possible for anyone to mangle as the medical practitioners and insurance companies will look after the employer's interests. If a person attempts to mangle he can be compelled by the insurance company to be examined by a doctor of its choice, but if there is any dispute the case goes to the Workers' Compensation Board. I repeat that I object most strongly to the word "malingering" and I hope the Committee will accept the amendment.

The Hon. R. THOMPSON: At the waterfront, two witnesses are usually required in compensation cases. I know of instances where a person can work there on his own for eight hours of the day. This would apply to a person working on the forward end of a ship in connection with a crane working bulk cargoes. It is necessary for this man to remove hatch covers which weigh anything up to 150 lb. He has to do this in order to position himself to provide clear vision for the crane driver. This man could crush his foot if a hatch cover fell on it.

What I am leading up to is this: A man could hurt his foot badly while away from work; he could come to work and because he is on his own for so many hours of the day he could go to the foreman and show him his foot and say that he had crushed it under a hatch cover. He could get the forms and ask the foreman to sign as a witness. It might be necessary at a later stage for that person to prove he hurt himself on the job, and it is possible that the foreman could be charged with aiding and abetting that person to get compensation.

The Hon. J. J. GARRIGAN: I propose to support Mr. Ron Thompson. I think the word "malingering" places a great suspicion on anybody in connection with this matter. I have had experience of these matters. If a worker reported an injury to his back, I noted it in my little black book. But I was not a witness, and there would not have been a witness available. The worker would be under suspicion, and so would I for making the report. However, I was obliged to make a report in case it developed into a permanent injury at a later date. I therefore support the amendment moved by Mr. Thompson.

The Hon. H. K. WATSON: I feel that the case mentioned by Mr. Ron Thompson ought to be covered. The witness in the case referred to should not be liable to prosecution in any way. But I submit that the clause as it stands will leave a witness free and not vulnerable to prosecution. The clause does not say, "Any person who makes a false statement is guilty of an offence." It says any person who "by a false statement or other means, aids or abets a person" in a fraudulent attempt to do such and such a thing. The words "aids or abets" imply conspiracy or collusion, or something of that nature. If the clause simply said that any person who signs a statement which is false shall be guilty of an offence, there might be something in the point made by the honourable member; but it does not say that. I feel that the person whom Mr. Thompson seeks to protect is fully protected in the clause as it stands at the moment.

The Hon. G. C. MacKINNON: I would like Mr. Thompson to explain his case further. As I understand it, if a worker is working on his own, and has an accident, and there are no witnesses and no-one is prepared to say he witnessed the accident, the worker cannot obtain compensation.

The Hon. A. F. Griffith: Then that is not right.

The Hon. G. C. MacKINNON: I understood Mr. Thompson to say that the worker had to get two witnesses. If my employer had a workers' compensation policy and I was sent to work where no-one else could possibly see me and I then had an accident, surely I would be able to lodge a claim? Does one have to have two witnesses to say they saw the accident; or have there to be two witnesses merely to witness one's signature on a claim?

The Hon. R. THOMPSON: I have obtained this information by speaking with very many workers around the waterfront. The witnesses have to state how the accident occurred. I am trying to overcome the stupidity of that necessity and to eliminate the possibility of a witness being liable for prosecution. Those statements have to be signed before payments are made to the injured worker.

The Hon. A. F. Griffith: That is quite wrong.

The Hon. R. THOMPSON: I do not care what the Minister says; I have dealt with thousands of them. I do not care what his advisers tell him; I know from practical experience what goes on.

The Hon. A. F. GRIFFITH: I am not worried whether or not the honourable member cares what I say. I have consulted with the Chairman of the Workers' Compensation Board, who tells me that if a man suffers an accident while he is working on his own, he is not debarred from receiving compensation. I hope the honourable member will accept that in the way it is given to him. If he is not prepared to do so, then he should get it in writing from the Workers' Compensation Board.

The honourable member's amendment will make the position worse. The clause would then read to the effect that a person who fraudulently attempts to obtain any benefit under this Act is guilty of an offence. How silly does he want us to get? I hope he will not pursue this. I have been told emphatically that a man who claims under those circumstances is not debarred from receiving compensation. Of course, if he has a witness or witnesses to the accident, all the better. One would think the Government was out to deprive a worker of his rights under this legislation.

There will be cases where the intent is fraudulent, and if it is proved to be fraudulent, then the worker is guilty of an offence. In signing a statement, a worker has knowingly to commit a fraud before he suffers the penalty.

The Hon. R. THOMPSON: I will accept the Minister's statement and ask leave to withdraw my amendment with the exception of the words, "by malingering or." I would ask that the Workers' Compensation Board be approached to advise employers of waterside labour that it is no longer necessary for a witnessed statement to be lodged before payments are made to injured persons. If this is made clear, I will accept the Minister's statement.

The CHAIRMAN (The Hon. W. R. Hall): I think the honourable member should withdraw his amendment entirely and start again.

Amendment, by leave, withdrawn.

The Hon. R. THOMPSON: I move an amendment:—

Page 4, lines 10 and 11—Delete the words "by malingering or."

The Hon. A. F. GRIFFITH: I do not propose to give any assurances on this point. The honourable member is not going to gain a point on an argument of this nature. This clause is intended to give protection where malingerers are

fraudulently obtaining compensation, and I am prepared to let the committee make the decision without bargaining on assurances.

The Hon. F. R. H. LAVERY: I rise because I believe the Minister does not believe Mr. Thompson. The insurance companies have various types of forms for various industries. When I was employed at the Commonwealth Oil Refineries every person who was injured had to sign two documents, or he would not obtain his weekly compensation. What Mr. Thompson says is true. A foreman is often placed in an invidious position because he does not see the accident. But in order that a worker's claim may be accepted he will sign the papers. There is no fabrication by Mr. Thompson on that point.

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

Ayes—13.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
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. R. F. Hutchison	Hon. R. Thompson
Hon. G. E. Jeffery	(Teller.)

Noes—15.

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. S. T. J. Thompson
Hon. A. L. Loton	(Teller.)

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Sitting suspended from 9.47 to 10.8 p.m.

Clause 6—Section 13 amended:

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

Page 5, lines 28 to 38—Delete paragraph (e).

Paragraph (e) is designed to enable the Governor to prescribe a uniform policy of insurance, in respect of workers' compensation. It is tied to a related provision in clause 9 of the Bill. I understand all insurance companies in Western Australia, with the exception of the State Insurance Office, have settled on a uniform policy. They should be entitled to organise their affairs without interference in respect of policies between employers and themselves.

As there is a uniform policy of insurance agreed on between the private insurance companies, provision should not be made in the Act to enable the Governor to prescribe a different form; neither should the Workers' Compensation Board be empowered, under the provision in clause 9, to intrude and interfere in disputes between an employer and an insurer—in disputes which have nothing to do with the employee. For that reason paragraph (e),

and the portion of clause 9 to which I have just made reference should be deleted from the Bill.

The provision in paragraph (e) will confer no benefit on the workers. Further, it is not desired by the employers. There is another reason why this provision should not be agreed to. In negotiating with an insurance company for an insurance policy, the employer invariably takes out a policy to cover not only his obligations under the Workers' Compensation Act, but also his liability under the Fatal Accidents Act, and under common law.

If paragraph (e) becomes law we would have this anomalous position: Under the Workers' Compensation Act, the liability of the employer would be limited to workers' compensation; therefore the employer would have to take out separate policies to cover his liability under the Fatal Accidents Act and under common law.

I can compare this to the position of a householder who is compelled to take out separate policies to cover the risk of fire on his house, the risk of fire on his furniture, and the risk of burglary of his effects. It is much more convenient to take out a householder's comprehensive policy to cover the three risks.

That is the practice today in respect to workers' compensation. There is one policy which covers all risks under workers' compensation including the risks at common law and the risks under the fatal accidents legislation. For those reasons I strongly recommend that the committee preserve the *status quo* by deleting paragraph (e).

The Hon. A. F. GRIFFITH: It is natural that the companies would prefer to draw up their own policies, but it is contended that it would be better for them to have a standard policy, because I understand that in the State there are about 100 companies including tariff companies, non-tariff companies, and a number of unattached companies. I am advised that the Workers' Compensation Board will consult the companies in the preparation of this policy. The desirability of having a standard policy is easily understood.

The Hon. G. C. MacKinnon: It is not all that easy.

The Hon. A. F. GRIFFITH: We will perhaps hear some words of wisdom as to why it is not all that easy. It is suggested that it is better to have a standard policy and that the board should confer with the companies on its preparation.

The Hon. G. C. MacKinnon: Would the Minister give us some instances of difficulties encountered because of differences in policies? I feel we should leave the situation as it is, if we are, as we profess to be, happy about a certain amount of competition. Competition presupposes different methods.

The Hon. A. F. GRIFFITH: I cannot give any instances of difficulties because, as Mr. Watson stated, most companies have a standard policy. However, it is desired to have one which is acceptable by the board.

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

Ayes—10.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. S. T. J. Thompson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. A. L. Loton	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. M. Thomson

(Teller.)

Noes—17.

Hon. C. R. Abbey	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. L. A. Logan
Hon. J. Cunningham	Hon. J. Murray
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. A. F. Griffith	Hon. W. P. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. R. Thompson
Hon. G. E. Jeffery	

(Teller.)

Majority against—7.

Amendment thus negatived.

Clause put and passed.

Clause 7 put and passed.

Clause 8—Section 27 amended:

The Hon. A. F. GRIFFITH: I move an amendment—

Page 6, lines 2 to 12—Delete all words in the clause after the words, "amended by" down to and including the word "section" and substitute the following:—

(a) deleting from lines 8 and 9 of paragraph (b) of subsection (1) the words, "and is unable to pay that compensation.";

(b) adding after subparagraph (ii) of paragraph (d) of subsection (5), the following subparagraph:—

(iii) Notwithstanding the provisions of subparagraph (ii) of this paragraph, the Board shall, after the coming into operation of the Workers' Compensation Act Amendment Act, 1960, estimate annually the amount to be levied in each succeeding year to make provision for the compensation mentioned in paragraph (b) of subsection (1) of this section.

Briefly, this will provide the funds for the uninsured fund and correct the amendment in the Bill.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 9—Section 29 amended:

The Hon. J. G. HISLOP: I take it that the remarks the Minister made concerning clause 8 cover what happens under clause 9.

The Hon. A. F. Griffith: Yes. You asked who was going to pay the insurance.

The Hon. J. G. HISLOP: That is right; and it is covered by the alteration to clause 8. Is that correct?

The Hon. A. F. Griffith: Not exactly. The man who seeks to employ a man who is not insured is breaking the law.

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

Page 6, line 23—Add after the word "terms," the word "or."

This amendment is really tied up with my other amendment appearing on the notice paper; and, with your permission, Mr. Chairman, I will discuss them both together. I believe that subparagraph (xiii) (III) is a complete uninvited and unwarranted intrusion of a public authority into what is nothing more nor less than an argument between an employer and the insurance company with which he is dealing. If any argument arises between the employer and his insurance company surely it is not a matter for intervention by the board which is only supposed to deal with arguments between the employer and employee. It has full jurisdiction in those matters. This is rather a startling innovation and its startling nature is not minimised by the fact that it was introduced by the Minister.

We will have an interference with the ordinary processes of law. I invite the Committee to delete this clause. If we do not delete it we might create the precedent that if it is good enough for the Workers' Compensation Board to intervene in disputes between an employer and his insurance company, in respect to compensation, the board may intervene in disputes in connection with all insurance policies. That would be logical, but it would be unjust and unreasonable.

The Hon. A. F. GRIFFITH: It is necessary to talk about the word "or" because its inclusion is a prerequisite to the insertion of the other provision.

It is considered that the Workers' Compensation Board should have the right to adjudicate on claims between the employers and the insurer; and it is submitted that the method that is suggested is easier, quicker, and less expensive than others. It is also submitted that the Workers' Compensation Board has more knowledge of workers' compensation insurance than has any other tribunal. The Workers' Compensation Board, it is claimed, is the authority responsible for administering the Act, and as such it is necessary that it should ascertain how compensation insurance is functioning. Unless disputes of this nature are brought before it, the board will have no way of being aware of existing conditions. For those reasons, I hope the amendment will not be agreed to.

The Hon. G. C. MacKINNON: In effect, the Workers' Compensation Board will be taking on a normal law court activity.

The Hon. A. F. Griffith: It can appoint an arbitrator.

The Hon. G. C. MacKINNON: Members might recall that when I spoke on the Address-in-Reply debate last year, I mentioned the activities of tribunals of this nature. Whilst the general excuse for the board to deal in this manner with the matters mentioned in the Bill is that it will be easier and quicker than for them to be dealt with by other means, I still hold the opinion that I expressed then that justice and adjudication are not matters of speed and efficiency, but of using the principles that have been adopted and proved over many years.

The Hon. A. F. Griffith: It can be in the interests of the injured worker.

The Hon. G. C. MacKINNON: Yes, but there is a terrific growth of this type of organisation.

The Hon. H. K. WATSON: At the moment if there is a dispute between an employer and an insurance company they can have it decided by a court; and both sides have the right of appeal. This question does not involve the worker, but the employer and the insurance company. If they want to have a fight, I do not see why they should not be entitled to go through the ordinary processes of law. If the Bill is agreed to, they will be denied that right. Under the provision in the Bill, no matter how involved, legally, a dispute may be, it will have to be settled by a board of three men, of whom only one is a legal man. I am frightened of a provision like this.

The Hon. A. F. GRIFFITH: The question concerning the lay members has not much validity, because I understand that under the Act points of law have to be decided by the chairman. The law also provides for a quick appeal direct to the Full Court against any decision made by the chairman.

The Hon. N. E. BAXTER: I support the amendment. I cannot see that it is right to set the board up more or less as a sort of arbitration court. I do not see that either the employer or the worker would welcome this. If there was any dispute over a claim the worker would be better off by going to a court of justice.

The Hon. A. F. Griffith: What connection has the worker with the point of your argument?

The Hon. N. E. BAXTER: He has quite a good one, because this provision states that a court may declare a policy void.

The Hon. H. K. WATSON: I would have thought the board would be fully occupied with its ordinary duties. If the board has so much time on its hands that it can engage in matters like this, I suggest it

might be employed from time to time as a Royal Commissioner, or in some other way.

The Hon. A. F. GRIFFITH: I would like to hear some views expressed by others. What about some Labor members expressing their views instead of this being an argument between Mr. Watson, Mr. Baxter, and me?

The Hon. H. C. Strickland: You are like ramrods; you are up and down so fast, that we do not get an opportunity to speak.

The Hon. A. F. GRIFFITH: Well, I shall sit down and the honourable member can get up.

The Hon. W. F. WILLESEE: After listening to the Minister and Mr. Watson it appears that the situation is basically one whereby a third party is called in to give a decision similar to the way in which an arbitration tribunal would give a decision.

The Hon. J. G. HISLOP: Am I right in believing that if the chairman's ruling is not accepted the only appeal is to the Full Court?

The Hon. H. C. STRICKLAND: So that the Minister will clearly understand the position, I let him know that the Opposition will support him in this matter.

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

Ayes—10.

Hon. C. R. Abbey	Hon. C. H. Simpson
Hon. N. E. Baxter	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. A. L. Lown

(Teller.)

Noes—17.

Hon. G. Bennetts	Hon. J. Murray
Hon. J. Cunningham	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. R. F. Hutchison
Hon. L. A. Logan	

(Teller.)

Majority against—7.

Amendment thus negatived.

Clause put and passed.

Clause 10 put and passed.

Clause 11—First Schedule amended:

The Hon. E. M. HEENAN: This clause deals with the first schedule to the Act; and I refer members to subparagraph (c) on page 78 of the Act, and also to subparagraph (e) on page 80. There is a little inconsistency between the provisions of subparagraph (c) and subparagraph (e). Subparagraph (c) states fairly categorically that the expenses are to include first aid, ambulance services or other services necessary to carry a worker to a hospital or other place for treatment; whereas subparagraph (e) refers to travel from the place where he resides to a hospital or other place for treatment.

It happens occasionally in the north-west that a worker is injured. Take a place like Wyndham. If a worker is injured there it may be necessary to transport him to Derby; and, after his being in hospital there for a few days, it may be necessary to bring him to Perth. He may be in such a condition that he is a stretcher case and has to have someone travelling with him. The expenses for such travel are high. For instance, the single fare from Wyndham to Perth is £43. With a stretcher case two seats would be required and the cost would be £86 for one way only. The return fares would double that sum. A single fare from Carnarvon to Perth is £15 12s.; with a stretcher case it would be £31 4s.

I am informed that on certain occasions these expenses, instead of being treated as extras, have been taken out of the allowance for hospital and medical expenses. Apparently it has been argued that although the person originally resided at a certain place, that was not the place from which he was transported to Perth. In order to clear up the matter I have certain amendments on the notice paper. They will make the position abundantly clear—that expenses in such cases are entirely outside the sum allowed for compensation and normal hospital and medical expenses.

I understand that the Minister is going to argue that a correct interpretation of paragraph (c) covers the situation about which I say there is some doubt. If he can convince me in that regard perhaps I will not proceed with the amendments. He may have some advice on the matter that will clear it up. However, those are my instructions, because there have been some queries by certain insurance companies in the past.

The CHAIRMAN (The Hon. W. R. Hall): I take it the honourable member does not want to go on with the amendments at the moment.

The Hon. E. M. HEENAN: Perhaps I will hear the Minister first.

The Hon. A. F. GRIFFITH: When the honourable member spoke to the second reading he did say he was not sure whether his amendments were necessary. As regards the reference to subparagraph (c), those words were put into the Act in 1912; and in 1941 there was a forward move and subparagraph (e) was put into the Act. That proviso explains the position where it may be necessary to travel by air. It uses the expression "all reasonable fares and expenses." If a man is in the north-west and he is injured, and it is necessary to bring him to Perth quickly, it would be reasonable for him to travel by air.

The Hon. E. M. Heenan: That subparagraph specifies the place where he resides. Suppose he resides at Wittenoom Gorge, then goes to Carnarvon, and from Carnarvon to Perth?

The Hon. A. F. GRIFFITH: It says from place to place.

The Hon. J. G. Hislop: No, it does not.

The Hon. A. F. GRIFFITH: It does, in subparagraph (e) on page 80—about eight lines down. It says—

Where a worker is required by his employer, his employer's duly authorised agent or medical adviser, or is advised by his own medical adviser, to travel from the place where he resides to a hospital or other place for treatment, massage—

and so it goes on. It will depend upon the circumstances. It is a natural corollary that if the mode of travel is more reasonable in one form than in another, that is the form that can be accepted. But if the man is very ill, and it is necessary for him to travel quickly, it is reasonable that he should be transported by air. I think it is better to leave the clause as it is. I cannot see any necessity for altering it, because it has stood the test of time.

The Hon. R. THOMPSON: In line with what the Minister has said, I would say that on page 80, after the words "medical adviser," it would be necessary to insert the words "or where no medical adviser is immediately available."

The Hon. A. F. Griffith: You pick out some marvellous things! First of all you have witnessed thousands and thousands of certificates, and now you come out with this one.

The Hon. R. THOMPSON: That has nothing to do with this clause. If the Minister wants an argument on that matter, I will argue it with him because there are thousands and thousands. He need not be sarcastic about it.

The CHAIRMAN (The Hon. W. R. Hall): Order! The honourable member will address the Chair.

The Hon. R. THOMPSON: Perhaps it might be better if the Minister addressed the Chair.

The CHAIRMAN (The Hon. W. R. Hall): Order! The honourable member will address the Chair; and I am in the Chair.

The Hon. R. THOMPSON: Then I will support the amendment if it is moved.

The Hon. J. G. HISLOP: Does Mr. Heenan want to have the cost of air travel in addition to the hospital costs now allowed?

The Hon. E. M. Heenan: Yes.

The Hon. J. G. HISLOP: That does not apply under the Act. I believe there have been instances where men have been brought by ambulance, and the costs have been debited against the existing hospital costs. Subparagraph (c) means the employer is bound to bring a man down to hospital; but there is an amount of £100 stated. In regard to subparagraph (e), it

is said that even if the employer were charged with bringing a man down to hospital, the cost would come out of his hospital allowance. Is this so?

The Hon. E. M. HEENAN: I move an amendment—

Page 7—Insert after paragraph (a) in lines 25 to 28 the following to stand as paragraph (b):—

(b) by adding after the word "service" in line 8 of paragraph (c) of the proviso to paragraph (c) of clause 1, the words "other than aircraft."

I understand the cost of air travel has been questioned but not admitted by certain companies on different occasions. They have argued that a man sent from a station 100 miles out from where he resides to Broome where he does not normally reside would be flown to Perth for hospital and medical treatment, and would get reasonable expenses for air fare. If it were reasonable for him to have an attendant to bring him down, that cost should be paid exclusively with an amount allowed for compensation or for normal hospital and medical expenses. That was the intention of the schedule. The situation is somewhat ambiguous and my amendment seeks to clear it up.

The Hon. G. BENNETTS: I would like to quote the case of Steve Dooddy. Some months ago he met with an accident and his leg gave him trouble. He was sent to the Kalgoorlie District Hospital where they could not do anything for him. He was then sent to Perth where again nothing could be done for him. After that he was sent to Adelaide, where he underwent treatment for three weeks. He was then sent back by air to Perth where his leg was eventually taken off. He was in hospital here for three weeks, and he was then sent home to Kalgoorlie. What would be the position in that case?

The Hon. A. F. GRIFFITH: This provision has been in the Act since 1941 and there has been no case of unreasonableness. Any case of injustice could be referred to the Workers' Compensation Board which would give it attention. We should leave it as it is.

The Hon. J. G. HISLOP: I would like to know the meaning of "reasonableness." Could the Minister assure me that when a case is brought by air to Perth, and the cost of the plane is debited to a fixed amount of cost, the hospital does not eventually receive *pro rata* payment?

The Hon. A. F. Griffith: I understand it is not debited.

The Hon. E. M. HEENAN: I will accept the Minister's assurance. Did he mean to convey that air travel in the circumstances outlined is payable quite separately from the other hospital and medical expenses?

The Hon. A. F. Griffith: I understand so.

The Hon. E. M. HEENAN: If it costs £100 to bring a man from Wyndham to hospital and return him there it will not be left to him to pay for the hospital?

The Hon. A. F. Griffith: I am told the fare is paid in addition.

The Hon. E. M. HEENAN: That was my opinion.

The Hon. A. F. Griffith: I am informed that the air fare is paid additionally to it.

The Hon. E. M. HEENAN: That being the case, Mr. Chairman, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Title put and passed.

Report

Bill reported with amendments and the report adopted.

Third Reading

On motion by The Hon. A. F. Griffith (Minister for Mines), Bill read a third time, and returned to the Assembly with amendments.

WORKERS' COMPENSATION ACT

Leave to Move Motion

THE HON. J. G. HISLOP (Metropolitan) [11.12 p.m.]: I move—

That under Standing Order No. 102 leave be granted to move a motion relative to the Workers' Compensation Act.

Question put and passed.

Leave granted.

Inquiry by Workers' Compensation Board

THE HON. J. G. HISLOP (Metropolitan) [11.13 p.m.]: I move—

That in the opinion of this House the Workers' Compensation Board should institute, under the powers conferred by subsection (13) of section 29 of the Workers' Compensation Act, an inquiry into the methods of diagnosis of pulmonary disability, silicosis and silicosis associated with tuberculosis in men who are or have been engaged in mining and to ascertain through measures determined by the board the estimated cost of removing the time limit in which the miner must lodge his claim under the third schedule of the Workers' Compensation Act and report the findings of the inquiry to the Minister including recommendations for legislation to improve the Act so far as the particular diseases referred to the inquiry are concerned.

The House knows exactly what has been discussed, and I do not propose to enlarge on the matter.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.14 p.m.]: The honourable member was good enough to give me some notice of his intention to move this motion—not very much notice, but some.

In the circumstances the only thing I can do is to undertake to submit the motion, if the House agrees to it, to the Minister responsible for the administration of the Workers' Compensation Act.

Question put and passed.

COMPANIES ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 24th November.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [11.15 p.m.]: When speaking to the second reading of this Bill, Mr. Watson—and, I think, Mr. Willesee—posed one or two questions and asked me, during the course of my reply, to inform him upon these matters. He asked whether the Bill—and I think Mr. Willesee joined in this request—applied to land trusts and unit trusts. It does, and is designed to do so. The provisions in the Bill are along the lines already adopted in other Australian States. Similar legislation has existed in Victoria and New South Wales for quite a considerable time; and the legislation which was recently introduced into the Queensland and South Australian statutes covers the same scope as is covered by this legislation.

There is no question or doubt whatsoever that the general intention of the Bills introduced in the Eastern States was to affect these trusts. These trusts will become public companies and will have to be so registered. Because they will be public companies they will be responsible for submitting an annual report of their accounts, which will be available to the public. That is the intention of the Bill. It will provide protection to which the public is entitled. The only people who will have any fear of this legislation will be those who, for some reason of their own, do not want to become registered as public companies. I feel sure that those of high standing will have no objection to it.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4—Part IIIA. added:

The Hon. W. F. WILLESEE: I merely rise to thank the Minister for his explanation. The whole point lies in the fact that the unit trust proprietary companies will revert to public companies.

Clause put and passed.

Clause 5 put and passed.

Title put and passed.

Report

Bill reported without amendment and the report adopted.

Third Reading

On motion by The Hon. A. F. Griffith (Minister for Mines), Bill read a third time, and passed.

Sitting suspended from 11.23 p.m. to 12.25 a.m. (Saturday)

APPROPRIATION BILL

First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [12.27 a.m.]: I move—

That the Bill be now read a second time.

This Bill meets a constitutional requirement for the appropriation by Parliament of funds for the several expenditures detailed in the Estimates now that the Consolidated Revenue Fund and General Loan Fund Estimates have been accepted.

This Bill makes provision to grant further Supply, additional to that made available by the passing of the two Supply Bills earlier in the session, bringing the total amount of money up to that required by the Estimates, and also for the Advance to the Treasurer.

Supply is granted in total amounts from each of the Consolidated Revenue Fund, General Loan Fund, and Advance to Treasurer. In this Bill provision is made to appropriate these amounts under the respective heads of the services detailed in the Estimates. The purposes for which the Advance to Treasurer is required are set out.

This Bill also appropriates the funds expended from the Advance to Treasurer in 1959-60 to the various items of expenditure in the Consolidated Revenue Fund and the General Loan Fund.

In addition, provision is made to obtain parliamentary approval for expenditure from the Forests Improvement and Re-forestation Fund as required by section 41 of the Forests Act.

THE HON. H. C. STRICKLAND (North) [12.29 a.m.]: This is the Appropriation Bill which is presented to a Parliament each session, and in our case, each year. All of us who have been here for more than one session know that this is usually the final message and Bill with which we have to deal. I am not too certain whether there will be another message.

The Hon. A. F. Griffith: Yes; the Loan Bill.

The Hon. H. C. STRICKLAND: The Minister has indicated that there is another Bill to come, so that will be the last one of the session.

I want to speak very briefly in connection with the expenditure in the North-West Province. Large sums of money have been made available to this Government by way of Federal loan funds for expenditure on works which will be of considerable benefit to the north. I refer to works at the Ord River, and the Wyndham jetty, which works are both in progress. The Commonwealth Government has also authorised sums exceeding £1,000,000 for expenditure in other directions in the Kimberleys. One of these projects is the deep-water port to serve West Kimberley; and another is a new port to be established in Napier Broome Bay to serve a large area of land in North Kimberley.

Several questions have been asked at various times throughout the session regarding the progress made by the Government with these projects. I realise—and I think every other member who represents the north also realises—that the Government is not yet in a position to advise us concerning the provision of a deep-water port, or ports, to serve West Kimberley, or the provision of a new port to open up North Kimberley, for which the Commonwealth has supplied the funds. I am not going to cavil at not being able to ascertain just what the Government has in mind, but I am pleased to note, from my own observations, that a survey has been completed in Napier Broome Bay to provide the new port to open up a large area of good pastoral land in that district.

I will be pleased and gratified to learn something from the Government, as soon as it is able to advise me, regarding its decision on that new facility. It will have the effect of putting into production very large areas of good pastoral country—virgin pastoral country—which is located in a high rainfall area. The rainfall in some parts of that district is above 40 in. and in others it goes as high as 60 in. It is country which has not been utilised so far for the simple reason that there is no means of access to it. However, it is pleasing for me to see this new development take place because I was one who accompanied the all-party delegation to Canberra to secure funds for the opening up of the Kimberleys. That delegation was appointed following motions which

were moved in Parliament by the late Mr. Ackland in the Legislative Assembly and Mr. Ray Jones in this House. Results have been achieved through the efforts of that all-party delegation at Canberra.

I am particularly concerned about one project; namely, the opening up of new country, because I had the privilege of being the Minister for the North-West when, although Federal funds were not available, the Minister for Lands—I shall not say on my advice, but certainly after he had consulted me—made a move to have a survey taken to investigate that country, and to check up on two previous surveys: one made by surveyor Brockman in 1902 or 1903 and the second made by surveyor Easton in 1921 or 1922.

I had a direct association with a survey team despatched under surveyor Morgan in 1954, and he confirmed reports by surveyor Brockman and surveyor Easton on the possibilities of that area for pastoral purposes. As a result the Lands Department surveyed seven pastoral holdings in that area, called for tenders, and allocated seven of those locations to approved tenderers. There were tenders for all of them but, of course, some did not have the finance necessary to commence operations.

However, those who did have the necessary finance were prevented from establishing themselves because there was no access to that country. Now that the survey of Napier Broome Bay has been completed—I know it was completed only a few weeks ago; I think it was in October last—no doubt surveyors will be plotting their findings; and I hope those results will be presented to the Government in the not-too-distant future; and I trust that the Government will give the matter urgent consideration. This will complete the movement which actually started in this House—from opinions put forward in this House—and it will be the means of opening up a huge area in the north which is capable of producing large quantities of beef. I support the Bill.

THE HON. F. R. H. LAVERY (West) [12.40 a.m.]: I wish to make a statement that I would like recorded in *Hansard*, and it has something to do with the Alan MacKenzie Appeal Fund, of which there is a record at page 3740 of *Hansard* Vol. 3, 1959. In that record there is the statement that a sum of money was left over after all the expenses were taken into account.

A few days ago I received an application from a member of the medical profession. It is rather unfortunate that in these cases one cannot mention doctors' names—or that it is not ethical to do so—because sometimes the people really responsible for providing the help are unknown. It is appreciated, however, when members of the medical profession set out to try to help people, as members of the profession

did in this case which concerns a girl suffering from poliomyelitis. It has been found that, after a fair amount of treatment, this girl could, by being sent overseas, receive better treatment.

The sum of money required to send her away would be a little over £300, and a member of the medical profession asked me whether we could make some money available. For the purpose of the record I would like to read three letters, because this matter is important when one is handling trust funds. The first letter, dated the 3rd October, 1960, was addressed to the Chairman of the Canteens Trust Fund. The purpose of the letter was to see whether assistance could be provided to enable this girl to be taken to England. The letter reads—

Re Helen Errington

I have been privileged to read the case history of this girl who was afflicted by severe poliomyelitis in 1954.

Already a number of surgical procedures have been carried out on her right hand and both feet.

But very early in her treatment it was realised that the twisting of her spine would create grave problems.

To describe the various procedures that have been carried out to correct this grossly twisted spine, a hip rotated outwards and a pelvis in a markedly oblique position would only add a mass of technical terms.

Professor Bryan McFarland, one of England's leading orthopaedic surgeons, was consulted during a recent visit to this city. The Professor strongly recommended that Dr. Robert Roaf of the Robert Jones and Agnes Hunt Orthopaedic Hospital, Oswestry, be consulted.

Dr. — wrote to Dr. Roaf who in a lengthy reply outlined a formidable programme but one that gives this child the promise of an excellent result under the circumstances. It would, in my opinion, be wise to send this girl to a surgeon already experienced in the problems Helen's condition presents. I quote from Dr. Roaf's letter, "We have had a number of such cases and they are, as you point out, extremely troublesome." "I suppose there is no likelihood of her visiting this country as I would always be delighted to see her and help in any way I could."

I understand that the Red Cross would assist during her flight, etc., and from private correspondence to Dr. — it has been stated that she could be treated in Oswestry under the British Health Scheme and that application to the Department of External Affairs, Canberra, should be made so that a request could be forwarded officially for such treatment

for Helen—or that she could remain in England under, e.g., Red Cross Society care for the qualifying period which is not long.

Thus the cost to the Canteens Trust Fund would be the fare to Oswestry and it would be necessary for some person or organisation to provide funds for day to day personal requirements for Helen.

Having made a careful review of this case, I feel I can strongly recommend to you that the Fund send this girl to Oswestry, particularly in view of the fact that the treatment would be carried out by a skilled surgeon experienced in such cases at the expense of the British Health Scheme.

The reply received was not that the fund could not help but that a stalemate had been reached. As a trustee of the Alan MacKenzie Appeal Fund I was approached in regard to this matter. As members know, under the Charitable Collections Act, any surplus funds in these cases have to be transferred to the Chief Secretary's Department and held in trust. I wrote this letter to The Hon. Ross Hutchinson, D.F.C., M.L.A. (Chief Secretary) care of the Chief Secretary's Department—

Re Trust Fund Funds—Alan MacKenzie Appeal Fund

Representations have been made to me by doctors seeking financial assistance to enable a child to be sent to Doctor Roaf, Orthopaedic Hospital Oswestry for corrective treatment of a deformity caused by poliomyelitis during 1954.

You may be aware, Sir, that Mr. Phil Thornber of Treasury and myself are trustees for this Fund, which fund balance has been transferred to the Chief Secretary's Department under the Charities Collection Act.

It is proposed that a sum of £350 be made available from the "Fund" for cost of fares to England for this child.

I am enclosing all correspondence for your perusal. I have discussed this problem at length and they are both very anxious to have this girl sent to England as soon as practicable.

It is proposed that the doctor in England will treat the patient free of cost, and that the father contribute £1 per week to the Red Cross, who will attend all wants of the child while overseas.

Also representation will be made to the Minister for External Affairs re Social Service Benefits in England.

I would submit to you, Sir, that Mr. Thornber and myself as trustees agree that this money be made available for the purposes as above, and therefore seek your approval.

That letter was dated the 24th November, which was yesterday. In reply to that I received a letter carrying today's date, the 25th November, which reads as follows:—

I refer to your letter of even date concerning the sum of £350 which is sought from the proceeds of the Alan MacKenzie Appeal Fund, the balance of which monies are now in suspense in this Department, for the transport of Helen Errington to the United Kingdom for treatment.

I have caused enquiries to be made and have given careful consideration to the request which you and your co-Trustee have put forward, together with the medical data supplied.

I am approving of the sum of £350 being made available as requested, subject to satisfactory arrangements being made for the proper care and treatment of the patient in the United Kingdom.

When this further information is made available to the Department, the above-mentioned amount will be made available.

I believe, and Mr. Thornber believes, that the contributors to the Alan MacKenzie appeal fund all over Australia will be delighted to know that at least one other child will be able to receive some further medical treatment which will, perhaps, give her a new lease of life.

I felt it only right that everybody concerned should know publicly what is happening in this connection. Accordingly I wanted to have this matter recorded as I had the other matter recorded last year.

I congratulate the doctors who have taken such an active part in this question. I have a couple of photographs here of the girl, if anybody would like to see them; and they do give an indication of her condition. I am sure the people of Australia will be pleased to know that the money has been put to a very good use. I do not think I have much more to say; perhaps Dr. Hislop would like to say a few words.

THE HON. J. G. HISLOP (Metropolitan) [12.49 a.m.]: I was not going to say anything about the splendid work which is being done by Mr. Lavery. I agree with him in his decision to use the money from the fund to send this little girl for treatment. It is very commendable indeed, because, from what I understand of the case, there is possibly every chance that she will be able to lead a normal existence after surgery has been performed in England.

It is a remarkable piece of work that is to be undertaken, and we believe that the person to whom she is being sent is the one person on whom we can rely to give her relief from the very difficult condition from which she now suffers.

I trust all necessary arrangements can be made for this girl to proceed to England rapidly. It is remarkable to me that a man of such eminence as Dr. Roaf should have found time to make it so easy for this girl to be accepted into an English hospital without cost for either surgical or hospital treatment. I think it is a most laudable action on the part of those who have been so deeply interested.

I might add a tribute to those who have been assisting the girl in the State over the years. They have done everything possible to help her, and they have rectified many of the disabilities which arose in this girl's life by the traction or imbalance of her muscles. Now they feel they have reached the stage where they require the assistance of Dr. Roaf; and they undertook to approach Mr. Lavery, with the idea that he permit a certain amount of the Alan MacKenzie fund, which still remains, to be utilised to send this girl to England.

So I think we can look forward to the time when she returns to us very much fitter, and with a very much brighter future than we can contemplate at the moment. I would like to congratulate those who have taken such an interest in this girl, and I wish them every success.

Another point on which I would like to touch concerns the Appropriation Bill which is now before us. I would like to draw the attention of the public to the fact that one-third of the total appropriation of £54,000,000 is spent by the Education Department—a small amount by the Attorney-General's Department—and the Health Department. Between them these two departments spend £18,000,000 of the £54,000,000 provided. To me this is rather a tribute to our present social position.

A further interesting point that might be looked at is the cost of Parliament to the community. According to the Bill, the cost of the Legislative Council and the Legislative Assembly—and I take it that it includes salaries—works out at .035 per cent. of the total Appropriation cost. This is a very small amount for the administration of the country. The total cost for the conduct of Parliament House including its services, is .07 per cent. That is a point that must be borne in mind when we consider criticism that is levelled against the cost of Parliament to this State.

The cost of Parliament and legislation to this State would be about 8d. per head, which is really not very much, even if there are slight rises in salaries made to members. It is certainly not a great impact on the individuals of the State. I support the Bill.

THE HON. R. F. HUTCHISON (Suburban) [12.52 a.m.]: I want to thank the Minister for sending me the two pieces of information he did, in connection with some remarks of mine a little earlier.

There is one question with which I wish to deal now and that concerns electoral booths in the Suburban Province.

The Hon. A. F. Griffith: I should have written to you after the House adjourned.

The Hon. R. F. HUTCHISON: That is why I am thanking the Minister, it will save me a little time later on. The letter I received from the Minister for Mines, dated the 18th November, reads as follows:—

You will recall having made some criticism of the alteration of polling booths on the occasion of the latest Suburban Province election during the course of your speech on the Address-in-Reply.

I later took the opportunity of placing your remarks before the Hon. Attorney-General, as a result of which the Chief Electoral Officer advises that—

The Suburban Province was well served with polling places and no complaints were received from any group of electors.

By no stretch of the imagination can I agree with the Chief Electoral Officer on that point, because I continually spoke to him about it, and even protested about the matter. I think there were 21 polling booths stuck out in various places, when actually we could have used double that number. It was unjust and wrong. The Chief Electoral Officer said no written request was made for additional polling places on the abolishment of any polling places. I agreed with Mr. Jamieson that he should take the matter up. But in the areas where the Labor vote was the largest it was noticeable that the polling places were very small in number and most inconvenient.

In Beeloo one district was left without a polling booth altogether. In one or two instances polling places were abolished because no suitable premises were available. One such polling place was a garage, but it was not used because there was no back to it. At least that was the excuse given to me. I can assure the Minister I take great exception to what was done in the Suburban Province election, and I shall report on that next session.

The other point on which I wish to touch is the disability and disadvantage suffered by trainee teachers of the Education. As members possibly know, female trainee teachers who get married during their training are immediately sacked from the department, and are placed on supply—if they are required. What is more, they become liable for the entire amount of money expended on their training, even though they will still teach.

If a female trainee teacher marries in the first year of her appointment she becomes liable for the whole amount of

money. I know a couple of people who have been landed with the cost of £1,500 for a girl who got married in the first year of her training. I think she was wrongly advised and told she could marry. I would like to quote portion of a letter I received from the Minister for Mines, dated the 18th November, as follows:—

Under the regulations of the Department, which have represented Government policy in regard to the employment of married women for the past 70 years or more, a teacher's appointment lapses on marriage.

A department that will put up an excuse like that is redundant in its thinking, and it wants a broom put right through it. It says in this letter that the position is different in New South Wales because that State is short of teachers. That is not a fact. In New South Wales if a teacher, after she trains, gets married, it makes no difference at all so long as she serves as a teacher for the required term. If she has a babe she gets leave for as long as is necessary and then completes the remainder of her time, which could be one or two years or more; but, she is not liable at all.

However, the girl I referred to is teaching because she cannot do anything else. This couple have been landed with a debt of £1,500. The girl had to decide whether she would get married, not knowing she would have to repay this bond. I will not elaborate on this case now, but I shall certainly sift it out to see whether we can bring the Education Department in this State into line with those in the other States.

Question put and passed.

Bill read a second time.

In Committee

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

Third Reading

On motion by The Hon. A. F. Griffith (Minister for Mines), Bill read a third time, and passed.

LOAN BILL, £20,264,000

First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [1.8 a.m.]: I move—

That the Bill be now read a second time.

The passing of this Bill will authorise the raising of loan funds required for financing expenditure items listed in the Loan Estimates. The Financial Agreement

between the Commonwealth and the State does not provide for independent decision on fund raising by the States but for the initial authority to be given by the Loan Council, in the terms of the agreement.

As members are aware, the Commonwealth Government does the actual borrowing for all, and allocations from the money raised are made by decision of the Loan Council to both Commonwealth and States. As a consequence of this procedure the funds paid over to States become debts for which they are responsible; and this State is no exception, which explains the purpose of this Bill requesting statutory authority of Parliament to borrow. The Bill seeks authority to raise loans amounting to £20,264,000 required for the purposes set out in the first schedule. The new authority indicated in respect of each item does not coincide with that estimated for the current year.

The new amounts generally are those requested as a result of the taking into account of the unspent balance of any previous authorisation. Sufficient funds are usually sought in respect of continuing projects to provide for continuity during the first six months of the ensuing financial year, pending the passing of that year's Loan Bill.

On pages 14 to 17 of the Loan Estimates, the full details of the conditions of the various loan authorities are set out, together with the authorisations sought by this Bill and an estimate of the amounts of authorisation to be carried forward at the 30th June, 1961. Also detailed on these pages are the appropriations of the loan repayments received during last financial year.

The Bill also charges payments required to meet interest and sinking fund commitments to the Consolidated Revenue Fund thus obviating any further parliamentary appropriation in this regard.

Finally the Bill seeks authority to re-appropriate authorisations in excess of immediate requirements.

Question put and passed.

Bill read a second time.

In Committee

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

Third Reading

On motion by The Hon. A. F. Griffith (Minister for Mines), Bill read a third time, and passed.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

CLOSE OF SESSION

Complimentary Remarks

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): That concludes the business of this session of Parliament, and before we depart from the Chamber I want to take the opportunity of paying the customary compliments to those people who I feel sure are entitled to receive them. My colleague, Mr. Logan, joins with me in the remarks I desire to offer to the House.

First of all I want to say a word about you, Sir. You have completed one session of Parliament as President of this House and I would like you to accept from me my congratulations on the manner in which you have conducted the affairs of the House over the past few months. I think you have acquitted yourself with great personal credit, and credit to the House. You have not ruled over us by any manner of means, but you have guided our deliberations in a manner which has been completely without prejudice or favour to any. I feel quite sure we have all appreciated your attitude to members and your help to us all.

I want to offer a particular word of thanks to my colleague, Mr. Logan, who has of course worked very hard with me this year and who has taken a very good share of the responsibilities which fall upon the two Ministers in this House.

I want to thank the Leader of the Opposition in this House (Mr. Strickland) very sincerely for his co-operation. We seem to have been fortunate in being able to come to an understanding on most matters. It is natural that we will have one or two political disagreements, but we operate in the friendliest manner. As a matter of fact I would say that the honourable member is probably the best Leader of the Opposition we have had for some time, and I hope he continues to enjoy health, and to hold for many years to come the position he now has.

The Hon. H. C. Strickland: I am getting suspicious.

The Hon. A. F. GRIFFITH: To Mr. Hall, and his deputies, Mr. Davies, Mr. MacKinnon, and Mr. Jones, we all owe our thanks. Mr. Hall, as Chairman of Committees, deliberately sees to it that he does not handle all the Bills. He ensures that the deputies receive some of the work; and, after all, I think that is an excellent idea because it is the function of the deputies to take over some of the duties.

To the members of my own party, the members of the Country Party, and the members of the Labor Party, too, I offer my thanks for the co-operation they have shown us. Mr. Murray, to use the expression, is our Whip on this side of the House. I do not think he has earned his pay as much this year as he usually does.

The Hon. H. C. Strickland: He should donate it to the Labor Party.

The Hon. L. A. Logan: You ask Mr. Murray about that.

The Hon. A. F. GRIFFITH: This question of no pairs has really been something of a blessing in disguise to Mr. Murray.

To Mr. Roberts, the Clerk of the Legislative Council, and to Mr. Browne, Mr. Ashley, and the rest of Mr. Roberts' staff, including Mr. Carrick and Mr. Joyner, we do sincerely offer our thanks once again for the work they so willingly perform in the execution of their duties. We always know where we can go for guidance and assistance in the problems we face.

To Mr. Chinery, the Chief Hansard Reporter, Mr. Hale, his deputy, and the staff of *Hansard*, we also express our thanks. We apologise to them for keeping them up late sometimes. But after all, I think it will be admitted that this session has not been too bad in all the circumstances. But we do thank them for the work they do in recording the speeches we make. Sometimes I feel we should not thank them too much, particularly when the speeches we made five years ago are referred to in order to remind us of what we said.

The Hon. L. A. Logan: Not as long ago as five years sometimes.

The Hon. A. F. GRIFFITH: I thought I would say five years to keep out of the era about which Mr. Logan is thinking at the moment. We also owe our thanks to Mr. Burton and his staff. No matter how hard we work we could not carry on unless we had the wherewithal for the inner man to generate some energy; and he and his staff always look after us very well in that respect.

I would like to pay particular tribute to Mr. Whitely who, for the first time, has been secretary to the Ministers in this House. I would also mention Mrs. Cullen, who is really my typist from the Housing Commission. She came here to assist us during the session. Mr. Whitely has shown great diligence and a desire to help. He has been here from early morning to late at night. I am sure Mr. Logan joins with me in expressing our sincere thanks—

The Hon. L. A. Logan: I do.

The Hon. A. F. GRIFFITH: —because it is so necessary, in a job of this nature, where we have two Ministers trying to handle not only their own pieces of legislation, but the legislation of eight other Ministers from another place, to have somebody who knows the job, who does not waste time, and who supplies us with the information we require.

I wish also to mention the members of the Press. We heard a little bit about the Press tonight. We do thank them; they too spend long hours in this House. Sometimes they do not say the things we would like them to say, or in the manner we

would like them to say them. Nevertheless, they are part of the institution of Parliament, and they express the happenings and the debates of Parliament; and our thanks go to them.

The Government Printer is a man who does not often get much of a mention; and I think we should remember there is a certain duty that the Government Printer is called upon to perform. As the sittings get longer and the hours between adjournments get fewer, the Government Printer must often be in a position where he and his staff have to work overtime to provide us with the necessary notice papers and Bills.

I hope I have not missed anybody; if I have, it has not been intentional.

We have dealt, in this session of Parliament, with 91 Bills; and we have passed 89 of them. Mr. Roberts has pointed out to me that 89 were not actually passed through Parliament. But I was talking about Bills passed through this House. There were two Bills which we did not pass. One died a natural death, and one went out the window. Nevertheless, to pass 89 out of 91 is a very good record. Some of those Bills we amended, and some we did not; but all were debated to the fullest extent and the result, I feel sure, is quite gratifying to all members.

Some of the Bills that the Government introduced were not popular measures. Nevertheless, we felt we had to have the courage of our convictions and bring down the Bills we considered should be brought down. I think that is the major job of a Government: to go to the people with a policy and, if elected, to have the courage to put into effect, as far as it can reasonably be done, the policy on which the Government was elected.

This year has been a very interesting year indeed. One or two of the Bills which we passed through this House will be of great magnitude so far as Western Australia is concerned. I think all members will agree with me that this year has been quite an exciting one. Western Australia, I believe, is on the march. I feel we have entered into an era of prosperity; and I sincerely hope and trust we will continue to flourish. I feel there is satisfaction in knowing that a good deal of this development which is going on, and which, I think, will continue, surrounds the mineral deposits of Western Australia; and it is quite a thrill to be associated with development of this nature; to see it gradually coming along. The only thing is, I find myself getting very impatient to see the results and to see them come quickly. But they must, of necessity, come slowly.

Finally, I think all members are pleased to be able to conclude this session at this time of the year. The Government set out to complete this session of Parliament by approximately the end of November, bearing in mind that the responsibilities of

members do not cease when we walk out. We all have functions of one kind or another to attend to. We will now be able to look forward to attending to these functions next month with a clearer mind, and with the knowledge that we will not be sitting here until 2 a.m., and, at the same time, trying to do the additional work which devolves upon us at this time of the year.

I would like to wish you, Mr. President, and Mrs. Diver, and all the members of this House and their families, although it is not quite Christmas yet, a very happy Christmas and an extremely prosperous New Year.

We look forward to meeting members across the floor in probably seven or eight months' time; and I am sure that when we do, we will do so in the same spirit as that which has prevailed during this session.

THE HON. H. C. STRICKLAND (North): I would like to thank the Minister for his kind remarks to me, personally. I endorse every sentiment he has expressed in regard to yourself, Sir, to the staff of Parliament House, and to all those connected with our activities in Parliament, not forgetting the Press. I know that the Press reporters do a very good job so far as their work is concerned, which is the reporting of proceedings of Parliament; and so I join with the Minister in including them in my remarks.

I would like to say that although we are the Opposition in this democratic form of Government, it is indeed happy for us to be able to stand up here and listen to each other's sentimental thoughts regarding our own individual activities and our very excellent form of Government. We are able to oppose each other's motions, or ideas, and views, from a free and unfettered political angle; and we are grateful to be able to do so.

As the Minister for Mines has said, many Bills have been passed during this session. I make the additional comment that included among them there have been some extremely useful pieces of legislation. This session is my eleventh in this Parliament and I would like to point out to members that there have been many more sitting hours in this session than in any other I have taken part. Also, there has been a better attendance by members than in any other session I have known in the history of this Legislative Council. I am not speaking without some evidence of that because members of the public can always check the divisions right from the start of the session to its conclusion; and, if they do so, they will find that the attendance by members in this House has been 100 per cent. That is very heartening; and it illustrates to the public of Western Australia in every way that great consideration and interest is being taken

by their representatives in the legislation that is brought before the House and the debates made on them.

I congratulate the two Ministers on the excellent way they have handled the legislation introduced to this Chamber. As much as I would have liked to see them handle the Bills in a less efficient manner, I must frankly admit that both Ministers have handled their legislation with despatch and with co-operation. I can say that although we have opposing views, members of the political parties in this House can co-operate in a spirit that leaves nothing to be desired in a democracy such as ours. Because of that, I hope that our system of government never changes. To conclude, I wish you, Sir, and all other members of this House, all the best for Christmas and the coming New Year.

THE HON. W. R. HALL (North-East): I, too, desire to enter into the spirit of the occasion and take the opportunity of expressing my gratitude to you, Mr. President, for the tolerance you have shown to myself and other members of this House during your first session as President. I consider that you have certainly upheld the dignity of the high office that you hold; and it has indeed been a great pleasure to work with you and to serve under you. I also take the opportunity to congratulate the Minister for Mines and the Minister for Local Government for the way they have introduced and steered the Bills through this Chamber. The manner in which the Minister for Mines has carried out his duties as the Leader of the House deserves every commendation. The Minister for Local Government has also handled his portfolio and his duties in this Chamber in an extremely efficient manner.

To me, this session has seemed to be extremely quiet. I have sat through 22 or 23 sessions in this House. Nevertheless this session has been an extremely happy and pleasant one as far as I am concerned. During the 23 years I have been a member of this Chamber I have seen many Ministers performing their duties as Leader of the Legislative Council, and I think I can safely say that the Ministers who have handled the business of the House this session are equal in stature to any I have known in the past.

I also take the opportunity of extending my best wishes to the Leader of the Opposition (Mr. Strickland) and his colleague, Mr. Wise; and I congratulate them on the manner in which they have performed their duties and the way they have played their part in this House so far as the legislation is concerned; and I also congratulate them on the way they have led the members of the Opposition to which I belong. We have known Mr. Strickland and Mr. Wise for many years; and, as the saying goes, there is no doubt they

are old dogs for a hard road. When dealing with Ministers in this Chamber, those two honourable gentlemen are very quick to rise to any occasion.

It is indeed a great pleasure to be a member of a House such as this and to have the opportunity of associating with the two Ministers, with Mr. Strickland, and with Mr. Wise because, as I have said, this session has been a most pleasant one, to my way of thinking. During my political career I have seen some wild sessions, and ones that have not been so pleasant as this one, which has been one of the best I have ever taken part in.

To the three Deputy Chairmen of Committees, Messrs. Davies, MacKinnon, and Jones, I extend my thanks. They have proved to be a great asset to the House and they have performed their duties excellently. Of the 91 Bills that have been presented to this House, the three Deputy Chairmen have occupied the Chair on a total of 35 occasions. I think that each and every member will agree that all three of them have performed their duties extremely well. It has always been my object to try to make it possible for each Deputy Chairman to occupy the Chair as much as he was able in order that he may become *au fait* with the procedure of the House and with the legislation that was being dealt with; and so that, as a result, he would be better equipped to meet any eventuality that occurred. I take this opportunity of thanking them for the co-operation they have displayed; especially the co-operation they have shown to me.

I also thank Mr. Roberts, the Clerk of the Council, and Mr. John Ashley, the Clerk of Records and Accounts, for the assistance they have rendered to me whilst I have carried out my duties as Chairman of Committees. As one who attends Parliament House every day whilst it is in session, I have come to know both of these officers extremely well, and I am fully aware of the knowledge of parliamentary procedure that they have. That knowledge is something which is very acceptable to a Chairman of Committees when he is trying to sort out some problem which has occurred during debate. The knowledge that they possess, as you know, Mr. President, is certainly a great asset not only to me as Chairman of Committees, but also to any honourable member who is seeking advice. It is a pleasure to be associated with those officers; and I can assure you, Mr. President, that I am very happy to be working with them.

I also wish to thank, last but not least, Mr. Dave Carrick and Mr. Bill Joyner—the other two officers who perform duties in this Chamber—for their courtesy and civility. Nothing is a trouble to them; and all members of this House are extremely fortunate in having officers of such high calibre attending to their needs whether the House is in session or in recess.

I take this opportunity, also, of expressing my appreciation of the service that is rendered to us by the Chief Hansard Reporter and the members of his staff, both male and female. They, too, have their duties to perform, and I am sure that we are all one big happy family. It is very fine to be associated with those men and women whenever we have a job to do in this institution. I am sure their efforts are appreciated by yourself, Mr. President, and by all members.

In conclusion I take this opportunity of wishing you, Mr. President, all members of this House, the official staff connected with Parliament, their wives, and their families, a very merry Christmas, good health, and a happy New Year.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn to a date to be fixed by The President.

THE PRESIDENT (The Hon. L. C. Diver—Central): Before putting the motion I wish to thank the Leader of the House (the Minister for Mines), the Minister for Local Government, Mr. Strickland, and the Chairman of Committees (Mr. Hall) for their kind remarks. In particular I appreciated the remark of the Minister for Mines who stated that during my short term as President of this Council I have not tried to direct the activities of this House. Honourable members will agree that is not the function of the president or chairman of any body in a democracy.

I have derived great satisfaction from occupying this position; and that has been brought about by the harmonious approach, the co-operation and the goodwill extended to me from all quarters of this House, both in the Chamber and in the precincts of Parliament House. It has indeed been one of the happiest times of my life. I trust that the satisfaction which I appear to have given to members who have spoken is reflected by all concerned.

I take this opportunity on behalf of the members of the staff to thank the Minister and members for their remarks. I also wish to thank them for their service co-operation, and advice in their respective offices. The conduct of Parliament is similar to the conduct of any other institution; and its success depends largely on those connected with the institution and on their working harmoniously together to produce the greatest satisfaction.

I want to say how much I admired the conduct of certain members during this session when on occasions their feeling might have run a little high; but their sense of duty and self-restraint was

such that they were compelled to take a second look at their attitude. Consequently after reflection they made my position very much easier. Had they not exhibited that self-restraint my position would have been much more difficult. I pay a tribute to those members, without mentioning their names. They must know within themselves to whom I am referring.

I want to pay a tribute to the assistance I have received from Mr. Roberts, Mr. Browne, and Mr. Ashley in the conduct of the affairs of the Legislative Council. I have not had such attention given to me in my whole life. It is not only that I feel that way; it is a fact. To Mr. Carrick and Mr. Joyner I wish to echo the sentiments expressed by the Chairman of Committees (Mr. Hall) on their attention and courtesy not only to members of Parliament, but to visitors. I feel sure they have left a very favourable impression on all the visitors who have come to Parliament House to meet members on business.

To the Hansard staff—Mr. Chinery, Mr. Hale, and the other officers—we owe a debt of gratitude for the manner in which they have carried out their duties. I also thank the other members of the Hansard staff of whom we do not see much, because they are seated in their rooms upstairs, perhaps not under the best conditions, but never complaining, and always carrying out their duties of typing in order that members might have a record of their speeches very promptly.

I thank the Controller and the typing staff who have given excellent service. I also thank the telephonists who have been at all times attentive and have served the demands of members with expedition in putting calls through. To the kitchen staff and the stewards, I express thanks on behalf of all members and myself.

To the members of the Press I also extend my thanks. I might have a wrong impression, but the conclusion I came to was that we were getting a little more space in the Press in recent months than for some time past. For that, if my deductions are correct, I wish to thank those responsible and, on behalf of members of Parliament, trust that next year we will see still a little more improvement in the space made available for topics of special public interest.

I feel Western Australia is on the threshold of some remarkable events; and it is the doings of members of Parliament, or the doings of Parliament, that will be responsible for bringing these events to fruition. Therefore, I feel we are entitled to the greatest amount of space it is possible to give us.

I echo the sentiments of Mr. Roberts and Mr. Browne when I say our thanks also go to the Government Printer and his staff. They must have some hectic

moments in order to comply with the exacting requirements inflicted on them from time to time by the wish of Parliament; especially in the latter days of the session when the sitting times are not quite as stable as they are in the earlier stages.

In conclusion may I extend to you all, and to the whole of the staff of Parliament House and those near and dear to them, a very happy Christmas and good health, as I feel if health follows, it is the equivalent of prosperity.

Question put and passed.

House adjourned at 1.53 a.m. (Saturday)

Legislative Assembly

Friday, the 25th November, 1960

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