

QUESTION—ABORIGINES.

Mr. J. I. MANN asked the Chief Secretary: With regard to questions asked as to the number of aborigines and half-castes in the Beverley and Wagin magisterial districts, do the Government intend to establish a native settlement in the Beverley magisterial district in the same way as is proposed at Carolup?

The CHIEF SECRETARY replied: No.

LEAVE OF ABSENCE.

On motion by Mr. Wilson leave of absence for three weeks granted to the member for Forrest (Miss Holman) and the member for Brown Hill-Ivanhoe (Mr. Lutey) on the ground of ill health.

BILL—DEBT CONVERSION AGREEMENT.

Introduced by the Premier and read a first time.

BILL—STATE MANUFACTURES DESCRIPTION.

Read a third time and transmitted to the Council.

ASSENT TO BILLS.

Message from the Administrator received and read notifying assent to the undermentioned Bills:—

- 1, Collie Recreation and Park Lands.
- 2, Special Lease (Esperance Pine Plantation) Act Amendment.
- 3, Traffic Act Amendment (No. 2).

House adjourned at 4.43 p.m.

Legislative Council,

Thursday, 25th June, 1931.

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

BILL—WORKERS' COMPENSATION.

Second Reading.

Debate resumed from the 23rd June.

HON. J. M. DREW (Central) [4.33]: It is a pity that a bill of this description should be introduced at the present time. It is a measure of a distinctly party character and one of the most controversial that could be submitted for the consideration of Parliament. The crisis through which Australia is passing calls for the co-operation of all sections of the community and we have had evidence of the generous response to the call that has been made by many statesmen of Australia. It could have been expected, under the circumstances, that the State Government of Western Australia, while checking abuses, would not, in amending the Workers' Compensation Act, attack the rights and privileges of suffering humanity. There is reason to believe that abuses have crept in with respect to some of those who have taken advantage of the Act and also by some of those who have been connected with the administration. There is, for instance, reason to believe that a certain type of medical man has seen, in the effort of the Legislature to be just to the injured person, an opportunity to make as much blood money as possible. There is also reason to believe that some unscrupulous aliens have deliberately maimed themselves to obtain the monetary compensation provided in the schedule to the Act. Because a small percentage, or even if a larger percentage of that class has abused the Act, that fact furnishes no sound logical reason for making the honest worker suffer. The Bill we are now considering provides safeguards, and, to my mind, abundant safeguards, against any unscrupulous-minded

man, but the only proposal in the measure for dealing with the alien scoundrel is the lowered amount of compensation.

Hon. G. W. Miles: Can we afford to pay the amount of compensation that has been provided?

Hon. J. M. DREW: I shall deal with that question as I go along.

Hon. C. B. Williams: More could be charged regarding the aliens.

Hon. J. M. DREW: The innocent among the many are to be made to suffer because of the guilty few; that is the position, according to the arguments advanced by the Government. Many of the aliens have had their claims defeated in the courts of justice on the ground that the injuries were inflicted by themselves. I have read of quite a number of cases that have been so decided. On the other hand, the rogue has in every instance, so far as I am aware, escaped punishment. There has been no attempt to prosecute such people in accordance with the provisions of the Criminal Code. The remedy in connection with the alien trouble obviously rests with the employer; he should employ British subjects only.

Hon. G. W. Miles: But those aliens are unionists.

Hon. C. B. Williams: Not all Britishers are unionists.

Hon. J. M. DREW: The employers should engage men who are either British-born subjects or others who have been naturalised. The fact that foreigners have become naturalised indicates that they have cast in their lots with, and are determined to abide by the laws of, the State.

Hon. G. W. Miles: But you have aliens in your unions who are not naturalised.

Hon. C. B. Williams: There are renegades amongst unionists, just as there are renegade members of Parliament.

Hon. J. M. DREW: The interjection by Mr. Miles has nothing to do with the point I am making. In the second place, to my mind the remedy rests with those who issue insurance policies. If a high premium were charged for the insurance of aliens, the evil would soon disappear. If it did not disappear, the individual employer, and not the community as a whole, would have to bear the burden. In the Bill the Second Schedule of the Act has been ruthlessly amended. In consequence of that, the rights of the workers have been seriously affected.

I will give the House a few instances that may be regarded as samples of what is proposed.

Hon. Sir Edward Wittenoom: Do you mean that the schedule has been properly amended?

Hon. C. B. Williams: No, only so far as foreigners are concerned.

Hon. J. M. DREW: In the schedule to the Act, for the loss of the lower part of a leg, compensation amounting to £562 10s. is provided, whereas under the Bill the compensation for the loss of a leg just below the knee is £450. That shows a reduction of £112 10s. For the loss of a foot the Act provides £525 and for the loss of a foot at the ankle the Bill provides £390, or £135 less.

Hon. G. W. Miles: Can you say what the compensation is in Queensland or New South Wales?

Hon. C. B. Williams: What does that matter?

Hon. J. M. DREW: Mr. Miles will have an opportunity to show what compensation is allowed in Queensland or New South Wales. In Queensland the amounts provided are almost entirely in accord with those provided in our Act.

Hon. C. B. Williams: We are always claiming that we are in advance of the rest of the world.

Hon. J. M. DREW: With a few exceptions, they adopted the same schedule as we have had in this State. For the loss of an arm above the elbow the Act provided compensation amounting to £675, whereas the Bill provides for the loss of an arm at or below the elbow, £475 or £200 less. For the loss of the lower part of either arm, the Act provides £600, but the Bill provides £450, or £150 less. For the loss of one eye with the serious diminution of sight of the other eye, the Act provides £675. The opinion of some is that that compensation is far too much. In the opinion of the Government, the compensation is excessive, so they have provided for £300 in the Bill.

Hon. C. B. Williams: The Government are one-eyed!

Hon. J. M. DREW: For the loss of hearing, the Act provides £600, whereas in the Bill the complete loss of hearing in both ears is £450, or £150 less. Under the Act, the loss of part of a thumb is compensated for at the rate of £112 10s., whereas in the Bill the loss of the thumb at the distal joint is compensated to the extent of £60 only,

or £52 10s. less. For my part, I cannot see any difference between loss of hearing and complete loss of hearing, but I have indicated the distinction that has been drawn in the Bill. These are only a few of the deductions that have been made, but they represent average specimens from the Second Schedule. I could quote many others. This represents a wholesale interference with the provision for innocent victims of accidents in industry. Be it remembered that the schedule as it appears in the Act of 1924 was prepared by a conference of medical men who were not appointed by a Labour Government. I believe they were appointed by the Bruce-Page Government some years ago and the schedule they recommended was adopted by Queensland, New South Wales, with a few exceptions, and by Western Australia. I understand that in some of the other States the schedule was not adopted.

Hon. V. Hamersley: But that was in the days of great extravagance.

Hon. J. M. DREW: I do not think extravagance had anything to do with it.

Hon. G. W. Miles: But how can industry provide for such compensation payments?

Hon. J. M. DREW: The question at issue is whether the schedule of 1924 is just or unjust.

Hon. G. W. Miles: But can industry pay those amounts?

Hon. C. B. Williams: Industry can never compensate the individual for the loss of a leg or an arm.

Hon. J. M. DREW: The question is whether or not industry should provide for those maimed in industry and whether the amounts quoted are fair. It will be realised that there has been a great cutting of the items in the schedule of the 1924 Act, and the Government, in introducing this Bill, have certainly taken a retrograde step. In other directions retrogression is also proposed.

Hon. G. W. Miles: Another retrogression is the proposal to create a State monopoly.

Hon. J. M. DREW: Under the Act no waiting period is provided, whereas the Bill stipulates that unless an accident disables a worker for seven days, he will not be entitled to payment for the 72 hours immediately following the accident. That amendment, if accepted, will take us back to the Act of 1912. That Act encouraged malingering, and this Bill, if it be passed in its present form, will have a similar effect. We know what human nature is. The

worker who is fit to resume his occupation four or five days after an accident will be strongly tempted to lie up until the seven days have expired in order to secure compensation from the date of the accident. That was the experience previous to 1912, and consequently the employers or the insurance companies will not gain much from the amendment, while the effect on the workers will be discouraging and demoralising. The reduction of the maximum amount for medical expenses is another blot on the Bill. I am aware that the commission to be appointed may, with the approval of the Minister, increase the amount from the £52 10s. proposed in the Bill. But in some cases, if there is delay in getting the commission's recommendation and the Minister's approval, valuable life may be lost and the object in view defeated. Members should recall the case of a young man in the North-West who needed urgent and highly-skilled surgical treatment. He was brought to Perth by aeroplane; his case was desperate; his life was in imminent danger. An operation was performed by a highly-skilled surgeon, and, in the opinion of the doctors who attended the man, it resulted in saving his life. Another case occurred at Geraldton more recently. A tally clerk was injured in the back through a bag of wheat falling on him from a height of 15 or 16 feet. The doctors at Geraldton were of opinion that an eminent surgeon in Perth should be consulted. The surgeon travelled to Geraldton by aeroplane and found the case hopeless, but it might have been otherwise, and the life of that man might have been saved. In such a case it would be necessary to get the commission's recommendation and the Minister's approval to exceed the amount of 50 guineas, and life might be lost in consequence of the delay.

Hon. G. W. Miles: You are not very complimentary to the medical profession in inferring that they would not perform an operation to save a man's life because the fee was not high enough.

Hon. J. M. DREW: The hon. member would expect a medical man to perform an operation without any prospect of payment.

Hon. G. W. Miles: No, any medical man would perform an operation to save life.

Hon. J. M. DREW: There should be specific provision for his remuneration. Instances might be quoted of doctors in the backblocks having to travel 100 miles and

more to attend patients. Mr. Kitson, when introducing a Bill to amend the Aborigines Act, cited a case of two aborigines in the employ of a white man who were being transferred from one station to another and met with a motor accident. The motor overturned and they were seriously injured, one having sustained a broken thigh and the other a broken shoulder. A doctor motored 100 miles to render first aid, and had them conveyed to the Kalgoorlie hospital. How far would 50 guineas go towards covering the treatment of those two patients?

Hon. E. H. Harris: That is, if there was a limit of 50 guineas.

Hon. J. M. DREW: If there was that limit?

Hon. E. H. Harris: It is not limited to 50 guineas.

Hon. J. M. DREW: But the conditions required to secure an excess could not be fulfilled in an urgent case. It would be impracticable for the doctor to consult the commission and await the approval of the Minister.

Hon. E. H. Harris: Do you suggest that if the cost was 51 guineas, nothing would be done because the limit was 50 guineas?

Hon. J. M. DREW: The doctor would have to take the risk. Aborigines are human beings and are entitled to proper treatment, and those two must have been in hospital many weeks before they recovered from their injuries. There would have been the cost of transporting them to hospital as well as the doctor's fee for the journey.

Hon. W. H. Kitson: In that case the doctor had to wait many months before he was paid.

Hon. J. M. DREW: And the station owner would not pay a penny towards the medical expenses. He could have been compelled to pay if the Minister had taken action under the Workers' Compensation Act.

Hon. Sir Edward Wittenoom: How many pastoralists could pay 50 guineas for a doctor?

Hon. J. M. DREW: I have known a pastoralist splash up more than 50 guineas in a week. Has the huge reduction of medical expenses been made because of the allegations of fraud on the part of doctors? I do not know that there has been any proof of fraud by the doctors, but many people suspect them of it. If there has been fraud, there are means of checking it. The provisions of the Bill give all the power neces-

sary to eliminate any fraud on the part of the doctors.

Hon. G. Fraser: Has not that fraud occurred only in the smaller cases?

Hon. J. M. DREW: Yes, cases involving medical expenses of 10s. to £10.

Hon. G. W. Miles: Do you know that in Queensland the amount of the medical fee is deducted from the compensation?

Hon. J. M. DREW: The First Schedule to the Bill contains the following provision:—

Provided that, in so far as any medical expenses claimed under this paragraph exceed what, in the opinion of the commission, would have been charged against a worker in a similar case to which this Act did not apply, such expenses shall be disallowed and shall not be payable under this paragraph, and no action will lie against the injured worker for any payment in addition to that admitted by the commission. If, however, the commission shall in any case be of opinion that it will be advantageous for any worker who is receiving weekly payments under this Act to receive all or any of the necessary medical and surgical treatment and attendance from any particular medical practitioner, it may, with the concurrence of the chairman of the medical board, give direction to that effect, and thereafter, so long as such practitioner is able and willing to bestow his services in the case, no medical expenses shall be payable to or in respect of any other practitioner engaged or employed by the worker contrary to such direction: Provided that the medical board shall, if required so to do by the worker, furnish such worker with the names of three medical practitioners from whom he may choose one who shall be substituted in place of the practitioner chosen by the commission.

Autocratic power for the revision of doctors' fees is to be given to the commission. It is about the most perfect piece of legislation for its purpose that I have seen. There appears to be no loophole in it. The commission will be able to say what amount a medical man shall receive, and he cannot claim the balance from the injured worker, who will be fully protected. The commission will have the right to select a medical practitioner, and if the worker objects, the commission may name three doctors from whom the worker may select one to treat him. With such provisions, there should be no fear of fraud, and therefore there is no justification for reducing the medical expenses from the present amount of £100 to 50 guineas.

Hon. Sir William Lathlain: Is not 50 guineas still higher than the fees in the other States?

Hon. J. M. DREW: Not in all the other States. I had the information with regard to all the Australian States, but for the moment I have mislaid it. I have the information as to what is done in other parts of the world.

Hon. W. H. Kitson: In some cases there is no limit.

Hon. J. M. DREW: Austria allows medical treatment for 52 weeks, Belgium for six months, Bulgaria, until the injury is healed.

Hon. J. Nicholson: How much is paid to the injured worker?

Hon. J. M. DREW: I am dealing with medical treatment. British Columbia allows treatment as long as required to relieve the injury: Italy, up to one year; Denmark, until the injury is healed; Finland, for not more than 120 days; France, Germany and Great Britain, until the injury is healed; Greece, for not more than two years; Japan, Poland, Roumania, Sweden and Switzerland, until the injury is healed; and Portugal, not more than three years. That would involve considerably more than the amount that is in the schedule to our 1924 Act.

Hon. Sir William Lathlain: There is nothing to prevent its being extended.

Hon. J. M. DREW: Nothing except that there might be delay. It was extended even beyond £100 by the Collier Government, and also by the present Government.

Hon. E. H. Harris: But that was not in conformity with the Act.

Hon. J. M. DREW: I do not think it was, because there was no statutory power in the 1924 Act to increase it.

Hon. G. W. Miles: The insurance companies have paid over £100 in several instances.

Hon. J. M. DREW: I am pleased to hear that.

Hon. Sir Edward Wittenoom: Are you trying to show that the Second Schedule is no good?

Hon. J. M. DREW: It is defective and requires repair. It is the foundation of a good structure.

Hon. Sir Edward Wittenoom: And now you are going to put on the superstructure.

Hon. J. M. DREW: I will do so. In the First Schedule, paragraph (c), page 30, there is an allowance provided of 10s. 6d. a day for hospital treatment and maintenance. That will be all right so far as many hospitals are concerned, certainly all the hospitals in the country; but what about the

metropolitan area? Workers' compensation cases will not be admitted into the Perth Hospital.

Hon. W. H. Kitson: Nor the Fremantle hospital.

Hon. J. M. DREW: Where will those cases be treated? At private hospitals? Will 10s. 6d. a day meet the expenses in a private hospital? I am informed that the lowest charge there is £4 4s. a week and there are other costs to be added. Hence, 10s. 6d. a day is much too low in the circumstances. The object of the Bill, so the Minister told us, was to lighten the burden placed on industry.

Hon. G. Fraser: And put it on to the worker.

Hon. J. M. DREW: Yes, that is the interpretation; it is the conclusion one must draw. Someone must bear the burden. If industry does not, who is to suffer? Suffering humanity. And who is responsible for this burden? I think I pointed out that the burden is due in the first place to sharp practice on the part of the medical profession, and to fraud on the part of aliens. The conduct of dishonest doctors is effectively curbed by the Bill. The alien trouble can be met at any time by the employment of British subjects. There is one important part of the Bill which should ease the burden considerably without interfering with the rights of the workers. I refer to the contemplated establishment of a workers' compensation fund. Under that fund the employer will be able to reduce his liability to the lowest possible amount. The natural corollary of workers' compensation, or I should say an Act dealing with workers' compensation, is a State insurance office.

Hon. G. W. Miles: You believe in that part of the fund?

Hon. J. M. DREW: I do. When the Government introduces legislation forcing the employers to carry responsibility for accidents arising out of employment to workers, there should be the accompanying legislation to which I have referred. This matter was discussed when the original Act was introduced many years ago. There should be accompanying legislation to enable the employer to insure workmen cheaply against risk. It is very unfair to allow a man to shift for himself in this particular matter. That portion of the Act, if properly administered, will be successful. I have great faith in the gentleman who will

be chairman of the fund, great faith in his capacity, honesty and ability. I feel certain it will prove a success. It will be said that that part of the Bill to which I refer will be an unwarranted interference with private enterprise. No one will deny that private enterprise is out to make profits, and in my opinion it is entitled to a fair return on any capital invested. But I have yet to learn that it is entitled to thrive at the expense of those who have been mutilated in industry. For not only is the employer called upon to carry the weight of high insurance, but the workers' compensation is lessened because of the unnecessary load on industry imposed by permitting private enterprise to handle this class of business. There is no competition among the insurance companies with regard to premiums charged. They work apart in other directions by doing their best to secure business, but there is no competition in respect to premiums. They put their heads together and fix the rates.

Hon. G. W. Miles: What about lawyers? Are they not a combine?

Hon. J. M. DREW: I hope it will not be considered that I desire to reflect on insurance companies. Evidence has been supplied which clearly shows that these companies have suffered immense losses in undertaking workers' compensation business, especially during the last few years, and hon. members will know as well as I do that heavy administrative expenses have been responsible for the loss.

Hon. Sir William Lathlain: And the 2½ per cent. tax.

Hon. J. M. DREW: That is only trivial.

Hon. Sir William Lathlain: It may be trivial, but it accounts for their losses.

Hon. J. M. DREW: I have figures showing the losses experienced by the insurance companies. In 1926 the losses totalled £25,148; in 1927, £17,424; in 1927-28, £19,218; in 1928-29, £28,958; and in 1929-30, £8,319. But these losses were due to the enormous administrative expenses. For instance, commission and other expenses during those five years averaged 37 per cent. of the premiums. On the other hand, the State office showed a profit during the whole period of its existence, and its administrative expenses averaged only 3½ per cent.

Hon. G. W. Miles: They pay neither rent nor taxes.

Hon. Sir William Lathlain: They paid out 97 per cent. of their revenue.

Hon. J. M. DREW: And the State office has been doing insurance work at 20 per cent. less than the insurance companies. That is a great advantage to industry.

Hon. E. H. Harris: And they cannot get the business.

Hon. J. M. DREW: They have no monopoly. The new State Insurance Office will have a monopoly.

Hon. G. W. Miles: The Minister told us the overhead expenses will go up 12 per cent.

Hon. J. M. DREW: I dare say the expenses will increase. It is a pity that a Bill containing such a useful provision as a compensation fund should be spoiled by the introduction of other provisions affecting the rights of humanity. I cannot support the second reading of the Bill as it stands, and I shall vote against it.

On motion by Hon. J. Nicholson, debate adjourned.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. J. Cornell in the Chair; the Minister for Country Water Supplies in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 4, to which an amendment had been moved as follows:—

That all the words after "by," in line 2 of Subclause 1 to the end of Subclause 2 be struck out and "deleting the words 'or the creditor of any farmer' and is further amended by" be inserted.

Amendment put and negatived.

Hon. J. NICHOLSON: I move an amendment—

That after "that," in line 1 of the proviso, the following be inserted:—"A creditor shall not be entitled to make such application unless the debt owing by the farmer to him is a liquidated sum payable either immediately or at some future date and amounts to £50; or if two or more creditors join in the application the aggregate of such debt amounts to the said sum and".

That will meet the position created by the words which Mr. Yelland sought to have struck out. The idea is to bring the Bill

as nearly as possible into line with the Bankruptcy Act, or rather with bankruptcy jurisdiction. Under the bankruptcy law no creditor can present a petition to have a debtor made bankrupt unless the amount of the debt is at least £20. Therefore with a view to bringing this clause into harmony with the Bankruptcy Act and eliminating the danger of any creditor who has a small sum due to him by a farmer presenting an application and giving trouble, I move this amendment limiting the right of a creditor to that which he would enjoy under the bankruptcy law.

Hon. W. H. KITSON: Will not the proposed amendment place the farmer in a worse position, in that he will be at the mercy of those creditors who may then take other proceedings which would precipitate bankruptcy proceedings?

Hon. J. NICHOLSON: The amendment would not in any way precipitate such a position. It is a protection to the farmer from proceedings at the instance of some creditor who has not sufficient at stake. Without the amendment, any creditor who has a small debt owing to him could present an application under the Farmers' Debts Adjustment Act, although he could not present a petition in bankruptcy unless his debt amounted to £20. At present anyone can get a judgment for any debt and levy distress.

The CHAIRMAN: Does the hon. member propose to move any further amendments?

Hon. J. NICHOLSON: No. Of course there is the suggested amendment of the Minister respecting the sum in my amendment. My amendment is a protection to the farmer and will prevent creditors with small sums owing to them seeking to make the position difficult for the farmer.

The MINISTER FOR COUNTRY WATER SUPPLIES: The Director would not agree to any vexatious proceedings by creditors. It is in his hands entirely, for he can refuse to call a meeting. So I do not think there is any need whatever for the amendment. Still, if the Committee desires it, I will accept it provided the £50 be reduced to £30.

Hon. J. NICHOLSON: With the leave of the Committee, I will make the £50 £30.

The CHAIRMAN: I will take it as having been moved.

Hon. Sir CHARLES NATHAN: I will oppose the amendment whether the amount be £30 or £50. The whole idea of the Bill is to afford sufficient protection for a debtor. What more efficient protection could be afforded than allowing the Director to be the judge of whether an application to bring a man under the Act is a fair one or a vexatious one? If, on the other hand, we limit the amount to £30 or £50, the creditor would immediately issue a summons in the local court and would pursue the judgment given. It would then be necessary for the Director to come to the aid of the farmer, but not until the estate was charged with unnecessary expense.

Amendment put and negatived.

Clause put and passed.

Clauses 5 to 12—agreed to.

Clause 13—Insertion of new section after Section 13:

Hon. H. J. YELLAND: I move an amendment—

That the following proviso be added to proposed new Section 13B:—"Provided always that any power or authority given to the Director by this section, whether the same be discretionary or otherwise, shall be subject to the right of any party aggrieved thereby to appeal therefrom to any judge of the Supreme Court in Chambers, and the decision of such judge shall be final and binding on the parties thereto."

The MINISTER FOR COUNTRY WATER SUPPLIES: If this amendment be agreed to, it will destroy the utility of the proposed new section, for if the amendment, being agreed to, were taken advantage of at a critical time of the year, April or May, it would hold up all the operations of the debtor and so both debtor and creditor would suffer. It is a very dangerous amendment.

Hon. J. NICHOLSON: I do not think the fears of the Minister will be realised. The proviso is only a safeguard to a creditor. It gives certain powers to the director to do certain things. A question of considerable moment may be involved. Surely some right of appeal should be given if there is justification for it. No creditor would appeal unless he had good ground for doing so. The amendment would not place the assets of the farmer in the slightest peril. We could not have a better director than the present one, but some

other director might be appointed who would not so wisely exercise his powers. There might be cause for an appeal against some of his decisions.

The **MINISTER FOR COUNTRY WATER SUPPLIES**: The Act is designed to benefit the debtor, the creditor and the State. The whole of its success depends upon the smooth working of its machinery. The parties must not be placed in a false position, but must be able to decide things straight away and enable the debtor to proceed with his operations. The main principle is to keep the debtor on his farm. I do not want anything to go into the Bill that will hamper the director, who has already done such excellent work. If this amendment is passed some creditor will certainly try to get his pound of flesh out of the debtor.

Hon. Sir **CHARLES NATHAN**: After the pathetic appeal of the Minister, I am really sorry I cannot go to the length I would like to. I do not want to see any unnecessary delay over these matters, nor to hamper the director, who is carrying out his work so well. I was disappointed to hear that the high praise which was bestowed upon the director should have been disparaged by the Minister, when he limited that officer's capacity to his being able to drive a horse and cart through an Act of Parliament. There is nothing in the amendment that will harass the director. To adopt the precedent of placing a Government official in a position that neither a judge nor a magistrate is placed in, would be extremely dangerous. If there is an aggrieved creditor, I fail to see why he should not be at liberty to appeal to a judge in Chambers.

Hon. G. W. **MILES**: I oppose the amendment. The only way the debtor can derive any benefit from this legislation is by his being enabled to come to an understanding with his creditors. The Act has been administered in that spirit of mutual understanding. We should keep the legal fraternity out of this business altogether.

Hon. J. **Nicholson**: They are not in it.

Hon. G. W. **MILES**: They will be in it if the amendment is carried, and the cost to the primary producer will go up.

Amendment put and negatived.

Clause put and passed.

Clause 14—agreed to.

New clause:

The **MINISTER FOR COUNTRY WATER SUPPLIES**: I move—

That a new clause to stand as Clause 15 be inserted as follows:—"Section 19 of the principal Act is hereby amended by striking out "thirty-two" and inserting "thirty-three" in lieu.

This 12 months extension will be necessary, as the Act would normally terminate in March of next year. A good deal of difficulty may be caused unless this new clause is inserted.

New clause put and passed.

Title—agreed to.

Bill reported with an amendment.

BILL—STATE MANUFACTURES DESCRIPTION.

Second Reading.

The **MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [5.43] in moving the second reading said: In recent months there has been a recognition of the necessity to do everything possible to encourage the people to use Western Australian manufactured and produced goods.

In the campaign, which has been carried on so forcibly and sensibly by local manufacturers and producers, it has been made clear to consumers that much employment will be available locally if purchasers show a determined preference for our products. I am pleased to say that the people are responding well to the propaganda, and that there is now quite a demand for Western Australian goods. Naturally the Government are deeply interested in the efforts of the producers and manufacturers to bring about the more general use of locally produced goods; and for revenue and employment reasons they are very anxious to further the project in every possible way. Another feature of the campaign is that, in many instances, our wares are produced and packed unsurpassably. It is also gratifying to be able to mention that other articles for consumption are being placed on the market, and compared with those produced elsewhere, are being acquired by the public to a greater extent than previously. With reference to the packing

and, in particular, the labelling of the goods, the Government submit this Bill for an Act to provide for the stamping or marking of Western Australian products and manufactures, and for other relative purposes. It is a piece of legislation that can be put into operation without proving detrimental to the community. As a matter of fact, it will be an advantage to the community. At present, under Commonwealth law, provision is made for the stamping and marking of goods exported for sale in foreign markets.

For such action by the Commonwealth there are two main reasons. In the first place a purchaser in the markets of the world will be able to recognise the article as an Australian product and, secondly, the purchaser will also know that the product has been examined and passed, and is up to standard. In Australia at the moment there is no such provision applicable to internal trade, and, while it may be considered undesirable to have anything in the nature of the marketing of goods produced or manufactured and distributed in any part of Australia, the Government believe that nothing harmful will be done to the producer, manufacturer, or consumer by providing that those produced or manufactured in the State may voluntarily be marked, and thus give the consumer definite evidence that the goods are produced or manufactured in the State.

In Great Britain a national mark is adopted which is a guarantee to the consumer that the commodity has been produced in the British Isles. The British national mark also carries a guarantee that the commodity is of a certain defined standard, and there are different marks for different grades of quality. The British Act is known as the Agricultural Produce Grading and Marketing Act. It deals largely with agricultural and horticultural products, and also refers to the grading and marking of beef; and it contains provisions relating to the marketing of apples, cherries, and various other commodities. Eggs in particular are provided for, there being half a dozen different grades. In fact, all sorts of commodities are mentioned; and the sole purpose of the Act is to give the consumer the opportunity to know that the commodity is a product of the British Isles and is of a definite standard. The Act makes it an offence for any person to

apply the national mark to any commodity not produced in the British Isles, or to mark it as being of a standard different from what it really is. While it is of advantage to the producer to be able to mark his goods for the information of the consumer, there is also protection for the consumer in that he knows the grade or quality of the commodity he is buying.

In Western Australia, as previously stated, manufacturers and producers are endeavouring to convince the people that, where they can obtain local products, preference should be given to them. All parties are agreed upon the desirability of that action. Sometimes there are complaints that people have patronised a local commodity, only to find that the quality is not equal to that of the imported article, or not equal to the quality claimed for it; and such experiences are often very damaging to future sales.

The Bill does not propose that any person selling local products or manufactures shall mark his goods as of local production, but it sets forth that the manufacturer may, upon application, and under regulations to be framed, place a mark on local commodities. Upon the application of the producers the measure will apply to any product, and the mark will be a guarantee not only of local production, but also that it is of a grade set out in the regulations. While it is an offence to use a mark on a commodity other than that which the commodity purports to be, it is also an offence to use it on a commodity not produced or manufactured in the State. In each instance such action would amount to fraud, and a penalty is provided.

The manufacturers of Western Australia, largely those in Perth, have by arrangement decided upon a little brand which is placed upon locally manufactured goods. For that the Chamber of Manufactures is responsible. The branding is an entirely voluntary act, but it is no offence for any person to use the brand wrongly. At present he can use it on an imported article, and thus lead consumers to believe that they are purchasing a locally manufactured article. Commodities have been sent here in bulk from other parts of Australia, and even from other parts of the world, and put into cartons or bottles bearing the label of a local wholesale distributor without any indication that they were not manufac-

tured or produced in Western Australia. When people see such commodities bearing the name of a well-known local merchant, they conclude that they are local commodities and purchase them, only to find in very small print on the label 'Packed expressly for so-and-so.' Such goods are only packed for that distributor; they are actually produced outside the State.

It is hoped that the protective provisions of the Bill will encourage producers who want their products put on the local market, to keep faith with consumers by maintaining a grade that will gain the confidence of purchasers and thus extend the demand for commodities produced locally. No one will suggest that a person should not be protected against even a retailer selling a commodity which is claimed to be of a certain type, and which is found to be of an entirely different type. No manufacturer who is anxious to sell his commodity locally can object to a mark being placed on it to enable it to be identified as a local product, but of course the acceptance or adoption of the mark by the particular manufacturer will be a voluntary act on his part.

Take the production of eggs. There is a certain amount of competition from imported eggs; but if the local egg producers get together and decide that they will apply this particular mark on local eggs, they will guarantee to the community that the eggs were locally produced, and are of a certain grade. In Great Britain there are six different brands for eggs, and they vary according to grade and size of the eggs. If the egg producers here adopted that plan, a person would know that he was purchasing Western Australian eggs, and that they were of a definite standard, and not find, as he sometimes does, that on the top there are the eggs that he requires, and that underneath there may be some duck eggs, and perhaps at the bottom bantam eggs. Once the producers saw the wisdom of applying such marks to the eggs, they could confer and arrange where the mark should be affixed. That would get over the objection so often raised by the housewife, that she has not the time to see for herself whether the article she is purchasing is a local product; she can demand to be supplied with an article with the brand.

The various clauses of the Bill are explanatory of their objects, and for that

reason I do not think it necessary to detain the House in a recital of their provisions. I trust the House will approve of the Bill, and I sincerely hope that when it is enacted it will considerably assist the industries of our manufacturers and producers. I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Franklin, debate adjourned.

House adjourned at 5.51 p.m.

Legislative Assembly,

Thursday, 25th June, 1931.

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The SPEAKER took the Chair at 4.10 p.m., and read prayers.

QUESTION—COMMONWEALTH RELIEF GRANT.

Mr. HEGNEY asked the Minister for Railways: What are the names of the country local authorities which participated in the allocation of £13,500 from the Commonwealth relief grant of £32,000?

The ATTORNEY GENERAL (for the Minister for Railways) replied: Greenbushes, Balingup, Busselton, Katanning, Gnowangerup, Nannup, Bridgetown, Manjimup, Albany, Denmark, Mt. Barker, Northam, Murray River, Wagin, Narrogin, Bunbury, York, Bruce Rock, Beverley, Collie,