

services of the best men obtainable in the State will be secured.

Question put and passed.

Bill read a second time.

House adjourned at 10.51 p.m.

Division taken with the following result:

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|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 17 |
| Noes | .. | .. | .. | .. | 6 |

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|--------------|----|----|----|
| Majority for | .. | .. | 11 |
|--------------|----|----|----|

AYES.

Hon. C. F. Baxter
 Hon. L. B. Bolton
 Hon. J. Cornell
 Hon. J. M. Drew
 Hon. J. T. Franklin
 Hon. G. Fraser
 Hon. E. H. Harris
 Hon. W. H. Kitson
 Hon. W. J. Mann

Hon. T. Moore
 Hon. Sir C. Nathan
 Hon. J. Nicholson
 Hon. E. Rose
 Hon. Sir E. Wittenoom
 Hon. C. H. Wittenoom
 Hon. H. J. Yelland
 Hon. E. H. Gray
 (Teller.)

NOES.

Hon. E. H. H. Hall
 Hon. J. J. Holmes
 Hon. G. W. Miles

Hon. R. G. Moore
 Hon. H. Seddon
 Hon. V. Hamersley
 (Teller.)

Legislative Council,

Wednesday, 22nd November, 1933.

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| | PAGE |
| Bills: Land Tax and Income Tax, 3R., passed | 2045 |
| Constitution Acts Amendment, Standing Orders suspension, report, 3R. | 2045 |
| Reserves, 1R. | 2045 |
| Fremantle City Council Lands Act Amendment, 1R. | 2045 |
| Land, report | 2045 |
| Mine Workers' Relief Act Amendment, Com. | 2045 |
| Adjournment: Special | 2052 |

The PRESIDENT: There being more than an absolute majority of the total number of members of the Council voting with the "Ayes," I declare the third reading carried.

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

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

BILLS (2)—FIRST READING.

1, Reserves.

2, Fremantle City Council Lands Act Amendment.

Received from the Assembly.

BILL—LAND TAX AND INCOME TAX.

Read a third time and passed.

BILL—CONSTITUTION ACTS AMENDMENT.

Standing Orders Suspension

On motion by the Honorary Minister, ordered: That so much of the Standing Orders be suspended as to enable the Bill to pass through its remaining stages at this sitting.

Report.

Report of Committee adopted.

Third Reading.

THE HONORARY MINISTER (Hon. W. T. Kitson—West) [4.37]: I move—

That the Bill be now read a third time.

Question put.

The PRESIDENT: It will be necessary to divide the House on the question.

BILL—LAND.

Report of Committee adopted.

BILL—MINE WORKERS' RELIEF ACT AMENDMENT.

In Committee.

Resumed from the 10th October; Hon. V. Hamersley in the Chair, the Honorary Minister in charge of the Bill.

Clause 7—Amendment of Section 48:

[Hon. C. B. Williams had moved an amendment "That beginning in line 15 of paragraph (b) the words 'may if it is of the opinion that such mine worker's case is one which brings hardship' be struck out, and 'shall' inserted in lieu."]

The HONORARY MINISTER: I oppose the amendment, the object of which is to

compel the Mine Workers' Relief Board, in certain cases, on account of the family obligations of the miner who is entitled to compensation, to pay an amount sufficient to bring the compensation up to the basic wage. Progress was reported on this clause so that the goldfields members might confer with the Minister for Mines and satisfy themselves on the point. The conference was held yesterday and I feel that perhaps the members who were present were satisfied with the Minister's explanation. The word "hardship" has been interpreted by the Minister to refer to the family obligations of the miner. The board is given a discretionary power to increase the compensation as provided by this clause if they are satisfied that hardship is created owing to the number of dependants upon the miner. The Minister cannot see his way to make that a compulsory provision, as would be the case if the amendment were passed. The amount involved cannot be estimated, but the Minister thinks it would probably be so large that it would vitally affect the amount available from the fund for other purposes.

Hon. J. CORNELL: I regret the absence of Mr. Williams, through unavoidable causes. The proposed amendment has brought back to my mind an impression I had formed that the Mine Workers' Relief Act was an attempt to whittle away something to which the miner was already entitled. At the time I stressed the impossibility of dealing with this matter in the time then at the disposal of Parliament. The Minister himself does not dispute that the intention underlying the Act passed last year was that miners entitled to relief should have their wages made up from the fund to an amount equivalent to the ruling rate of wages in the district. Now the Minister says the provision can be interpreted to mean that if a miner were earning £15 a week, his wages should be made up to that amount. That was not intended, and it is evidence of the inadequacy of this legislation to deal with the subject. The other extreme is now resorted to. Instead of endeavouring to correct faulty draftsmanship in the Act, provision is proposed to be made by which a miner must prove hardship before he can get the further consideration to which he would be entitled under the Workers' Compensation Act. The men excluded by proclamation from the provisions

of this Act are getting an infinitely better deal, but at the cost of the taxpayers of the State. The men coming under the present Act are contributing towards their own benefits; they contribute one-third, the mining companies another third, and the Government the remaining third. Unfortunately, I was unable to attend the conference yesterday, but my impression was that it was called for another purpose, not with the idea of arriving at an agreement on this clause. I appeal to the Government to reconsider the whole of this legislation. The whole position should be thoroughly and exhaustively investigated. If that is not done, there will be a sheaf of amendments next session.

Hon. H. SEDDON: It is necessary that a misunderstanding that has arisen should be cleared up and so remove certain obscurities and ambiguities in the Bill. The conference which was held with the Minister yesterday was certainly not arranged with the idea of arriving at any understanding with the Minister. It was for the purpose of clarifying the position, and members came away free to deal with the legislation as it appears before us. Mr. Williams has moved this amendment but the Bill as it stands, provides that in certain cases of hardship payment shall be increased to a total of £3 10s. Mr. Williams, however, intended that the payment should be £3 10s. per week. The contention of the Minister is simple. It is just a matter of finance, and the funds cannot stand the payment that would be rendered necessary by the amendment. There are certain cases in which married employees are receiving £2 6s. per week under the Workers' Compensation Act and the amount of £750 which they are entitled to draw under that Act has to be drawn at the rate of £2 6s. a week. The attention of the Minister has been drawn to that and it is our idea that this sum is very small for a married couple to receive. But, as the Minister pointed out, the State finances are the governing factor in regard to payment to beneficiaries. The Government have brought the Bill forward in its present form to deal with cases of hardship and the idea is that the maximum shall not exceed, I think, £3 17s. 6d.

Hon. R. G. MOORE: The Minister assured us yesterday that in the present circumstances he could not accept any amend-

ment until the Bill had been in operation and until it was learnt whether the fund would permit of what was desired, being done. A married man with children gets the same compensation as a single man. He gets nothing from the Mine Workers' Relief Fund, nor can he get anything until he has drawn the £750, and in some instances he would have to exhaust that at the rate of £2 6s. per week. If he had applied for the difference between that and the basic wage, he could have got it. In some cases it is a matter of £2 3s. and nothing is allowed for the wife. If he has children he can get 7s. 6d. a week for each child until the amount reaches £3 10s. If the man dies, his widow receives £2 from the fund until the amount is exhausted. The difference between what the widow would get and what the two received, would be only 3s. a week. That is something I would like to see altered so that a married couple would receive £2 10s. Most cases where this position arises are those of the men who are up in years, and naturally there would be no children, since they would all be grown up. It has been pointed out, in regard to hardships that a man who has been turned down, very often requires a little extra in the way of food and luxuries to help him along his closing years. I have no intention of moving any amendment, because the Minister has told us he cannot accept it. I should, however, like the Minister to bring the matter before the Minister for Mines to see whether in the near future, after the Act has been in operation for a time, something cannot be done at least to allow a married man to receive up to £2 10s. a week. The person who comes on the fund with children is a comparatively young man, whereas the children of the older man are over the age of 16. The older man cannot come on the fund for a period, it may be, of seven years. It will be admitted that a man who is well up in years and who has been turned down by the mine, has not many chances of surviving those seven years, and then going on the fund to which he has contributed for a considerable period.

Hon. J. J. HOLMES: I agree with the previous speakers that this legislation is very complicated, and every session we try to make it even more complicated. In my view this compensation is a matter for the mine owners and the mine workers, not for the State at all. If there is one industry

that can carry its own indigent sick, it is the gold-mining industry. I have yet to learn how much the State provides, and what the gain or loss to the Crown may be. I wish the Minister would clear up that point, not necessarily to-day, but before the Bill is finally disposed of. I should like to know who receives the benefits, and how many beneficiaries there are. Mr. Cornell told us what was done in South Africa; but there are other things we might be told about South Africa. I understand that in South Africa the Government derive a huge income from gold mining, and make it help some of the other industries. Possibly the time is not far distant when the gold-mining industry in this State will not only have to carry its indigent sick, but will have to help carry some of the other industries. I want to know where this mine workers' relief is going to end. I understand that mining at Wiluna is even more dangerous than at Kalgoorlie, for they have the arsenic trouble at Wiluna. The State has to carry all the miners who become afflicted through working in the mines. If the men want to work there, and the mining companies want to employ them, the question of compensation becomes a matter between the companies and the workers, and the State should come in only as trustee to hold the funds. I do not claim to understand the Bill, nor do I think many other members understand it.

The HONORARY MINISTER: I find it difficult at times to follow some parts of the Act, but there is not very much difficulty about the clause before us, except as to the point raised by Mr. Cornell. There is the difference between this Act and the compensation which was paid to the men some years ago out of Consolidated Revenue.

Hon. A. Thomson: What does it cost per annum?

The HONORARY MINISTER: I cannot say, but since the proclamation of the Act on the 1st February, 1933, to the 30th June last, it has cost the Government £2,765.

Hon. J. Cornell: In the same period they have paid three times that amount under the Miners' Phthisis Act.

The HONORARY MINISTER: Very likely, but the Government cannot continue to carry that liability, which they undertook pending the introduction of this legislation.

Hon. J. J. Holmes: They are carrying the liability only to a certain date. They cannot afford to carry it for all time.

The HONORARY MINISTER: Certainly not. The Government have merely honoured an undertaking given at some previous time. I am told the Bill does provide improvements in some directions, whereas in one or two other directions the position is not so favourable to some of the beneficiaries. On the second reading, Mr. Holmes asked for information in regard to costs, and I replied to him, giving the figures I have just quoted. Then the hon. member asked whether there would be any additional costs as a result of the passing of the Bill, and I replied that it was not anticipated that there would be any additional cost, as the men concerned were previously provided for under the Miners' Phthisis Act. The figures Mr. Holmes now asks for I will obtain for him. The Minister, at the interview we had with him yesterday, pointed out that what I had told Mr. Holmes was scarcely correct, that there are about 15 men who will receive compensation under this measure, who are not receiving compensation to-day.

Hon. A. Thomson: The Bill is to take the place of the Miners' Phthisis Act.

The HONORARY MINISTER: Yes. That Act went out of existence on the 1st February last. It is desired by the men that the Bill should be passed without further delay. There are men entitled to compensation, but not receiving it because they were not provided for in the original Act. Under the Miners' Phthisis Act the Government found the whole cost prior to the passing of the Mine Workers' Relief Act.

Hon. J. J. Holmes: That amount also would be interesting.

The HONORARY MINISTER: There is no objection to providing any figures that are available. Probably those figures would surprise some members, as showing the liability the Government were carrying. Had it been allowed to go on indefinitely the amount would have become so large that no Government could have undertaken the responsibility. The amendment before us affects miners entitled to workers' compensation, to the extent of half wages plus 7s. 6d. for each child, up to a maximum of £3 10s. per week. In some cases the miner has so large a family that half wages plus 7s. 6d. per week for each child would mean a larger sum than £3 10s. This amendment is to provide that in such cases the difference between £3 10s. and the ruling rate of

wage in the district shall be made up by the board, provided the board is satisfied that hardship exists. The Minister, when discussing this matter yesterday, instanced men who are fairly well off financially, yet who are receiving compensation under the Workers' Compensation Act.

Hon. J. Cornell: They have paid for it.

The HONORARY MINISTER: He instanced a man worth several thousand pounds, and he remarked that one could not say there was extreme hardship there. I agree with him. Only when a man is receiving compensation under the Workers' Compensation Act can he apply to the board for an additional amount to bring it up to the basic wage. That is a perfectly fair provision, and the Government intended to embody it in the first place, but owing to a little hurry in the drafting, we find that is not the position to-day, and so we desire to rectify it.

Hon. J. J. Holmes: In no other industry are the workers so favourably considered as are the men in the mines.

The HONORARY MINISTER: The miner suffering from phthisis is deserving of all the consideration he can get.

Hon. A. Thomson: But should not the industry pay for it?

The HONORARY MINISTER: The industry and the Government have endeavoured to meet the position. The companies have to pay their premium under the Workers' Compensation Act, and to that extent they are carrying the burden. Immediately we get away from that the burden is divided between the companies, the men, and the State. The Minister for Mines is a practical miner and knows a great deal about the industry.

Hon. J. Cornell: He has a lot to learn about this matter.

The HONORARY MINISTER: He understands it as well as any member of this Chamber. No one can take his place in the extent of his sympathy towards the miners.

Hon. J. Cornell: He was unfortunate in picking out a man who had a little money in the bank.

The HONORARY MINISTER: Under the Workers' Compensation Act the men are entitled to a maximum of £3 10s. a week. The Minister wishes to provide that in cases of extreme hardship the board may, at its discretion, increase the amount

to a sum equal to the ruling basic wage in the district in which the person concerned is working, such extra amount to come from the Mine Workers' Relief Fund.

Hon. J. CORNELL: Prior to the introduction of the new law, Consolidated Revenue was bearing all the cost of miners affected by fibrosis, T.B., etc. It would be interesting to know what this has cost the State.

The Honorary Minister: Do you think the Government should continue to carry that burden?

Hon. J. CORNELL: I do not want the men deprived of anything they have got.

Hon. J. J. Holmes: Is not miners' phthisis costing the State £1,000 a week?

Hon. J. CORNELL: Yes.

Hon. G. W. Miles: The industry should make a larger contribution towards the cost.

Hon. J. CORNELL: The mining companies pay the premiums in the case of all industrial diseases. The companies pay the first £750 which any beneficiary draws, but after that the three parties concerned contribute towards the relief that is given. It is impossible for this Chamber to do justice to such a complicated question as this. How the miners have sat down under the law I am at a loss to understand. It is purely departmental legislation, just as the amendments are departmental. We badly need an Act that will give even-handed justice all round, following upon an exhaustive and impartial inquiry into the whole subject by a representative of the Government, a representative of the companies, and a man representing the mine workers. Such an inquiry was held in South Africa, where to-day industry bears the total cost of silicosis cases, while the Government pay the cost of administration. We shall never do justice to the men in the industry without a proper inquiry being held here. It seems to me that gold will remain at a high price for many years to come, and that many new men are likely to engage in the industry. To-day in certain cases of silicosis the mining companies should contribute more than they do. If they did so, they would be more careful to prevent those things which lead to silicosis.

Hon. J. J. Holmes: And sooner or later the State will pay one-third of the compensation.

Hon. J. CORNELL: I am afraid the State will continue to do so for many years. There are beneficiaries under the old Act who are drawing more compensation than beneficiaries under the new one.

Amendment put and negatived.

Clause put and passed.

Clauses 8, 9—agreed to.

Clause 10—Amendment of Section 53:

The HONORARY MINISTER: I move an amendment—

That in line 3 of paragraph (a) the words "the mine worker" be struck out, and "such person" inserted in lieu.

Hon. J. CORNELL: Does that amendment square with Section 53 of the principal Act, which mentions the mine worker?

The HONORARY MINISTER: The words "such person" appear in the original Act.

Amendment put and passed.

Hon. H. SEDDON: I wish to mention that the contribution of the mines under the industrial diseases section of the Workers' Compensation Act amounted for the year ended on the 30th June last to £50,000, approximately. There is in the fund a reserve for impending claims, according to the Auditor-General's report, of £122,000. Probable and actual claims against that amount exist in the case of all men affected by dust. Thus there are tremendous responsibilities imposed on the fund. Each claim or potential claim involves an amount of £750. I quote the figures to show that the mining employers are not escaping their responsibility in regard to industrial diseases. The mining employers pay one-third of the amount contributed to the Mine Workers' Relief Fund. That fund is also responsible for payments to widows and dependants under the schedule to the Act passed last year. After a man has exhausted the £750, there is a continuing liability to the widow and to children up to 16 years of age. If under 40 years of age, the widow receives only a certain amount; if over 40 years of age, she receives a very small sum. The scale of payment under the Mine Workers' Relief Fund is much less than even that under the Workers' Compensation Act. My object is to point out that the Government are not bearing the whole of the burden in this respect.

The HONORARY MINISTER: Mr. Seddon's remarks are perfectly correct. There is a potential liability which nobody can accurately estimate. With the large number of men now engaged in the industry, the potential liability is increasing every week. The fact of hundreds of men entering the industry means that the potential liability of the fund must increase: the longer they are engaged in the industry, the nearer approaches the time when they will be liable to come on the fund. The Minister for Mines is keenly desirous of doing all he can to assist the men, but he must have some regard for the protection of the fund which is being accumulated to meet future liabilities. I myself should like to do more than is being done at the present time, but the facts put forward by the Minister for Mines have caused me to realise the impossibility of doing more at the present juncture. The Minister himself would be glad to be more liberal at some future time than is possible at present. I hope the Bill will not be further held up owing to certain cases in which deserving men are deprived of compensation.

Hon. E. H. HARRIS: I can endorse what the Honorary Minister has said with regard to the Minister for Mines. The Minister for Mines expressed every sympathy with the desires of Mr. R. G. Moore, but pointed out that there was a huge liability. The object of the amendment referred to was to provide for 15 men who owing to unfortunate circumstances cannot now claim. If the Bill passes as it stands, their claims will be recognised. Some two or three who have insisted on payment are demanding amounts of money for which, under the Bill as it stands, they can sue the Government. The Miners' Phthisis Act is not all that could be desired, but it is being amended from time to time to overcome anomalies.

Hon. J. Cornell: We make a mess of it every time.

Hon. E. H. HARRIS: We are making a good job as regards 15 men now. The Government having definitely stated that they have not the money to carry the extra load, the best thing we can do is to pass the Bill as it stands.

Hon. J. CORNELL: There is a potential liability now, but we faced a potential liability 18 months ago. Had numbers of men not gone into the industry, the liability would have been much greater for the men

then in it. In order to have it on record, I would like the Minister to state how the Government view the question of the six or eight men mentioned by me. Since the Bill was last before members, two men came to Perth. The Premier was good enough to assist them to travel by rail from Southern Cross, so that they might present the case on behalf of their fellow settlers.

Hon. E. H. Harris: They did submit it to the Minister.

Hon. J. CORNELL. I know they have been heard, but I have not read any statement regarding the attitude of the Minister. I hope the Honorary Minister will be able to give us some information.

The HONORARY MINISTER: The only information that I can give at the moment is that the Minister mentioned the case yesterday and said that he found it extremely hard to say to men, who were palpably suffering from disease as the result of their work in the mining industry, that he could do nothing for them.

Hon. Sir Charles Nathan: Did that apply to the other men concerned?

The HONORARY MINISTER: The two men referred to by Mr. Cornell were representing the whole of the men who went to the miners' settlement and did not return to the mines periodically in order to maintain their qualification for compensation.

Hon. J. Cornell: There were eight or ten men in that category.

The HONORARY MINISTER: I do not know if those men knew that they could adopt that course if they desired.

Hon. J. Cornell: There were 100 or so who did.

The HONORARY MINISTER: I understand these men were satisfied with the terms under which they took up the land. However, the Minister had to inform them of the position.

Hon. J. J. Holmes: In other words, the Minister has to administer an Act of Parliament.

The HONORARY MINISTER: Yes. As the Minister explained, a much larger number of men also left the mining industry and lost their rights to compensation. If he were to make provision for the men who interviewed him from Southern Cross, the much larger number would also be entitled to compensation. That would mean a potential liability involving so large an amount that the Government could not pos-

sibly accept it. If Mr. Cornell desires more information, I will ask the Minister for Mines to communicate with him, supplying particulars of the interview between him and the men concerned.

Hon. J. CORNELL: When I stated the case for these men I pointed out that they were in a position totally different from that of other men who had left the industry. A Minister of the Crown and a trustee of the Agricultural Bank advised the men to leave the mining industry, and they accepted that advice. That condition obtained during the regime of the Labour Government and then during that of the Mitchell Government. With the exception of about ten men, all the others who originally participated in the scheme, returned to the mines and worked for a fortnight each year so as to make themselves eligible for compensation. I admit it is difficult to deal with the position, but I think it could be done.

Clause put and passed.

Clauses 11, 12—agreed to.

New Clause.:

The **HONORARY MINISTER:** I move—

That a new clause, to stand as Clause 9, be inserted as follows:—

Amendment of Section 50.

9. Section fifty of the principal Act is amended, as follows:—

(a) By deleting subsection (1) and inserting in lieu thereof a new subsection, as follows:—

(1.) Subject, as in this section hereinafter provided, any mine worker notified in accordance with section sixteen of this Act that he is suffering from silicosis in the early stage without tuberculosis, may within three months after the date of receiving such notice, or such further time as the Minister may allow, give notice in the prescribed form to the Department stating the name of the employer by whom he was last employed as a mine worker underground, the class of work in which he was so employed, the date when he so ceased to work, and the rate of pay which he was then receiving.

(b) By inserting after subsection (3) a proviso, as follows:—

Provided that a mine worker who is working underground as a mine worker when notified as aforesaid shall not be entitled to be registered under this section until he ceases to work underground, and then shall only be entitled to be so registered, if he has ceased to work underground within two years after the date

of receiving the notice aforesaid and applies for such registration within three months after ceasing to work underground as aforesaid.

The new clause is framed to rectify a possible injustice that may be done to a few individuals, and I shall indicate to members the necessity for the amendment. The superintendent under the Mine Workers' Relief Act had a case brought under his notice that he subsequently referred to the Crown Solicitor for consideration. It appears that a man named H. Bodinner was examined at the Kalgoorlie laboratory between the 1st and the 30th June, 1933, and was reported as suffering from silicosis early. At the date of his examination, he was employed at the Great Boulder Mine. The laboratory report was received on the 21st July and on the 3rd August Bodinner was served with a notice informing him that he had developed silicosis in the early stage. That was done in accordance with Subsection 1 of Section 16 of the Mine Workers' Relief Act. He has now applied for registration under Section 50 of the Act, and has stated that he ceased work at the mine on the 20th July last. In view of the fact that the man was not working underground when he received his notice, although he had been working underground at the time of the examination, the superintendent referred the matter to the Crown Solicitor in order to ascertain whether Bodinner was entitled to be registered under Section 50. The Crown Solicitor has advised that as Section 50 stands at present, Bodinner is not entitled to be registered because he was not working underground when he received the notification. This means that if Bodinner, who has been mining in this State for 33 years, left the industry and developed silicosis advanced or tuberculosis after 12 months from the date he ceased to work at a mine, he would not be entitled to any compensation or benefits under the Act because he was not registered. It was intended that any mine worker notified that he was suffering from silicosis in the early stage, who ceased underground work within two years from the date of the notification or who had already ceased underground work, might register his name with the department and renew the registration annually. If any such mine worker, whose name was registered, subsequently

developed silicosis or tuberculosis, he was to be entitled to the compensation or benefits provided for a prohibited or notified mine worker under Division 1 of Part IV. of the Act. The object of the department was to encourage men in the early silicotic stage to cease underground work before they developed silicosis advanced or tuberculosis and to preserve their right to compensation should they leave the industry, because silicosis is a progressive disease and a considerable number of miners suffering from what was diagnosed as simple silicosis, progress to the condition of tuberculo-silicosis even if removed from the working conditions in which silicosis had developed. The recommendation has been made that Section 50 of the Act be amended to carry out the department's intentions, and effect is given to that desire in the amendment I have moved. It is proposed that, pending the amendment of the Act, Bodinner and men in a similar position, shall be registered. There may be other instances and with the amendment in the Act, an opportunity will be provided to deal with them.

Hon. J. CORNELL: I know Bodinner and the circumstances surrounding his case. It is an eye-opener to me that his interests can be dealt with in the manner desired by the Honorary Minister, and therein he is differently situated to men from Southern Cross.

Hon. J. J. Holmes: The Minister told you why they were dealt with in the way he indicated.

Hon. J. CORNELL: Bodinner went to Lake King and spent £1,000 on his farm there. When the men went to Southern Cross they knew their condition and were aware that they were dusted. When Bodinner went to Lake King he did not know of his condition. Once or twice Bodinner returned to Kalgoorlie and evidently worked at the mines so that he retained his right to compensation, but when he received his notice he was not working underground. The difference between Bodinner and the men at Southern Cross, is that the men who went to Southern Cross were served with a notice regarding their condition before they went to their farms, whereas Bodinner returned to the mine and worked, subsequently returning to his farm

where he was notified of his condition. Because Bodinner was not working on the mine when he received his notification, he was excluded from the benefits of the Act. I support the new clause.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.16]: I move—

That the House at its rising adjourn until Tuesday, the 28th November, at 4.30 p.m.

Question put and passed.

House adjourned at 6.18 p.m.

Legislative Assembly.

Wednesday, 22nd November, 1933.

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

BILL—HEALTH ACT AMENDMENT (No. 2.)

Message.

Message from the Lient.-Governor received and read, recommending appropriation for the purposes of the Bill.