One may be excused for saying that this legislative way of tackling the problem is just the easy way out of such a difficulty.

The Minister for Native Welfare: Do you think that boys or girls who receive a primary education, say up to Junior standard, and then attain the age of 21 years, should be subject to the legal barrier? Do you think they should be given ordinary citizenship rights or should they have to apply for them or be regarded as natives under the law? Can you answer that one?

Mr. HUTCHINSON: Yes, I can. This is legislating in a general way. The majority of these people are not ready for the move and, in the course of my speech, I have tried to point that out. I have endeavoured to make my small contribution to this debate. In the cases mentioned by the Minister, where these people have been educated, I think they should be given citizenship rights.

The Minister for Native Welfare: But they have to apply for them now.

Mr. HUTCHINSON: That is so, and I think it is the logical way to deal with the matter until we reach the stage where we can bring them into our way of life. I see the Minister's point quite clearly, but I do not think this is the proper way to tackle the problem. We should not give citizenship rights to all of them. The legislative way is the easy way out of the difficulty, and any Government must be prepared to tackle this problem in a hard and fast, matter of fact way. I know that the Bill has been introduced with a view to trying to do the best in a legislative way for these natives. But in so far as citizenship rights are concerned, it will be a dismal failure because it will not help them at all. I want to see their lot improved and accordingly I feel that certain points can be made in Committee. For the present, therefore, all I can do is to support the second reading.

On motion by Hon. A. F. Watts, debate adjourned.

House adjourned at 10.55 p.m.

Legislative Council

Tuesday, 1st December, 1953.

CONTENTS.

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

QUESTIONS.

MOTOR ENGINES.

As to "Sponge Chrome" Cylinder Wall.

Hon. N. E. BAXTER asked the Chief Secretary:

(1) Did he read an article on page 8 of the "Daily News" dated Saturday the 21st November, in which it was stated that "a British motor manufacturer has perfected the 'sponge chrome' cylinder wall for motor engines, which entails a porous chromium cylinder wall for motor engines, capable of retaining the lubricating oil and reducing wear almost to nil?"

(2) Whether the answer to the question is "Yes" or "No", would he be prepared to bring this matter under the notice of the Minister for Transport and confer with him as to the advisability of requesting the Government to obtain full details of the process, with a view to having the treatment applied to Government motor transport?

The CHIEF SECRETARY replied:

(1) Yes.

(2) Yes.

CLOSE OF SESSION.

(a) As to Probable Date.

Hon. A. F. GRIFFITH (without notice) asked the Chief Secretary:

(1) Is he aware that there are 47 items on the notice paper of another place, and 19 items on the notice paper of this House?

(2) If so, can he give us any indication when the Government intends to finish its business, and does he think that the practice of bringing down legislation in the dying hours of the session, as has been done in the past, is appropriate?

The CHIEF SECRETARY replied:

The hon. member's guess is as good as mine. I have no idea how many items are on the notice paper of another place, but of the 47 mentioned by the hon. member, quite a number have already been dealt with. The matter depends greatly on how long hon. members speak on the legislation that is to be discussed. The target date has been set for the 11th December. Whether the Government will achieve that objective I cannot say.

(b) As to Additional Sitting Day.

Hon. H. HEARN (without notice) asked the Chief Secretary:

As a supplement to the previous question, will he inform the House whether it is his intention to move that the House shall sit on Fridays from now on?

The CHIEF SECRETARY replied:

If necessary, I will move tomorrow for the House to sit on Fridays. That will depend on the progress that is made during this week. I probably will not make a decision on this matter until tomorrow.

MOTION—LICENSING.

As to Temporary Facilities, Kwinana.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.42]: I move—

That this House approves—

(a) of the provision in the Kwinana district facing Harley Way in Medina shopping and business centre of temporary facilities for the purchase and consumption of liquor and other liquid refreshments as set out in the form of agreement tabled in this House on the twenty-sixth day of November, 1953, and made pursuant to Clause 5 (o) of the agreement defined in Section 2 of the Oil Refinery Industry (Anglo-Iranian Oil Company Limited) Act, 1952, between the State and the company therein mentioned and Australasian Petroleum Refinery Limited; and

(b) of the completion of the form of agreement and the carrying out of its provisions.

In effect, the object of this motion is to approve of the move to establish temporary bar facilities in the Kwinana area, and it is being moved at the request of the Anglo-Iranian Oil Coy. For some time it has been pressing that temporary bar facilities be provided because it has been pointed out that unless they are, it will be very difficult for the company to retain its men. At present, workers at Kwinana have of necessity to travel to other districts to obtain liquid refreshment. The company is of the opinion that unless these facilities are provided, particularly during the summer time, it will have difficulty in obtaining labour, and it is so concerned about the position that it has entered into an agreement with the Government.

This agreement has already been tabled, together with a plan showing the site of the proposed bar. It is of no use mentioning where the site will be, because those members who are not acquainted with the locality would be no wiser if an explanation were given. As it is not possible to erect a hotel in the Kwinana area for 2½ years, the Government thought it advisable to accede to the company's request. The size of the bar-room will be about 76ft. by 40ft. and the building will have verandahs, a front porch and a change-room attached for the workers. Although it is only to provide temporary accommodation, the premises will be very comfortable.

Hon. Sir Frank Gibson: Who will control it?

The CHIEF SECRETARY: The State Hotels Department. It appears that it is somewhat difficult for anyone to obtain a temporary licence. In the original agreement made with the company, there is a clause providing that it may enter into subsidiary agreements, and it has been suggested that the Government should take action to provide temporary bar facilities under that clause. However, after inquiries were made, a doubt was raised and the Government thought that the best way to handle the problem was to place the question before both Houses of Parliament and obtain an expression of opinion. As I have indicated, it is anticipated that these temporary premises will operate for about 2½ years, and in the meantime steps will be taken to build a hotel, on completion of which the temporary bar will cease to operate.

Hon. Sir Frank Gibson: Who will control the hotel when it is completed?

The CHIEF SECRETARY: I do not know whether a final decision has been made, but it has been suggested that it be conducted on a community centre basis. If that is agreed to, the original plans

would have to be drawn up by the Government and the residents of the area would then take the hotel over on a permanent basis. I do not think there is any more I can say on the motion.

Hon. H. S. W. Parker: If this is carried, will it have any legal effect?

The CHIEF SECRETARY: Yes, the Crown Law Department has given its approval.

Hon. H. S. W. Parker: What! To override the Licensing Act?

The CHIEF SECRETARY: Evidently, the Crown Law Department is of opinion that it will not override that Act. I can assure the hon. member that the position has been checked by the Crown Law Department, and it is of opinion that this is the only way in which temporary bar facilities can be provided.

Hon. N. E. Baxter: It will be in the nature of a special licence, will it not?

The CHIEF SECRETARY: Under the Licensing Act, a temporary licence can be granted only for the premises which stand on the site on which will be erected the premises which will carry a permanent licence.

However, these temporary bar facilities will not be on the site where it is proposed to build the hotel. They will be erected on a spot known as Harley Way, and when the temporary accommodation is no longer required for a bar, it is proposed to use it for the establishment of a club. The company is so concerned over the lack of facilities that it is prepared to act as guarantor for any losses—if there are any at the end of the period—to the extent of £7,000.

Hon. H. S. W. Parker: It will be pretty safe.

The CHIEF SECRETARY: I think so, but it is concerned about the position.

Hon. H. Hearn: You are not worried about its financial standing?

The CHIEF SECRETARY: We will not check on that. That is the position. It is for the House to decide whether this temporary bar will be provided. I tabled the plan showing the site where the premises are to be built and I would like some member to debate the question today so that we might have a decision as quickly as possible.

Hon. H. S. W. Parker: Where is the plan?

The CHIEF SECRETARY: I tabled it last Thursday.

HON. C. H. SIMPSON (Midland) [4.49]: The Chief Secretary was courteous enough to advise me of his intention to move this motion today, and, in essence, it is to give effect to a provision in the agreement which was entered into between the company and the Government. The only question that comes to my mind is that, being a confirmed believer in private enterprise as against State trading, I would prefer to see the rights of such a business being let to a private operator, after public tenders were called.

The other provision of the agreement is in regard to the hotel to be built later on a specified site, which I suggest should also be subject to tender when the time comes. With the growth of Medina as a township, I visualise the necessity for the provision of more than one place for the sale and consumption of liquor. The Chief Secretary advised me that the site on which the temporary premises will be located was not the site upon which it was proposed eventually to build a hotel. The present site was chosen so that when the hotel building itself is completed, the present structure could be used as a club. There may be some merit in such an arrangement.

While I agree in principle that the wishes of the Anglo-Iranian Oil Company should be met and the conditions of the agreement implemented, the only doubt in my mind is whether the hotel should be run as a State trading concern, or whether it should be made available by tender to an operator who might be prepared to bid a considerable sum for the rights as set out in the agreement.

Hon. H. K. Watson: Do you know if this temporary arrangement has a time limit, or is it indefinite?

Hon. C. H. SIMPSON: In regard to that I would refer the hon. member to the Chief Secretary. I understand that it will continue as a trading proposition on a temporary basis until such time as the hotel itself is built, in which case the licence can be transferred. Under those conditions it would be very difficult to set a term on the actual time. Subject to the reservation in regard to State trading, which I would like discussed in the House, and in regard to which I would like to hear the opinions of hon. members, I support the motion.

HON. N. E. BAXTER (Central) [4.53]: The Chief Secretary has indicated that the Anglo-Iranian Oil Company is prepared to back any loss on these temporary licensed premises to the extent of £7,000, but he has not told us the estimated capital cost of erecting them. There is nothing to suggest that the employees of the Anglo-Iranian Oil Company will take over the premises as a club.

Although I am prepared to support the measure, in my opinion the proposed agreement is a skeichy affair. I would like more information from the Chief Secretary in this respect. If the employees and residents of Medina and the surrounding area are not prepared to purchase the temporary premises for the purpose of a club, there will be a heavy

loss. The original cost of installing refrigeration, and other requirements which the Licensing Court will impose under the provisions of the Act, will be fairly costly.

Hon. L. Craig: That is taken into account in the sale value.

Hon. N. E. BAXTER: I have not seen the agreement, but the information appears rather sketchy.

HON. L. CRAIG (South-West) [4.55]: I have the agreement in my possession, but I can find no provision therein for the sale of any liquid refreshment other than liquor. It is important that facilities should be made available for people who require soft drinks when they go into the bar. The proposed premises under the agreement will be licensed and will be treated as a hotel.

Hon. C. H. Simpson: The notice of motion mentioned other liquid refreshments.

Hon. L. CRAIG: Members will know that when they go into a bar to buy ginger ale they have to pay a lot more than they would do in a shop. I was down at Medina the other day and it appeared to me to be like the Sahara Desert. There is a continual haze of dust. Men will be working there and after work most of them would want a drink. They do not all drink whisky or beer or other intoxicating liquor, so provision should be made in a spot—say, at the end of the bar—where they can buy soft drinks.

The Chief Secretary: The proposed premises are quite close to the shops where soft drinks can be purchased. They are just behind the shopping area.

Hon. L. CRAIG: Then I retract what I have said. I am anxious to see that provision is made not only for people who want intoxicating liquor but for those who want other forms of drink. The company is very generous indeed in accepting a responsibility of £7,000 loss which might be incurred including the sale of the premises. The premises will be valued at the end of the two-and-a-half-year period, and the value will be taken into account in computing the £7,000. It is more than likely that the premises will have a break-up value of far less than the actual cost, so the company may be involved in a considerable contribution towards the provision of this amenity. The Government has made a very good agreement, and I hope that the State Hotels Department will see that this place is kept clean and run as licensed premises should be conducted.

On motion by Hon. H. S. W. Parker, debate adjourned.

BILLS (2)—THIRD READING.

1, Electoral Act Amendment (No. 2).

2, Veterinary Medicines.

Passed.

BILL—UPPER DARLING RANGE RAILWAY LANDS REVESTMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [5.0] in moving the second reading said: Members will recall that the Upper Darling Range railway service was discontinued in 1950, and the purpose of this small Bill is to revest in the Crown the land that formed that railway route. The former line commenced at Clayton-st., Midland Junction, and terminated at Karragullen, a distance of 20 miles 6 chains. Therefore the area concerned is considerable, and whilst the Railway Commission has no further use for the land, it has no power to transfer it or take action for it to be made available to anybody interested.

When an approach was made by the Darling Range Road Board some months ago, the Lands Department was greatly impressed with the case presented and decided to transfer the area within the district to that responsible authority. However, the Crown Law Department ruled that the Railways Commission did not have power to transfer the land, and this Bill seeks to attain that objective. The board's plan is considered to be in the interests of the district over which it has jurisdiction and an undertaking is given that the area concerned will be transferred to that authority.

At a later date, it is proposed that, wherever this land cuts a reserve, it will be included in that reserve, and where any portion cuts through forest country, that part will be included in the forest area. Further, where any portion of the land is free of such encumberances and is adjacent to a farming property, such portion will be made available to the farmer concerned. So here we have a tract of land without a railway, and it cannot be put to any use other than for a railway unless it be revested in the Crown. I move—

That the Bill be now read a second time.

HON. N. E. BAXTER (Central) [5.2]: This is more or less a machinery Bill to enable certain necessary action to be taken. Pleasing features of the measure, as the Minister explained, are those relating to certain portions being included in reserves and forestry areas, and giving the farmers in the district an opportunity of adding some of this land to their present holdings. This will be very helpful to some of the small farmers in the hills areas. I commend the Government and the Lands Department on their approach to the matter.

HON. C. H. SIMPSON (Midland) [5.3]: I have no intention of opposing the Bill, but the points raised by Mr. Baxter should

receive consideration. It has occurred to me that some allowance should be made to the Railway Department for the estimated value of the land. When railways are built in certain areas, the value of the land thus served increases. Conversely, if a line is pulled up, the value of such land is depreciated.

In this instance, it is unquestionable that the railway served a useful purpose for a considerable time. It provided means of transport, properties were developed, and the residents relied upon the line to travel to town and other places. Undoubtedly the railway built up land values in that area. Now, since the line has been pulled up, the department, so far as I am aware, will receive no credit for the values established, despite the fact that the land which has been built up in value may be disposed of by the Government for substantial sums. I suggest that as railway losses over the years have been great, and as my suggestion would represent only a book entry, the railway accounts should receive due credit for the values they have created. That is the only point I wished to mention. The Bill is necessary and I support the second reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [5.5]: The point raised by Mr. Simpson will be brought under the notice of the Minister concerned because the matter is one that ought to be taken into account.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.9] in moving the second reading said: This is one of the important Bills of the session and has been introduced for a dual purpose: firstly, to seek to include in the parent Act certain new proposals which the Government considers should be part and parcel of this State's arbitration legislation; and, secondly, to amend a number of provisions which were incorporated in the Act during the last session of Parliament, and which my Government considers are inimical to the relations between employers and employees.

I quite firmly believe that all members of this Chamber subscribe to the principles of industrial arbitration, and I think that the details of last year's debates are fresh in each member's memory. It will be recalled that last year, after lengthy debate, a new interpretation of the term "strike" was included in the Act. If anything was designed to imperil industrial relationships, it was that new interpretation. My Government considers it is bad in every particular, and that the sooner it is removed, the better for all sections of industry.

To refresh members' memories, I will quote this new interpretation. It is—

> (i) a cessation or limitation of work or a refusal to work by a worker acting in combination or under a common understanding with another worker or person; and
>
> (ii) a refusal or neglect to offer for or accept employment in the industry in which he is usually employed by a person acting in combination or under a common understanding with another worker or person.

According to this definition, if any two persons in a particular vocation decided to change their type of employment, they could be accused of committing something in the nature of a strike. Such a state of affairs opens up many possibilities and could be carried to extreme lengths.

Take as an example the occurrence of an industrial dispute. Two men, directly or indirectly involved in the dispute, might decide they would prefer to change completely their type of employment. Subsequently, if they were requested to resume work in their previous industry, not necessarily their previous positions, and they refused, they could be charged under this new definition of "strike."

Hon. N. E. Baxter: Has that happened in the last 12 months?

The CHIEF SECRETARY: It could happen, and legislation is usually framed to meet possible occurrences. I submit that this could lead to regimentation and coercion of the worst degree. It savours of the old slave traffic. At the very least, it is direction of labour and a shackle on the freedom of the individual, which I am sure members of the House would dislike having applied to them.

Hon. C. H. Simpson: You do not really think that, do you?

The CHIEF SECRETARY: I do. We told you this last year and I am merely refreshing the minds of members.

Hon. H. Hearn: You have not changed your mind since then.

The CHIEF SECRETARY: I hope the hon. member has changed his. The previous interpretation of "strike" was most satisfactory. It had stood the test of time for many years.

Hon. L. Craig: We had a very bad experience under it, too.

The CHIEF SECRETARY: My Government believes that the present definition, which can only be described as of

panic type, must go, and should be replaced by the old interpretation. This, therefore, is provided for in the Bill.

Other amendments of last year that at least could be described as ill-conceived were those relating to penalties. The extent of many of the penalties cannot be defended in any shape or form. The provision of terms of six months' imprisonment is too severe and is not calculated to foster industrial relationships. Once again this savours of the whip and leg-irons.

The intention of the Bill is, in a number of cases, to remove the threat of imprisonment. In some cases, where it is considered such a penalty is merited, the imprisonment penalty will remain. How on earth these severe penalties could assist the relations between employer and employee is beyond me. No matter how good these relations are the risk of an industrial dispute is possible always. Penalties such as those now in the Act would certainly not assist in solving a dispute.

This is an important point to which members must give consideration. Some of the proposed reductions in the penalties are—from £5 to £2 for each week that an industrial union fails to keep its records in order; the deletion of the six months' imprisonment penalty where a person obstructs or hinders the Industrial Registrar or another person in the performance of his duty, or refuses or fails to comply with a requirement of the Registrar; or where a person refuses or fails to comply with an order of the court in regard to the court's exercise of its functions and powers; or the failure of a union to hold all papers, etc., used in connection with an election at the office of the union for 12 months after the election. There are others of a similar nature.

Where a person is found guilty of an offence in connection with secret ballots, the Bill provides that the penalty shall be reduced from £50 or imprisonment for six months to £50 or three months. Another of the penalties was in connection with lock-outs or strikes. The Act provides, in the case of an employer's engaging in a lock-out, for a penalty of £500. This is certainly on the extreme side, and the Bill seeks to reduce it to £250. In the event of an employee's indulging in a strike, the penalty according to the Act is £50. The Bill proposes to reduce this to £25.

Another provision incorporated in the Bill last year, for which no justification can be found in these supposedly enlightened times, was that which amended Sections 40, 82 and 85 and provided a new Section 98A, so as to enable the court to suspend or cancel awards or industrial agreements. This loads the position most unfairly against the employee. Where an industrial dispute occurs, all parties, including the court, should exert every effort to bring about a settlement. A solution of difficulties will not be found by over-harsh and punitive provisions.

Circumstances can be postulated where, in times when labour more than meets the demand, certain organisations might endeavour to induce the court to suspend or cancel industrial awards. Workers who might not be even concerned in the dispute could have their standard hours, wages and conditions affected by such action. Such a provision can only cause damage to the industrial organisation in this State, and so the Bill seeks to revert to the conditions applying prior to last year's amendments.

So far as new provisions in the Bill are concerned, it is proposed to include domestic workers in the definition of "worker" under the Act. We believe that the time is now opportune for domestic workers to reap the benefits and protection of the Act. This is something which we have wanted for many years. So far we have been unsuccessful, but I hope that members will take a different view on this occasion. I think that in the main the House is differently constituted to what it was the last time this aspect was debated. We often hear complaints that it it is not possible to obtain domestic workers; and, in my mind, there is no reason why they should not enjoy the protection of this Act.

Hon. H. Hearn: And housewives, too.

The CHIEF SECRETARY: An important amendment is that which seeks to require the court to vary the basic wage each quarter in accordance with the figures provided by the Government Statistician. At present the Act gives the court discretion to adjust or amend the wage, after considering the statement presented by the statistician. The result of the proposed amendment will be that the court will have to reduce or increase the basic wage according to the statistics submitted to it. We believe the Act implies that it is obligatory on the court to vary the wage in relation to the statistics, and the amendment will bring about this circumstance.

Under the Act, no worker may be affected in his employment or dismissed by reason of the fact that he is an office-bearer of his union. The Bill seeks to extend similar protection to an employee, who, while not an official of a union, is required by the union to act as a witness in proceedings taken under the Act.

Another amendment gives the right to a union official authorised in writing by the president and secretary of the organisation, to enter any premises where members of the union or persons in the same industry are engaged in work. An authorised official may enter these premises during working hours, and may interview or talk with workers during their lunch

hour, but under no circumstances shall he wilfully hamper employees during working hours. The Bill provides that if such an official behaves in an unreasonable or vexatious manner, the employer may ask the court to restrain him from entering the premises for whatever period the court deems advisable. Alternatively, the court may direct the official to observe certain conditions while on premises.

I admit freely that many employers co-operate fully and gladly with unions in regard to the right of entry, but there are some who have proved unreasonable and the Bill is directed at such persons. I feel members will agree that an official authorised by his union should be allowed to enter premises to see that awards are being adhered to, and that apprentices are receiving the training appropriate to their years of apprenticeship. Union officials, too, often have to enter works in order to carry on the business of their union.

The other major provision in the Bill is that dealing with preference of employment. Very many industrial awards and agreements provide for preference to unionists. The Bill seeks to ensure that the court shall grant preference to unionists on such conditions as it may attach in cases where there is a mutual agreement between the parties, or where a union applies for preference to unionists in any reference.

Hon. A. F. Griffith: That was a sticky one, was it not?

The CHIEF SECRETARY: It may have been for some people, but only for some people. Preference to unionists was adopted in the Queensland Arbitration Act over thirty years ago, and generally the industrial record of that State has been very good.

As I have said, the court has included in some awards and agreements provisions with regard to preference to unionists. The Act itself implies the necessity for organised bodies. No industrial worker can apply to the court for an award or agreement, or for a variation of the basic wage; such action must be taken by an organisation registered under the Act. I will admit that there are people who refuse to join a union, but these are generally to the forefront in endeavouring to share in any advantage gained by it. We believe that it will assist in the production of industrial harmony if members of the unions who negotiate with the court and with employers are given preference of employment.

Those are the principal provisions of the Bill. I say, in all sincerity, that they are designed to assist in achieving and maintaining those harmonious relations that should exist between employer and employee. I move—

That the Bill be now read a second time.

On motion by Hon. H. Hearn, debate adjourned.

BILLS (4)—FIRST READING.

1, Diseased Coconut.

2, Closer Settlement Act Amendment.

3, Hairdressers' Registration Act Amendment.

4, Entertainments Tax Act Amendment (No. 2).

Received from the Assembly.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [5.25] in moving the second reading said: The purpose of this legislation is to provide for the inspection of certain cranes driven by hand power and which at present do not come within the scope of the Act. The Bill proposes that overhead travelling cranes and jib cranes required for handling loads exceeding one ton, but driven by hand, shall be subject to the Act. At present all cranes, irrespective of size, are subject to registration and inspection if driven by steam or motor power.

Before a certificate is issued all machinery covered by the Act is structurally and mechanically examined for any weakness, and, in the case of cranes, tests are carried out in the presence of an inspector. This is all done in the interests of safety, and inspection and registration is carried out annually. Such inspection includes the wire ropes and pulleys of cranes when any weakness is pointed out for correction.

At present all hand-cranes are exempt and there is no statutory obligation for the designs to be submitted for approval or for the machinery to be inspected on completion. This is unsatisfactory as the potential danger is no less in the case of faulty design or construction, than if the crane were power-driven. Although admitting that in the case of a hand-operated crane the speed of the mechanism would be slower, this does not constitute a safeguard against any failure when a load is in suspension. By annually inspecting and registering machinery, the question of maintenance is kept in view, and, in the case of cranes, this is particularly important because the hoist ropes, and their attachments, must receive regular attention.

The department is aware of at least two instances where hand-cranes—one a jib type for two-ton loads; and the other, an overhead for five tons—were being used for loads far in excess of their safe capacity, while important strengthening work was required in both cases. From experience the department is satisfied that in the case of hand-cranes up to one ton, the

average builder uses materials readily available that more than suffice for the limited load requirements. This is a precautionary measure to cover cranes which are above one-ton capacity and which are being operated by hand. The Inspection of Machinery Department desires the provisions of this measure to safeguard the personnel working on these cranes. I move—

That the Bill be now read a second time.

HON. C. H. SIMPSON (Midland) [5.27]: There is no need to delay the passage of this Bill, because it is a simple and desirable measure. The Act is administered by the Mines Department and during my term as Minister for Mines the provisions contained in this measure were tentatively discussed. We did not go so far as to introduce a Bill to cover the aspect and my colleague, the former Assistant Minister for Mines, Mr. Wild, has examined this matter and I have discussed it with him. We entirely agree that the Bill is desirable and I have much pleasure in supporting it.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—POLICE ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.30] in moving the second reading said: This Bill seeks to give effect to a decision by the Commonwealth Government to accept a recommendation of the United Nations Organisation and to prohibit the importation of the drug heroin into Australia. The importation of this drug has been for many years subject to special conditions, but its use has been permitted under the same conditions that apply to other dangerous drugs such as morphine, cocaine, etc.

Heroin was derived from morphine in 1898 by a German chemist. It was then heralded as possessing all the virtues and none of the dangers of morphine. Unfortunately it was soon found that these claims were not justified, and that a more dangerous and insidious drug than morphine had been introduced.

In 1917 the Council on Pharmacy and Chemistry of the United States deleted heroin from its "Handbook of Useful Drugs" on the ground that, on the whole, its introduction had been harmful. In 1924 the United States of America, by legislation, banned the use of heroin. Prior to this, its use had been forbidden by the United States public health service and the Army and Navy, and the American Medical Association had suggested that it be eliminated from medical practice.

Subsequently the Permanent Central Opium Board which was an appointment of the League of Nations, became extremely concerned over the very high consumption of heroin in certain countries. In 1931 the Conference for the Limitation of the Manufacture of Narcotic Drugs, held under the aegis of the League of Nations, recommended that the use of heroin should be restricted or abolished. Despite this recommendation, the Central Opium Board was, in following years, forced to call the attention of Governments to the persistent widespread recourse to the drug, and to press for the adoption of measures to reduce this consumption.

The board's attention was particularly directed to the use of heroin in six countries. These were Finland, Italy, Sweden, the United Kingdom, New Zealand and Australia. In 1946, the consumption of heroin per 1,000,000 persons was over ten times higher in Finland than in Australia. It is a remarkable and most regrettable fact that, by 1951, Australian consumption had more than doubled and was greater than that of Finland, which was only one-fifth of that in 1946. Of the six countries, all but Australia had shown a reduction in consumption. This was viewed seriously by both the World Health Organisation and the Commonwealth Government, which instituted a special inquiry into the reasons for the increase in Australia.

Throughout the world the efforts of the Central Opium Board began to bear fruit. By 1949 twenty-four countries had banned the medical use of heroin. In 1951, fifty countries reported to the World Health Organisation that they had discontinued, or intended to discontinue, the use of the drug. In Sweden the manufacture of heroin was discontinued as from the 1st January, 1952. Switzerland has now prohibited the manufacture of and trade in the drug, and recently its use has been forbidden in South Africa and a number of non-self-governing territories.

On the 22nd May, 1953, the Acting Prime Minister informed the Western Australian Government that consideration had been given to a request from the United Nations Organisation for an explanation of Australia's high consumption of heroin. Discussions on the use of the drug took place at various levels, between the Commonwealth health authorities and interested professional groups, and the National Health and Medical Research Council. Following a full review of the position, the Commonwealth Government decided to prohibit absolutely the importation of heroin in all forms.

So far as existing stocks of the drug were concerned, the Commonwealth decided that no action would be taken; but it suggested that each State, by legislation, fix a date after which the sale, use, possession, etc. of the drug would be totally prohibited. In this regard the Commissioner of Public Health has obtained the advice of the Pharmaceutical Council of Western Australia that the 1st of January, 1955, would be a reasonable date from which to prohibit the use of heroin, as by then the Council considered the local stocks of heroin would be exhausted.

The reason for introducing uniform legislation in each State to ban the use of heroin is to obviate the possibility that attempts might be made to defeat the Commonwealth's prohibition on the importation of the drug by producing heroin from morphine in local laboratories. I am told that the conversion of morphine to heroin is a relatively simple process. On the 7th November, 1952, the Secretary of the W.A. Branch of the British Medical Association advised the Commissioner of Public Health that his branch was of the opinion that it was possible to forgo the use of heroin in its members' practices in order to help prevent the abuse of the drug in other parts of the world.

The Bill provides that it shall be an offence to manufacture, use, sell, acquire, possess, distribute, or supply the drug. No special penalties are provided, as those already specified in the prinicipal Act for drug offences will apply. The maximum penalty is a fine of £250, or a term of imprisonment of 12 months, or both fine and imprisonment. The measure will come into operation as from a date to be fixed, which, as I have said, is expected to be the 1st January, 1955.

In asking members to support the Bill, I would mention that the World Health Organisation bases its request for the ban of heroin on the grounds that it readily produces addiction, and that addicts become irresponsible, anti-social degenerates with a criminal disregard of normal social and political conventions. The oranisation stated the addiction to the drug was caused by indiscreet or repeated dosage of legally used or medically prescribed heroin, and by the use of illegally acquired heroin, which was often provided for the specific purpose of producing addiction and possibly with the object of creating criminal instincts.

The World Health Organisation is of the opinion that the only way to abolish, or at least reduce, the illegal use of heroin is to remove the legitimate markets for the drug. As I have said, over 50 nations have either done this or have agreed to, and Australia, with its high and increasing consumption of heroin, wishes to follow suit. I move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [5.37]: I see no reason to delay the passage of the Bill through this House. I think most people will agree that Australia should assist with the eradication of heroin addiction from those countries of the world where it is rife. I do not think there is any danger, so far as Australia is concerned, because the Australian, to my mind, is not a person easily addicted to heroin. I should say there are probably many members of the medical profession who never use or order a prescription containing heroin. But in view of the fact that there are people in the world who are easily addicted to heroin, I think we should assist the World Health Organisation in stamping out this addiction.

Addiction to any drug is, of course, a pitiable sight. Unfortunately there are no pain-relieving drugs that can be taken without the danger of possible addiction. I am afraid that is something the world will have to face very soon. The person who is addicted to certain of these drugs can still remain a tolerable member of society and retain a certain amount of dignity; but when he gets addicted to heroin, apparently it is impossible for him to retain that dignity, or even to act within the social limits laid down by the society in which he moves. The result is that although we use very little of it in this country, we should take our share of the responsibility in assisting the World Health Organisation to stamp out this addiction. I think more heroin was used years ago than is the case today, and there were some very palatable prescriptions.

Hon. C. W. D. Barker: What is its purpose?

Hon. J. G. HISLOP: It is a pain-reliever, and in many cases it is used in mixtures to relieve coughs. Those are its full uses. The reason for giving us time to get rid of our heroin stocks in Australia is because there are some stocks here, and because of the fact that there is little or no fear of addiction spreading in this country. So we are permitted to use the existing stocks before a ban is placed on heroin.

HON. R. J. BOYLEN (South-East) [5.43]: I support the second reading of the Bill. There was probably a time when heroin, or as it is more commonly called, diacetylmorphine hydrochloride—

Hon. C. H. Simpson: What is it more commonly called?

Hon. R. J. BOYLEN: —was necessary. It is derived from morphine and is actually a derivative of opium. It was derived as a result of a prize that was offered for a drug that could give relief from pain. It is said that the prize was awarded, but it was ultimately found that heroin was as capable of leading to addiction as was morphine, and probably more so.

From the point of view of addiction, it seems that heroin is more commonly used by the offenders than any other drug. Despite the fact that heroin is occasionally ordered by doctors, it can be disposed of, because there are many other drugs which relieve pain and which can be used; and, as Dr. Hislop has said, in some instances they can be made very palatable. Though it is possible for these drugs to cause addiction, they do not do so to the extent that heroin does, and I think it is time that heroin was banned altogether.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—CREMATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.45] in moving the second reading said: The purpose of this Bill is to transfer from district registrars to medical referees the responsibility of issuing permits for cremations. The principal Act provides that before he may issue a cremation permit the Registrar General or a district registrar must assure himself that the death has been registered. He must also obtain either—

(a) a certificate from each of two medical practitioners, one of whom shall have attended the deceased at, or shortly prior to death; or

(b) a certificate from a doctor who has carried out a post mortem on the deceased and which states death was due to natural causes; or

(c) a certificate from a coroner stating the death has been inquired into and no further action is necessary.

On a number of occasions registrars have found it difficult to ascertain whether deaths have been registered. This occurs usually when cremation permits are asked for during week-ends and on holidays. An instance of this could be when a person died in hospital in one town, where the death would be registered, and his relatives in another town applied for a cremation permit from their registrar.

The Registrar General has stated that there is no necessity to check the registration of death prior to the supply of a cremation permit, and so the Bill seeks to delete this provision. In addition, the Registrar General considers that district registrars are not the proper persons to issue cremation permits. The duties of registrars are purely administrative, and it is not felt that they are competent to undertake the serious responsibility of authorising cremations. It is considered that this obligation should be borne by qualified medical practitioners. It is not intended to cast any reflection on the medical men who supply the certificates of death; but it can be realised that a layman, such as a registrar, may not be in a position to query, or to deduce any suspicious circumstances from, a medical certificate. Once a body is cremated there is no opportunity of further examination should suspicious circumstances subsequently appear.

If the medical certificate were submitted to another medical practitioner, acting as a referee, a possible loophole in the principal Act could be closed to an appreciable extent. Therefore, the Bill provides that medical referees may be appointed by the Governor, and that the Governor may cancel any such appointment. These referees will be legally qualified medical practitioners, and their duties will be prescribed by regulation. Any request for a cremation must be made to the medical referee.

Hon. H. S. W. Parker: Does this apply to all cremations, or only when there has been a coroner's inquiry?

The CHIEF SECRETARY: So far, I have not discovered whether it covers the lot or not; but when we get to the Committee stage, possibly I shall be able to answer the hon. member. Such application for a cremation may be made by an administrator; by a person nominated in writing by the administrator; or by a person who can satisfy the medical referee that, for a valid reason, no request for a permit will be received from the administrator and that a permit can properly be granted to him.

It is quite possible that the administrator may reside out of the State; and because of this, or for other reasons, he may not be able to make a personal application for a permit. The principal Act defines an "administrator" to include an executor and any person, who, by law or practice, has the best right to apply for administration, and any person having the lawful custody of the body of a deceased person. A person other than an administrator would have to comply with certain conditions specified in the Bill, such as completing a statutory declaration and supplying such further information as might be required by the referee.

The Bill empowers the Governor to make regulations detailing the fee to be paid to medical referees by applicants for a cremation permit. This fee will, to an extent, be offset by the £1 1s. at present payable for a permit. If the medical referee considers that suspicious circumstances surround the death, he may refuse to issue a permit and may report his opinion to a coroner. The Bill provides that where a permit is refused the applicant for the permit may lodge an appeal with the Commissioner of Public Health.

Conditions under which a cremation permit may be issued by a medical referee are set out in the Bill. These specify that a medical certificate must be provided from a medical practitioner who attended the deceased at the time of his death. The referee must also be satisfied that the doctor has made full inquiries as to the cause of death. The Bill provides that a permit shall not issue if the medical practitioner who signed the certificate of death is closely related to the deceased or is a partner of the referee. This provision is designed, of course, to obviate any opportunity for collusion. Special provisions are contained in the Bill to simplify the issue of a permit to cremate a stillborn child.

The Bill is based on the New South Wales Act. Its provisions have been agreed to by the City Coroner, the Commissioner of Public Health, the Karrakatta Cemetery Board, and the W.A. Funeral Directors' Association. If the Bill is agreed to, I understand that South Australia will then be the only State in which cremation permits are issued by district registrars. I move—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—KWINANA ROAD DISTRICT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.53] in moving the second reading said: As the long title indicates, the purpose of this Bill is to form a new road district in the Kwinana area and to appoint a commissioner to control the destinies of the district for the time being. The proposal is to sever a certain area from the control of the Rockingham Road Board. This area is shown in the plan attached to the Bill, which indicates that the new district will reach from the southern boundary of the Fremantle district in the north to Office-rd. and Road No. 8798 in the south. The eastern boundary is portion of the western boundary of the Armadale-Kelmscott and Serpentine-Jarrahdale Road Districts, while the western boundary is, of course, the coast line.

One of the most important reasons for creating a new road district, and for its control for the time being by a commissioner, is the rapid development that is taking place and will continue for some time to take place. This rapid development makes it essential for decisions to be made almost daily on many matters of local government importance, such as town planning, building permits, roads, and numerous other things. It is, of course, quite impossible for a road board to meet as frequently as these important matters would require, and for this reason the appointment of a commissioner is warranted.

The severance of the area would not adversely affect the finance of the Rockingham Road Board. At the 30th June, 1952, the total unimproved capital value of the Rockingham Road District was £401,290. The valuation of the area to be excised would then be about £42,000, a little over 10 per cent. of the total. For the year ended the 30th June, 1952, the Rockingham Road Board's rate collection was £10,035. Of this, £608—or only 6 per cent.—came from the area to be severed. The Rockingham Road Board's income from vehicle licences for the same period was £4,360. On a population comparison, about £880, or 20 per cent., may have come from the area to be excised.

Therefore, of the annual income from rates and licenses of £14,395, which is the bulk of its income, only £1,488 was contributed from the area proposed to be severed. Therefore, the effect of the excision on the Rockingham Road Board would not be great. Also, the board would be relieved of local government responsibilities in the area; and as its own values in the vicinity near the new road district will undoubtedly rise, the loss of revenue will most likely be more than offset.

There is no doubt that in the area to be excised there will develop a population based almost entirely on industrial development within the area and with problems and objectives radically different from those that are met by the Rockingham Road Board.

All of the senior officers who are associated with the work at Kwinana are emphatic that the Kwinana district should be administered as a separate entity. These officers include the Town Planning Commissioner, the Kwinana Town Planning Consultant, the Commissioner of Main Roads, the chairman of the State Housing Commission, the Commissioner of Public Health, the Co-ordinator of Works, and the Under Secretary for Lands. The Secretary for Local Government agrees with this opinion, as did the previous Government. A committee appointed under Section 6 of the Industrial Development (Kwinana Area) Act to make certain recommendations has also endorsed the proposal for a new local authority. This committee comprises the Surveyor General, the Director of Industrial Development; Mr. V. L. Steffanoni of the Town Planning Board; and Mr. T. Eilbeck, representing the Chamber of Manufactures.

Much of the area will be developed by Government finance, and it is essential that industrial and townsite development proceed concurrently. For these reasons it is considered that the necessary result can be achieved only by such an area with its own peculiar problems having its own local governing authority. All parties

agree that it would not be wise for Kwinana to be governed by a somewhat distant local authority, the rest of whose district presents entirely different problems.

The Bill provides for the appointment of a commissioner to administer the proposed new district for a period of not less than three years and not more than five years. If thought advisable, the appointment can be extended for a term not exceeding five years, or during the pleasure of the Governor. I have explained that, while the district is in the developmental stage, it is considered it can be more efficiently administered by a commissioner than by a board, in view of the number of decisions which will be required to be made, probably daily. After the Act has been in operation for five years, steps may be taken for the appointment of a road board and for the repeal of the Act.

Hon. H. K. Watson: Is five years the absolute limit?

The CHIEF SECRETARY: Yes; but it could be extended for another two years, if thought advisable. The term generally is three to five years, with the remote possibility of a further extension of two years.

Hon. H. Hearn: They would not get a permanent population under five years. The people there now might not be living there.

The CHIEF SECRETARY: No. That is the reason for the term of three to five years. The position at the moment is that the majority in that area are purely the construction workers, with a few members of the permanent staff. But approximately 95 per cent. to 97 per cent. of the residents of Kwinana are there on construction work; and it is anticipated that during the next three years they will gradually disappear, and in three to five years we will begin to acquire a permanent population.

The Bill sets out that the Act shall be subject to the provisions of the Oil Refinery Industry (Anglo-Iranian Oil Coy. Ltd.) Act, as the latter measure exempts the erection of buildings and amenities on the construction-camp site from compliance with building regulations or by-laws. The latter Act also specifies that the refinery shall be rated on the unimproved value, except so far as any permanent residence on the site is concerned.

According to reports and estimates, the population of the Kwinana area will be 6,500 by the 31st December, 1955, and possibly 8,000 or more within the following 12 months. This would make it comparable with a town similar to Bunbury, and it would not be suggested that Bunbury should remain a ward of a district. There is general agreement that a new local authority will eventually be required; and, this being so, it seems logical to make the alteration now so that plans for the future can be laid.

The estimate of population that I have given might mislead members into thinking that it refers to permanent residents. That is not so. The people would comprise a floating population. Very few residents are now in occupation, and it is expected that it will be three to five years before a permanent population will be living there. I said in the early part of the session that I would endeavour to arrange for members to go to Kwinana, and I am hoping that they will be able to go there next Tuesday or Wednesday and have a look at the district. I think that those members who have not already been there will be surprised. I am sorry I could not arrange the visit prior to the Bill's coming before the House, as members would then have seen for themselves the necessity to create a new local authority in the area. The best part of 500 houses have already been completed, and there are approximately 500 to 600 under construction. It would be an impossible task for an ordinary rural road board to take control of a new area that is springing up in this way.

Hon. H. K. Watson: Are those 500 houses occupied by itinerant workers?

The CHIEF SECRETARY: Some are under the control of the Anglo-Iranian Oil Coy., which has the right to say who will occupy them.

Hon. H. Hearn: Will the occupants be permanent residents?

The CHIEF SECRETARY: Not at this stage. We have not nearly the number of permanent residents that we expected to have by this time. Whether these houses are occupied by permanent or temporary residents is entirely for the Anglo-Iranian Oil Coy. to say. In addition, a number of State Housing Commission homes have been built there for the workers, generally, in the district.

Hon. H. Hearn: They would be permanent residents.

The CHIEF SECRETARY: No.

Hon. H. Hearn: They are letting workers' homes to temporary workers, are they?

The CHIEF SECRETARY: Yes, because we would not otherwise get the tradesmen into the area. Once Kwinana is established, the people occupying these homes will go off to some other place. It is anticipated that within about 15 to 20 years there will be a population of 25,000 to 40,000 there. So when we are asking that a new local authority be created for the district, I do not think we are asking for too much. Members might want to know something about the commissioner. It would not be right at this stage to have an elective body in that area because, apart from the old portion of Kwinana near the wreck, there are no permanent residents there.

Hon. F. R. H. Lavery: There are none in Medina.

The CHIEF SECRETARY: There are very few in Medina. Some of the Kwinana district near the wreck will come under the new local authority, as it is impossible to leave that part out. The residents there will be the only permanent ones in the new district. So it becomes necessary for a new commissioner to be appointed instead of having an elective board.

Hon. C. H. Simpson: Is not the idea that the commissioner shall be a highly competent man to start the ball rolling on a sound basis?

The CHIEF SECRETARY: Yes. It is necessary to have a competent man so that when the local authority is eventually elected the foundation will be there for it. The commissioner will be a solid man, with considerable experience in local government matters. When his name is announced later, if the Bill passes, members will be well satisfied with the choice.

Before deciding on just one commissioner, I considered the question of having three, but I realised that a commission of three is not always the best set-up. In this authority, which will be dealing with a district that is growing all the time, there would be great difficulties if more than one commissioner were appointed. I think a commission of one is ideal. We have a line on that because, as members know, if any local authority—an elective body—gets into difficulties, and we have to sack it, we do not appoint three commissioners to run the board, but one commissioner, and he brings it back on to a sound financial footing, and then we again hand it over to an elective body.

Hon. H. K. Watson: Has the Rockingham Road Board raised any serious dissent to the proposals contained in the Bill?

The CHIEF SECRETARY: No. I can quite truthfully say that. I went to Rockingham, and I found that the board had not been consulted in any shape or form about this new area. I thought the Rockingham Road Board was entitled to know something about it, so I had a full and frank discussion with it. The chairman of the road board does not agree with the proposal; in fact, he is hostile to it and has fought it all the way along the line. But when he saw he could not get anywhere, he said, " I wanted the Rockingham Road Board to retain control of that area, but now that the decision has been made, I accept it." There was no hostility from the other members of the board. They wanted full information in connection with the proposition. Some of them said they realised it was impossible for their board to carry on. There has been no combined protest from the Rockingham Road Board.

A petition of protest, signed by 92 ratepayers in the old Kwinana area, has been received. I say "ratepayers" because that is what is set out on the petition, but I think it would be difficult to find 92 ratepayers in the whole of that area. The signatories are probably 92 residents composed of men and their wives and, possibly, members of their families. They have protested at being taken away from the Rockingham Road Board. These people live or own property in the triangular piece of land bounded by Rockingham-rd., Mandurah-rd. and Office-rd.

I was hopeful of having the boundary brought to the junction of the Rockingham and Mandurah roads so as to leave this portion in the Rockingham Road Board area, but 185 acres of land, extending as far as Ocean-st., have been resumed in that triangle, for industrial purposes. Not knowing whether further extensions for industrial requirements would be wanted, we decided to make the boundary at Office-rd., which is only the second street past Ocean-st. We have endeavoured not to take in any more of the old Rockingham district than possible. If it had not been for the fact that the top portion of the triangle was an industrial area connected with the new district, this portion would have been omitted.

Members will notice that at the eastern end of Office-rd. we have left out one little lot, the idea being to preserve to the people of Rockingham the old East Rockingham school. Many years ago the Government handed this school to five trustees, and it has since been run by trustees. The school is used by several churches, and it is also used as a hall. It is the general meeting place of the residents of the East Rockingham district.

Hon. H. S. W. Parker: There is no jealousy about the rates, I take it.

The CHIEF SECRETARY: No. As a matter of fact, before we arrived at a decision regarding boundaries, the trustees requested that, if it were at all possible, the old building be left, in the Rockingham Road Board area. There will be a request later for the Rockingham Road Board to take over the old school and hall. We were able to meet their request by making this little nick in the boundary which members can see. The school will remain in the Rockingham area. It is of historical interest to many of the East Rockingham families as it has been there for well over 100 years. Some of the present residents were educated at the school as were their parents and grandparents, and also their own children.

Hon. C. H. Henning: There were four generations of one family.

Hon. Sir Frank Gibson: For how long will the commission operate?

The CHIEF SECRETARY: It may be three years—either three or five. Possibly within three years there will be a sufficient number of ratepayers to warrant an elective board, but I am more inclined to think that the period will be five years before the district will get to the stage of being stable enough to have its own election. It will possibly be the best part of three years before the real permanent residents start to come in. I will be quite happy to supply the correct information on any points that members raise. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Henning, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

In Committee.

Resumed from the 26th November. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 17—Second Schedule amended (partly considered):

Hon. J. G. HISLOP: I believe, Mr. Chairman, it is now incumbent upon me to submit again the amendment that I moved the other night. I move an amendment—

That all words after the word "is" in line 1 be struck out with a view to inserting the following in lieu:—"repealed and re-enacted as follows:—

SECOND SCHEDULE.

TABLE.

Basis of Computation: 100% *Disability*—£2,000.

Nature of Injury.	Percentage.	Recommendation (amount).
		£
1. Total loss of the sight of both eyes	112½	2,250
2. Total loss of the sight of an only eye	112½	2,250
3. Total loss of the sight of one eye	50	1,000
4. Loss of binocular vision	50	1,000
5. Partial to total loss of sight of one or both eyes :—		

Schedule of Assessments for Uncorrected but Correctable Visual Defects.

One Eye 6/6 or 6/9.		One Eye 6/12.	
The Other Eye.		The Other Eye.	
6/9 }	*Nil*	6/6 or 6/9 }	*Nil*
6/12 }		6/12 }	
6/18 }	From negligible	6/18—from negligible	
6/24 }	to 10%	to 10%	
6/36—from 10%		6/24—from 10%	
6/60—from 20%		6/36—from 20%	
		6/60—from 30%	

One Eye 6/18.		One Eye 6/24.	
The Other Eye.		The Other Eye.	
6/6 or 6/9	*Nil*	6/6 or }	from negligible
6/12	negligible to 10%	6/9 }	to 10%
6/18	from 10%	6/12	from 10%
6/24	from 20%	6/18	from 20%
6/36	from 30%	6/24	from 30%
6/60	from 40%	6/36	from 40%
		6/60	from 50%

One Eye 6/36.		One Eye 6/60.	
The Other Eye.		The Other Eye.	
6/6 or 6/9	from 10%	6/6 or 6/9	from 20%
6/12	from 20%	6/12	from 30%
6/18	from 30%	6/18	from 40%
6/24	from 40%	6/24	from 50%
6/36	from 50%	6/36	from 60%
6/60	from 60%	6/60	from 70%

One Eye (3/60) Less than 6/60.		One Eye Blind.	
The Other Eye.		The Other Eye.	
6/6 or 6/9	from 30%	6/9	55%
6/12	from 40%	6/12	from 60%
6/18	from 50%	6/18	from 70%
6/24	from 60%	6/24	from 80%
6/36	from 70%	6/36	from 90%
6/60	from 80%	6/60	from 100%
		6/60	from 100% to Blind

Loss of fields of vision :—	
Loss of all but central vision within 5° circle (bilateral)	90 per cent.
Loss of all but central vision within 5° circle (unilateral)	45 per cent.
Loss of central vision but fields full (bilateral)—Patient has no useful vision—"Blind"	95 per cent.
Loss of central vision but fields full (unilateral)—Patient has no useful vision	90 per cent. of one eye.
In partial loss the fields are considered to be divided into three arbitrary concentric zones to 30 deg., 60 deg., and 90 deg.	
Relative importance of loss of outer zone	20 per cent.
Relative importance of loss of middle zone	30 per cent.
Relative importance of loss of inner zone excluding macular vision	50 per cent.
Unilateral Aphakia with vision correctable to 6/6 and with 6/6 vision in other eye and full fields	70 per cent. minimum.

Nature of Injury.	Percentage.	Recommendation. (amount).
		£
6. Total loss of hearing	60	1,200
7. Loss of hearing to be based on percentage of total loss of hearing, and shall be based on audiometric testing and assessed on the basis that the relative values of the four octaves from 256 to 4,096 cycles comprise the entire speech range and are :—		
256 to 515 15%	512 to 1,024 30%	
1,024 to 2,048 35%	2,048 to 4,096 20%	

Assessment Table.

Frequency (dvs) = 512	1024	2048	4096
Decibels loss	Percentage Loss.		
10	·2	·3	·4	·1
15	·8	·9	1·3	·3
20	1·1	2·1	2·9	·9
25	1·8	3·6	4·9	1·7
30	2·6	5·4	7·3	2·7
35	3·7	7·7	9·8	3·8
40	4·9	10·2	12·9	5·0
45	6·3	13·0	17·3	6·4
50	7·9	15·7	22·4	8·0
55	9·6	19·0	25·7	9·7
60	11·3	21·5	28·0	11·2
65	12·8	23·5	30·2	12·5
70	13·8	25·5	32·2	13·5
75	14·6	27·2	34·0	14·2
80	14·8	28·8	35·8	14·6
85	14·9	29·8	37·5	14·8
90	15·0	29·9	39·2	14·9
95	....	30·0	40·0	15·0
100	....	....	....	....

The hearing loss of an individual as a result of audiometer tests is measured by providing that the percentage of loss to be assigned to each frequency is the value shown in the table for that frequency.

In calculating the percentage loss for the two ears combined the value of the better ear is rated at seven times the value of the poorer ear. The actual value of the poorer is added and the sum when divided by 8 gives the combined percentage loss for both ears.

Nature of Injury.	Percentage.	Recommendation (amount).
		£
8. Loss of both hands	112½	2,250
9. Loss of both feet	100	2,000
10. Loss of a hand and a foot	100	2,000
11. Total and incurable loss of mental powers involving inability to work	125	2,500
12. Total and incurable paralysis of the limbs or of mental powers	125	2,500
13. Total loss of the right arm or of the greater part of the right arm	80	1,600
14. Total loss of the left arm or of the greater part of the left arm	75	1,500
15. Total loss of the right hand or of five fingers of the right hand, or of the lower part of the right arm	70	1,400
16. Total loss of the same for the left hand and arm	70	1,400
17. Total loss of a leg	70	1,400
18. Total loss of a leg with sufficient remaining to attach artificial limb	65	1,300
19. Total loss of a foot or the lower part of the leg	62½	1,250
20. Total loss of the thumb of the right hand	35	700
21. Total loss of the thumb of the left hand	30	600
22. Total loss of a forefinger	5	100
23. Total loss of middle finger	5	100
24. Total loss of index and middle finger	20	400
25. Total loss of a joint of the thumb	20	400
26. Total loss of middle and ring finger	12	240
27. Total loss of the first joint of the forefinger of either hand	3	60
28. Total loss of the little or ring finger of the hand	3% each / 10% both	60 / 200
29. Total loss of any other finger joint	1	20
30. Total loss of the great toe of either foot	20	400
31. Total loss of a joint of the great toe of either foot	5	100

I desired that the Chief Secretary should have time to receive expert advice on this matter, and I understand he has been able to obtain it.

The CHIEF SECRETARY: During the week-end the matter was referred for advice and the following has been reported to me for the information of the Committee:—

> Dr. Hislop's proposals with respect to loss of sight and loss of hearing have been referred to two of our leading ophthalmologists and one of our leading ear, nose and throat specialists and advice has been received that neither the ophthalmologists nor the E.N.T. Association were approached by Dr. Hislop before his proposed second schedule was submitted.

Hon. J. G. Hislop: I never said they were.

The CHIEF SECRETARY: The report continues—

> A table has been prepared which has been agreed by the ophthalmologists as correct, which shows that under Dr. Hislop's method of assessing compensation for loss of sight, a worker suffering an industrial injury disability of 6/9, 6/12 or 6/18 would receive no compensation whatsoever unless he had a substantial disability in the other eye. At the present time such worker would receive the following approximate amounts in respect of one eye: £69, £131 and £241 respectively. For a 6/24 disability he would receive £332, against £100 proposed by Dr. Hislop. Similarly, for a 6/36 or 6/60 disability, he would receive substantially less than the existing provision, unless he had a disability in the other eye.
>
> Conversely, any worker suffering an eye injury with a substantial disability in the other eye, could receive amounts considerably in excess of the amounts which would be payable under the existing provisions, but without exhaustive research, it would be impossible to say whether in the aggregate the employers would pay more or less for industrial eye injuries. Furthermore, by taking the disability of the other eye into consideration, it could happen that the compensation in respect of the industrially injured eye could be considerably greater notwithstanding the fact that the worker may already be receiving a repatriation pension in respect of the other eye or may have been fully compensated for such disability by the employer under the Workers' Compensation Act.
>
> The ophthalmologists to whom the matter was referred have expressed the opinion that under Dr. Hislop's schedule the assessment would be

made on the corrected vision. They are also of the opinion that the table could result in a good deal of litigation. For example, is it intended by the hon. member that the loss of the sight of one eye and the loss of binocular vision should refer to each eye separately or to the two eyes conjointly? That is a point which should be clarified if the schedule is to be accepted.

There appears to be nothing comparable in respect of repatriation cases and workers' compensation cases. The former are presumbably assessed at the time the injured person leaves the service and is comparatively young, with a very small percentage of disability in the other eye, whereas under the Workers' Compensation Act a worker may be in advanced years before an eye is injured and, because of the constitutional disability in the other eye, a substantially greater amount of compensation would be payable. The percentages arrived at under the Repatriation schedule are merely to determine what percentage of the maximum fortnightly pension the serviceman would be entitled to receive. It is the intention of Dr. Hislop to apply the same percentage to lump sums which, under the Workers' Compensation Act, become immediately payable to the injured worker, so that the bases of assessment are quite different.

The section dealing with the loss of fields of vision was, I understand, taken from a provision contained in the Workers' Compensation Act of New South Wales and has nothing to do with the repatriation schedule, so that all that has been taken from the latter is the method of assessment for uncorrected but correctable visual defects. It is somewhat surprising that Dr. Hislop has introduced his proposals for the assessment of loss of sight, as no difficulty has been experienced by ophthalmologists in assessing such disabilities, nor has any been experienced by insurers in accepting the ophthalmologists' assessments, which are based on what is known as the A. C. Snell and Scott Sterling table. If any difficulty had been experienced by either party, then there would have been some justification for attempting to interfere with a method of assessing which is entirely satisfactory to all concerned.

Dr. Hislop's amendment could result in far heavier payments being made for eye disabilities than under the existing schedule, unless, of course, he has been able to obtain statistics which would disclose whether the overall cost would be greater or less than the present provisions contained in the Act.

That is with regard to the loss of the eye. I do not know whether Dr. Hislop would prefer to deal with eyes at this stage.

Hon. J. G. Hislop: I am in no hurry.

The CHIEF SECRETARY: Dealing now with the loss of hearing. I am informed that the specialist with whom the matter was discussed is already using the assessment table which Dr. Hislop proposes to introduce into the Act, and—

> He is of the opinion that other E.N.T. specialists would be using the same table for the assessment of loss of hearing. It is really a formula prescribed by the American Medical Association. As the method which Dr. Hislop proposes to introduce into the Second Schedule is that which is now being used by specialists, it would appear that nothing would be gained by incorporating the basis in the schedule. As a matter of fact, there is a distinct disadvantage in so doing, as in the event of a better formula becoming available, the specialists would be bound to adhere to the statutory method of assessing and could not apply the more up to date formula until such time as the Act is amended.

Hon. H. Hearn: We have had plenty of time in which to do it.

The CHIEF SECRETARY: All right, if the hon. member is prepared to overpay on a schedule which is out of date. Is not what we propose preferable?

Hon. N. E. Baxter: The worker might be worse off then.

The CHIEF SECRETARY: The report continues—

> Again, no difficulty has been experienced by either the specialists or the insurers in assessing the percentage of loss of hearing or in the acceptance of such assessments, so that there is really no justification for accepting Dr. Hislop's proposal.
>
> Loss of Limbs, Digits, etc.
>
> From a comparative table which I have had prepared, it is obvious that if the Act is passed with a maximum compensation of £2,000, with the exception of three cases which very rarely occur—i.e. loss of both hands, total and incurable loss of mental powers involving inability to work and total and incurable paralysis of the limbs or of mental powers—workers would receive practically the same benefits as those now suggested by Dr. Hislop, but under Dr. Hislop's schedule they would, in respect of minor injuries, receive substantially less compensation and in some cases, no benefit whatsoever.

Since its inception the Act has provided compensation for physical and not economic loss of or loss of use of fingers and toes and joints thereof and the industrial efficiency of the worker has never been taken into consideration. If Dr. Hislop's amendment is accepted, a mere token payment will be made in some cases, whereas in other cases no payment of any nature will be made.

A worker who loses the joint of a finger or a toe has suffered a physical loss for which he should receive some compensation. If a musician suffers the loss of or loss of use of a joint of a finger, he would be materially handicapped and surely such person is entitled to receive some compensation for such loss, but under Dr. Hislop's amendment he would receive no compensation at all.

It will be noted that, under Dr. Hislop's schedule, there is no provision for the payment of £1 per week for an attendant upon a worker suffering total and incurable paralysis of the limbs. That was an amendment introduced by the McLarty-Watts Government in 1948 and in my opinion should not be deleted from the schedule.

It is also noted that to receive the maximum compensation of £1,400 for the total loss of a leg, such leg must be disarticulated at the hip. If the worker has sufficient of the leg remaining to which an artificial limb could be attached, he would receive only £1,300. It is very rarely that the leg is disarticulated at the hip joint and in almost 100 per cent. of amputations there is sufficient of the leg remaining to attach an artificial limb. I would again point out that, with the exception of the three disabilities already mentioned, Dr. Hislop is giving nothing more for the major injuries than the worker would receive if the schedule remains in its present form.

Before Dr. Hislop's schedule can be accepted, it would appear necessary to amend Subsection (3) of Section 7 of the Act and also Subsection (3) of Section 11, both of which determine the maximum compensation payable under the Act. If the maximum compensation of £1,750 is amended to £2,000 or any other figure, then obviously an amount in excess of that stipulated therein could not be paid, so that it would be impossible for 112½ per cent. or 125 per cent. to be paid in certain Second Schedule cases. There may be other consequential amendments necessary to the Act and I think it would be necessary for the matter to be submitted to the Parliamentary Draftsman with a view to making such further amendments as may be necessary.

It would appear that this legislation has been somewhat rushed and that, in respect of the provisions of loss of sight and loss of hearing, Dr. Hislop has not given serious consideration to the necessity for such amendments or to the manner in which they will operate. If he has given only the same amount of consideration to his proposed amendments to the rest of the Second Schedule, then the House should be very wary before accepting his recommendations.

The schedule in its present form has been a part of the Workers' Compensation Act for many years and the Opposition could have introduced the proposed amendments far earlier in the session to give us a reasonable opportunity to consider them and suggest suitable adjustments. It is admitted that workers suffering major injuries in the loss of limbs should receive substantially greater compensation in proportion to that payable to those suffering minor injuries and the Government would be quite prepared to revise the schedule on the next occasion that the Act is before the House for amendment.

I think in the interests of both employers and workers, Dr. Hislop should withdraw his amendment and give the Government the opportunity of giving it more careful consideration.

Hon. J. G. HISLOP: In reply to the last few words uttered by the Chief Secretary I think it would make for very good government if Governments were open to suggestions more so than they are today. Governments are only too ready to say no to any suggestions, whether they be good or bad. The Chief Secretary has not submitted one tittle of evidence to condemn this schedule I have proposed. I suggest that the Committee should seriously consider accepting it as a whole as being something that will place workers' compensation on a scientific basis.

I will not mind any member moving an amendment to insert words that will place the assessment of an eye injury on an uncorrected or a corrected basis. I not concerned whether an individual obtains more compensation for a certain injury than for another injury. I am interested only in whether what he receives is a fair compensation to the worker for the injury which he has sustained. On that basis this schedule should be accepted.

I will put it this way: If a man has one sound eye and the other is less efficient, he may be able to do a job reasonably well with his sound eye. However, if that man loses his sound eye, he is greatly handicapped. He is handicapped much more than a man who has two sound

eyes and loses the sight of one of them. Therefore, the question of the worker's economic loss should be considered. That is how previous schedules have broken down; and yet the Chief Secretary has said that the schedule covers the risk of disfiguration or physical injury.

The schedule proposed in my amendment is the first scientific attempt to put the question of assessment of injury on an economic basis for the worker. A worker is recompensed for the payment of hospital expenses and receives weekly payments while suffering minor injuries, but if such injuries have not materially altered his earning capacity, there seems to be little reason to grant him large sums of money as compensation. On the other hand, if he has been seriously injured, I am in favour of giving him all we are able to give him.

To say that because eye specialists are using this schedule and because in 10 or 15 years' time it may be out of date, it is unwise to place it in the Bill, is utter claptrap.

Hon. H. Hearn: And we amend the Bill yearly.

Hon. J. G. HISLOP: We have an amendment before us practically every year. To make such a statement is absolute nonsense. If that is the way the Chief Secretary's advisers have advised him to handle workers' compensation, I am astonished. If anyone should be handling this problem scientifically it should be the Minister's advisers; and I am astonished that, after all these years, they have made no attempt to place this matter on a scientific basis.

I am also amazed at the Workers' Compensation Board, because it was given authority to set aside sums of money for the prevention of injuries to workers in industry. That board could have advised Parliament years ago to insert a provision in the Act by which it could be said to a man seeking occupation in an industry, "It is dangerous to you to be employed unless you have an eye test beforehand," as is done in so many States in the United States of America. No attempt whatsoever has been made by the board to take steps along those lines; yet the moment one puts forward a suggestion for a scientific schedule, it is considered unwise to adopt it because it is already in use.

It was said by the Chief Secretary that my assessment of eye injuries had not been given any thought. I suppose that is parliamentary language which means nothing, because this schedule has been given a great deal of thought. It has been discussed by three leading ophthalmologists and their advice has been unanimous. We might get ourselves into this position: We might decide to accept this schedule on the basis of the uncorrected visual defect or on the corrected visual defect. That will mean that if a man has had an eye injury, it will be assessed on the uncorrected visual defect; or, in other words, before glasses have been prescribed. On the other hand, we might suggest that it is fairer to all concerned if we assess the value of the injury received on the basis of the corrected visual defect; in other words, on the basis of what sight we can give the man after he has sustained the injury and before the prescription of glasses.

I do not mind whether a member moves an amendment to the schedule to place the assessment of an eye injury on the basis of the corrected visual defect, or the uncorrected visual defect, because this has been a matter for discussion in all parts of the world. This is the first time that we have had a schedule before us that has assessed an injury on a percentage basis, so that we know what we are dealing with. That is the only basis by which we can deal with the matter after all these years of experience. If the worker has suffered little or no effect from his injury and therefore it has no effect on his earning capacity, he should not be granted large sums of money as compensation. Such money should be reserved for those who have been seriously injured, and so bring the whole question of workers' compensation to that stage where it can be considered what industry can afford and what can be granted to the worker who has been seriously injured.

Hon. H. HEARN: This is the first time, I believe, that a workers' compensation schedule has been considered from a scientific point of view. There are many items in the schedule which we, as members of industry, would not have inserted. For instance, we say that 112 per cent. is very generous. However, we are prepared to accept the schedule, knowing full well that within a short time a Bill to amend the Act will again be before Parliament, and that in the interim we will have had the opportunity to gain some experience of approaching this question from a scientific angle. The only objection we have to the schedule has been raised by Dr. Hislop himself. We consider that eye injuries should be assessed on the corrected visual defect. If Dr. Hislop is willing to amend the proposed schedule accordingly, industry is prepared to give this scientific approach to the question 12 months' trial.

Hon. J. G. HISLOP: I am quite prepared to do that. If you, Mr. Chairman, will accept an amendment moved by Mr Hearn to that effect I will agree to it.

Hon. H. Hearn: The words will be, "all eye assessments should be assessed on the corrected visual defect".

The CHAIRMAN: Will you move that amendment, Dr. Hislop?

Hon. J. G. HISLOP: Yes. I am prepared to move an amendment that the words "all eye assessments be assessed on the corrected visual defect" be inserted at the end of item No. 5.

Hon. E. M. HEENAN: After listening to the arguments put forward by the Chief Secretary, which have been answered by Dr. Hislop, I must admit that I am very reluctant to support such a radical proposal as this. Obviously, much work and consideration have gone into the compilation of the proposed schedule and, if accepted, it might prove to be a more scientific way to assess disabilities than that used in the past. However, the remarks of the Chief Secretary raised a great deal of doubt as to the advisability of accepting the schedule. I admit that the Chief Secretary has the advantage of obtaining the best advice that his department can place before him.

Has any other State adopted a similar schedule? If not, we should be conservative about being the first to do so, especially at such a late stage in the session. If this proposal were delayed until next year it would give all parties concerned an opportunity to consider it, because each one of us will have to seek advice on its advantages and disabilities. It is such a radical departure that it warrants greater consideration. No harm will be done by deferring it until next year. The present schedule has operated very satisfactorily over the years, and I would gravely hesitate to throw it overboard now.

The CHIEF SECRETARY: I want to refer to one or two things which Dr. Hislop did not mention. For example, is it intended that the loss of binocular vision refers to the loss of one eye, or the loss of sight conjointly? There is nothing in the schedule to show which. If the Committee agrees to any amendment, something must appear in the schedule as a guide. Dr. Hislop said he has not heard of the Ophthalmologists' Association. I would point out that Dr. Yates is the secretary of it. Dr. Hislop did not consult this association before putting forward his scientific methods. Let us examine it and see if it is scientific. I will refer to the second schedule, and pick out a few of the worst examples.

Under the present Act the compensations for the total loss of the forefinger of the right hand is £350, but under the proposal before us it is £100. If I lost a finger, I would want more than £100 compensation, and I would be justly entitled to more. Under the present schedule, the compensation for the loss of the forefinger of the left hand is £280, but under Dr. Hislop's proposal it is still £100. It would take a lot to convince one that this is a scientific approach, when it provides equal compensation for the loss of the forefinger of the left hand and for the loss of the forefinger of the right hand. No righthanded man would agree with that.

Another example is in respect of the total loss of the first joint of the finger of either hand. The present payment is £140 and the proposed payment is £60. Such loss should be compensated far in excess of £60. For the middle finger of the hand the present payment is £210, but the hon. member says £100 is sufficient. If any member lost his middle finger, I am sure he would expect a greater amount than that.

Hon. H. Hearn: It is a matter of assessing the disability.

The CHIEF SECRETARY: It is a great disability to go through life with the loss of a forefinger. Another example is the total loss of the joint of the great toe of either foot. Under the present Act the payment is £175, but the hon. member says it is worth only £100. In another example he goes further and says that a worker is entitled to nothing for the loss of a toe, or the joint of a finger. If that is scientific, then it is time that science was altered. For the loss of any other toe or joint of a finger a man gets £20 for the finger but nothing for the toe. For the total loss of the index and middle finger, the proposal is a payment of £400; but under the existing Act the payment is £560 for the right-hand, and £490 for the left-hand finger.

Hon. H. S. W. Parker: If a worker loses the forefinger of his left hand, invariably he is left-handed when it comes to compensation.

The CHIEF SECRETARY: I cannot believe that the medical authority examining a worker is not able to determine whether he is left-handed or right-handed. There has not been any difficulty in the past in that regard. For the total loss of the joint of any other toe, at present the payment is £35, but Dr. Hislop suggests nothing. That is ridiculous.

Hon. L. Craig: But the worker is paid all the time he is away.

The CHIEF SECRETARY: If that is the attitude, it is a wonder that the worker is paid while he is away.

Hon. H. Hearn: Tell us about some of the increases.

The CHIEF SECRETARY: I was picking out the worst phases. The hon. member can point out how scientific the document is by giving the best instances. Over many years, I have been connected with workers who have suffered injuries, but I have not heard of one complaint regarding the graduated payments for the various parts of the limb under the second schedule; the only complaint was that the payment was not sufficient.

Hon. J. G. HISLOP: Let us take the fourth heading, "Loss of Binocular Vision". The Chief Secretary wants to know what is inserted in the schedule before us. It is set up in exactly the same words as those of the existing schedule. I cannot

understand how binocular vision can affect one eye or both. The term means that one can no longer make the two eyes focus, and the compensation proposed is the payment for the loss of one eye. As to whether it applies to one or both eyes, binocular vision must apply to both, because the eyes do not join together to make vision. The sight of one eye is lost, and compensation is paid on that basis; that has always been the same. It is almost impossible to correct that defect because it is mostly a muscular imbalance. I must explain that a person does not see with the eyes but with the brain. The eyes are only the medium to reflect the impulses to the brain surface where they are adjusted. The result is that a person cannot adjust this loss of binocular vision.

Ever since the introduction of the Workers' Compensation Act, the Chief Secretary has laboured under the impression that compensation is paid for physical defect, but in reality it has no relation to that at all. Compensation should be based on the economic loss suffered by the worker. If a worker receives an injury to a toe which does not affect his economic capacity to earn, then he is not entitled to compensation. He receives the expenses for medical attention, and payment for the time he is away.

Hon. E. M. Heenan: Is there such a schedule operating in the other States?

Hon. J. G. HISLOP: I am not interested. The other States may find this schedule so much of an improvement that they will adopt it over there. I am here in the capacity of a medical practitioner. I have had a lot to do with the Workers' Compensation Act, and I can assure members that the schedule is a result of advice by all those specialists who I thought could give information on the matter. They have spent hours in preparing the schedule, and I am submitting it as a scientific document. It is not based on the idea of the Chief Secretary that because a worker has lost a finger, he is due to receive a large sum of money. The schedule is based on what is due to a worker through his loss of earning capacity. If members look around, they will see any number of men who have lost an index or middle finger and who are handicapped to only a very slight extent. Later, it may be possible to provide additional compensation for the more seriously injured workers. A man who has suffered only a minor injury entailing no economic loss should not receive compensation in addition to wages and medical expenses.

The CHAIRMAN: Is it Dr. Hislop's desire to insert after Item No. 5 the following words:—"All eye assessments to be assessed on the corrected visual defects"?

Hon. J. G. HISLOP: Yes.

The CHAIRMAN: Those words will be included.

The CHIEF SECRETARY: I should like Dr. Hislop to tell us his intentions regarding the loss of the sight of an eye. I am repeating a request made by eye specialists to whom the question was referred.

Hon. J. G. Hislop: You have been led up the garden path.

The CHIEF SECRETARY: Then these specialists should not be practising in St. George's Terrace. The two specialists told me to find out whether Dr. Hislop intended that the loss of the sight of one eye and the loss of binocular vision should refer to each eye or to both eyes generally. Have members ever heard of any agitation on the part of the profession or the workers for such alterations? I am diffident about making a change unless I can be shown that it will be for the better. Members should seriously consider the position, and I give that warning on the advice of experts.

Hon. H. HEARN: Industry has had its experts to discuss questions relating to this matter. I am prepared to take the Chief Secretary's word that two specialists have asked him to raise those queries, but I do not think we need be unduly perturbed by the fact that one or two specialists disagree.

Hon. H. K. WATSON: Under the Act, loss of binocular vision is provided for, and the amount of compensation payable is £700. Will the Chief Secretary tell us how his specialists interpret this provision which has been in the Act for years? Do they consider that it relates to one eye, two eyes or to an eye and a half? The reference in Dr. Hislop's schedule would carry the same meaning as the reference in the Act. I cannot understand the Chief Secretary's attitude on that point. Seeing that Dr. Hislop proposes to raise the amount of compensation in this instance from £700 to £1,000, the Minister should be pleased.

The CHIEF SECRETARY: We asked the question of the specialists referred to, and they said they take the two eyes together.

Hon. H. Hearn: Why does that reference appear in the Act?

The CHIEF SECRETARY: It is in the Act, and we leave it to the specialists to make the best they can of it.

Amendment (to delete words) put and a division taken with following result:—

Ayes	17
Noes	9
Majority for	8

Ayes.

Hon. N. E. Baxter	Hon. A. R. Jones
Hon. L. Craig	Hon. A. L. Loton
Hon. J. Cunningham	Hon. H. S. W. Parker
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. C. H. Henning	Hon. J. Murray
Hon. J. G. Hislop	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. G. Fraser	Hon. E. M. Davies
Hon. E. M. Heenan	*(Teller.)*

Amendment thus passed.

The CHAIRMAN: The question now is, "That the words proposed to be inserted, including the new Schedule with the addition to Item No. 5," be inserted.

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

Title—agreed to.

Bill reported with amendments.

BILL—LAND ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

HON. L. CRAIG (South-West) [8.30]: Today, if the Government wants to resume land in the South-West Division, it can do so by giving three months' notice; but in the Northern areas twelve months' notice is required, and this Bill proposes to reduce that time to three months. This measure has nothing to do with the Bill introduced last year under which, if I remember rightly, ordinary applicants would have been able to apply for and take up land. Rightly, in my opinion, the House disagreed with that proposal. I can see no objection to this measure, because it may become necessary for the Government to resume certain land along northern rivers for the purpose of settlement, rice-growing, and so on. Because of the rapid means of communication in these days. I can see no reason why the Government should have to wait 12 months before land can be resumed. Section 109A of the principal Act states—

> Before any land in any division held under pastoral lease—

This deals with pastoral leases. The section goes on to state that certain notice shall be given which, in the South-West Land Division is three months; and, in the Northern Division, 12 months. I have no objection to the Bill, and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LICENSING ACT AMENDMENT (No. 2).

Recommittal.

On motion by Hon. R. J. Boylen, Bill recommitted for the purpose of considering a new clause.

In Committee.

Hon. W. R. Hall in the Chair; Hon. R. J. Boylen in charge of the Bill.

New Clause:

Hon. R. J. BOYLEN: I move an amendment—

> That the following be inserted to stand as Clause 2:—
>
> Section one hundred and twenty-two of the principal Act is amended by adding after the word "bottle" secondly occurring in line two of subparagraph (iii) of paragraph (c) of subsection (2) the words:—"except where the premises are situate in the Goldfields District and then only in quantities of not more than two bottles to each purchaser during whatever hours of trading before 1 p.m. as are prescribed by the Governor by Proclamation on the recommendation of the Licensing Court under the provisions of Section one hundred and twenty-one of this Act."

This amendment, if agreed to, will legalise the sale of up to two bottles of beer to any one purchaser during the morning hours of trading in what is defined in the Act as the Goldfields district. I have previously given my reasons for this amendment, and I do not intend to go over the same arguments again. I hope members will agree to the amendment.

Hon. H. S. W. PARKER: I oppose the amendment because it is virtually the same clause as appeared previously in the Bill. I do not like the idea of bottles of liquor being carried round on a Sunday morning in any town. If this amendment is agreed to, I trust that the police will prevent the liquor being consumed in the streets, or in parks, or in motorcars; in other words, that they will enforce the law.

Hon. N. E. Baxter: They are doing that at present.

Hon. H. S. W. PARKER: Yes; but will they do it on the Goldfields?

Hon. R. J. Boylen: They will. Although it was illegal, people were able to buy bottles previously, and there was no abuse of that privilege.

Hon. H. S. W. PARKER: The idea seems to be that certain towns shall not be compelled to comply with various laws, and I trust that if this amendment becomes law the Act will be strictly enforced.

Hon. J. M. A. CUNNINGHAM: Members are well aware of my attitude on this question. I hope that they will agree to this concession. Apparently Mr. Parker, in his final remarks, was referring to Collie. We believe that there are certain grounds for his complaints; but I can assure members who may feel reluctant to agree to

this proposal that if, after it has been given a 12-months' trial, the report of the Commissioner of Police discloses that there have been more offences against the Licensing Act on the Goldfields than in the metropolitan area, I will vote against this provision when it comes up again.

Hon. H. Hearn: But it will not come up again.

Hon. J. M. A. CUNNINGHAM: For years, in the Goldfields areas, there have been few offences against the Licensing Act.

Hon. H. Hearn: People up there are more accustomed to liquor.

Hon. J. M. A. CUNNINGHAM: Some people say that the police are more generous in that area, and take a more lenient view of the situation. I would remind members that that is not so, because in towns such as Boulder and Kalgoorlie one can see from one end of the main street to the other, and an offensive drunk can be easily seen and picked up by the police. I hope members will agree to this amendment.

Hon. E. M. HEENAN: The amendment should receive the sympathetic consideration of members. For many years prior to the recent amendment to the Licensing Act, Goldfields people were accustomed to the privilege of being able to buy a bottle or two of beer on Sunday mornings. That privilege was never abused.

Hon. J. M. A. Cunningham: Hear, hear!

Hon. E. M. HEENAN: I could quote reports from inspectors, and sergeants of police, and magistrates which indicate that that privilege was never abused. Finally, let me correct a wrong impression that some folk have that people on the Goldfields drink to excess. For a number of years people in those areas have practised the great virtue of drinking sensibly and in moderation. Climatic and housing conditions up there are vastly different from those in other parts of the State. There are few amenities available to people, especially prospectors and pensioners. This provision, which the people want, will restore a state of affairs which existed for many years. To those who say it is sectional legislation, I would reply that the licensing laws in this State have always taken into consideration the climatic conditions and other living aspects on the Goldfields, and I congratulate Mr. Boylen on the amendment he has brought down.

Hon. G. BENNETTS: I support the amendment. There are places now where bottled beer can be obtained on Sunday. At the railway station we see people taking bottles on the trains. If the privilege is extended to these people, surely a similar privilege should be extended to the man on the Goldfields to enable him to go to a hotel and take a couple of bottles home. There is nothing to prevent a man from going to the hotel with a billy-can and bringing it back full of beer. He does not do so because he is anxious not to lower his standard of living. I support the amendment.

New Clause put and passed.

Bill again reported with a further amendment.

BILL—ELECTRICITY ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

HON. L. C. DIVER (Central) [8.47]: I obtained the opinions of two independent gentlemen concerning this Bill. The occupation of one of these men is with an electrical refrigeration firm, and the occupation of the other is that of an operator in an electric light concession in the country. Both commended the legislation. One of them does a considerable amount of work in the country, and also some in the city. He is of the opinion that the Bill should have gone a little further, and he said that the time was coming when it would have to go further and provide for regular inspections to be made of electrical installations in homes and businesses.

Hon. N. E. Baxter: At whose cost?

Hon. L. C. DIVER: What price can one put on life? We are certainly dealing with a most dangerous thing in electricity; and if the lives of our womenfolk are not worth preserving, then nothing is. This opinion I have is from an independent source; politically the man has nothing in common with the Government. Both those gentlemen feel there is good in the Bill, and they also suggest that the electrical fittings in homes should be regularly policed. That is why I say that the Bill is a good one, particularly where it sets out that goods coming into the State should be examined with a view to the eventual protection of users. I can see nothing wrong with that.

At one time I was inclined to ask for another clause to be inserted, but it has been pointed out that the department requires all appliances to be stamped before they are used for installation purposes. I cannot see anything wrong with the Electricity Department's insisting that the equipment to be used for installation should meet with its approval in order to protect the people. I trust the Government will see whether a system of inspection cannot be evolved whereby existing installations are inspected regularly. One of the two gentlemen to whom I referred had recently wired two new homes according to the standard specifications of the S.E.C. Within a few weeks some alterations were made to those houses, and in both instances the earth wires had been removed from the water pipe and were left hanging loose. If that can happen in two instances in country towns, how many thousands of cases must we have in Western Australia?

Hon. L. A. Logan: This Bill does not prevent that.

Hon. L. C. DIVER: I merely put it forward as a recommendation to the Minister.

Hon. N. E. Baxter: It depends whether you have A.C. or D.C. current.

Hon. L. C. DIVER: A.C. current would, of course, knock one much further. D.C. current would certainly not kill one, but these places will very soon be connected with the S.E.C. mains, and they will then be very dangerous.

Hon. L. A. Logan: Do you suggest the manufacturers are not making a good article?

Hon. L. C. DIVER: I thank the hon. member for that interjection. I am told that some foreign countries are manufacturing a very low standard of equipment, and it is to meet that need that this measure has been introduced. If it were not for this legislation there would be nothing to stop that type of equipment from coming here. Members do not complain that the Department of Water Supply has banned the importation of certain types of sinks into this country. They are being sold in Melbourne, but they do not come up to the specifications of Western Australia and are accordingly banned. I support the second reading of the Bill.

HON. J. M. A. CUNNINGHAM (South-East) [8.55]: I think this is a good Bill, and I am inclined to support the argument put forward by Mr. Diver. Under the present legislation, certain goods have been banned, as have certain acts, for very trivial reasons. Some of these are accepted all over the world, but not in Western Australia; and if this Bill remedies that position, then I think it is a good one.

I would like to bring another thought before the House, and I think the Government might give some consideration to it. There is a far greater danger in the average household than exists by the possible purchase of such equipment. As every member knows, it is illegal for a householder to do any alterations on equipment in his own house—whether it be to the electric light cords or the repairing of the switches and so forth. Yet it is made possible for a member of the public to enter any store—not necessarily an electrical store—and purchase all the means of breaking the law. One can buy plugs, adapters, bayonet fasteners and so on.

There we find all the necessary equipment to break the law in a hundred different ways, and that enables the householder to put together appliances that are more dangerous than equipment which is all ready to be sold to the public, and which generally breaks down under some fault that develops. In a hundred cases he may make a good connection and everything will be all right, but in the hundred-and-first instance he may do something that is faulty and thus jeopardise the lives of the whole family.

Hon. L. C. Diver: The Bill is on the right lines.

Hon. J. M. A. CUNNINGHAM: I think it is, and I support the second reading.

HON. H. K. WATSON (Metropolitan) [8.57]: The other night Mr. Logan gave the House some very important reasons why it should think pretty seriously before it passes this Bill. I think we should all agree with the remarks passed by Mr. Diver concerning the necessity for safeguarding the public in relation to electrical installations. As I understand the Bill, it is not concerned so much about electrical installations in houses; it merely requires that merchants who import appliances into the State—

Hon. L. A. Logan: Manufacture them in this State.

Hon. H. K. WATSON: —or manufacture them in this State, and to which any electrical equipment is attached, no matter how small that electrical equipment may be, should submit the entire equipment to an approving authority to be stamped and certified fit for use before it can be sold. That suggests to me that some modification is required in order to protect the merchant. I will not say it is certain, but it is possible that one officer will administer the Act in one way, and reject the article, while several other officers who are just as experienced, and have as much knowledge, may administer the Act in another way and pass the equipment. It would appear to me, therefore, that there should be some safeguard for an appeal to a reasonable board constituted of competent persons, from any adverse decision by the particular inspecting officer.

Hon. A. L. Loton: Is not provision made for appeal?

Hon. H. K. WATSON: No; all the power would be in the hands of one man, and it is a vast power to give to one person. Mr. Logan referred to some of the disabilities which the merchants suffer under the existing power. He cited the case of a refrigerator transformer which required some slight adjustment before the Electricity Department would pass it as fit for use. The particular concern worked all night on the necessary adjustment, and the following morning sought approval. It was told that the officer concerned could not look at the apparatus for a fortnight. Business cannot be conducted like that. We cannot have the business community waiting for a fortnight while a Government officer makes up his mind whether he will pass an article or even consider the question of granting approval of its sale.

There is another clause that I think could be modified, and that is the one relating to articles that are imported from other States and which have been certified by similar authorities there as being safe for use. As the Bill stands, it provides that the officer, "may" grant approval of the use of such goods in Western Australia. I do not think the power should be discretionary. The Bill should provide that where articles manufactured in, say, Melbourne have been inspected there and certified safe for use, they should automatically be capable of being sold here without a request having to be made for further approval by the local authority.

Hon. L. C. Diver: There is provision in the Bill for that.

Hon. H. K. WATSON: No. It says that he "may" do it. I suggest that it should be obligatory. I would like members to bear in mind that inspecting authorities in the Eastern States have much greater opportunity of thoroughly testing an appliance than has any local man, because there they go to the factory and see the article in course of manufacture, and are fully aware of the whole process from the beginning of manufacture. When an authority with that knowledge has certified to the safety of an appliance, I suggest that automatic approval should be granted for the sale of any such article in this State.

HON. F. R. H. LAVERY (West) [9.2]: The Bill should commend itself to any person who believes in safety-first principles. Objections have been raised to it. I understood from what I read in the Press when the Bill was before another place that the idea was to standardise throughout Australia the specifications of electrical equipment, and that appliances that had been turned down in the Eastern States were subsequently sold here because there was no legislation to prevent it.

Hon. H. K. Watson: That is not so.

Hon. F. R. H. LAVERY: The information I have indicates that it is. I do not know whether I am right or wrong.

Hon. H. K. Watson: It is incorrect.

Hon. F. R. H. LAVERY: Like most members, I obtain my information from what I think is the best source; and the information I have on this matter is that departments in the other States have rejected as unfit for use certain articles that have afterwards reached this State, where there is no measure to prevent their sale.

Hon. H. K. Watson: There is an Act.

Hon. F. R. H. LAVERY: If that is so, there is no reason why the Bill should not pass. There is one clause I am not happy about. It refers to onus of proof. No one will ever convince me that the onus of proof should be on the person who is charged. I have always understood that in British law the onus of proof is on the one making the charge.

Hon. H. Hearn: It depends on what Bill you are discussing.

Hon. A. F. Griffith: Obviously you do not know British law.

Hon. F. R. H. LAVERY: Obviously, like the hon. member, I have a lot to learn. Proposed new Section 33D. reads as follows:—

> Where a person convicted of an offence against this Part or the regulations made under this Part is a corporation the chairman and every director or member of the governing body and every officer concerned in the management of the corporation is guilty of an offence, unless he proves that the act or omission constituting the offence took place without his knowledge or consent.

That is not very pleasant reading. I am not happy about it at all. However, I support the second reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [9.5]: The only reply I want to make is to the remarks of Mr. Watson. I admit that the word "may" appears in the Bill, but the intention is to provide that there is no need for an examination when articles come to this State that have been approved in other States. The idea is to put Western Australia in line with other States. This is one of those cases where the meaning of "may" is "shall". Otherwise, what is the use of the Bill? We are prepared to accept appliances that have been passed in the other States, the same as they will accept anything which has been approved here. The purpose is to provide for reciprocity between the States.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 3—agreed to.

Clause 4—Part IVA. added.

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

> That in line 1 of proposed new Section 33A after the word "Part" the following definition be inserted:—
>
> "Board" means the "Electrical Approvals Advisory Board" established by this Part of this Act.

At the outset I would like to say that I am more than surprised at the Chief Secretary's behaviour in connection with this Bill. I do not mean his bad behaviour!

I made a second reading speech, and so did two or three other members who, in principle, shared my view. In the course of that speech I indicated that I intended to move certain amendments. When the Chief Secretary replied, he said that the only reference he intended to make was to the remarks of Mr. Watson concerning the use of the word "may". I can only take it that since the Chief Secretary did not raise any objection to my remarks on the second reading and to the remarks of other members, he considers my amendment well founded.

The purpose of the amendment is to prevent the authority in this matter being placed in the State Electricity Commission, which would mean that it would be vested in one man. At no stage of the discussion did I endeavour to lead Mr. Diver or anyone else to believe I was not interested in protecting the public, sometimes against their own foolhardiness, or that I was opposed to the Bill in principle. On the contrary, I expressed agreement with the Bill in principle, but said I was not satisfied to have the authority which it gives vested in the commission, because I thought it should be given to a board.

The Bill was introduced to amend the Electricity Act and is designed to give the S.E.C. power to inspect electrical apparatus and pass or reject such apparatus as the case may be. That is what the Minister said when introducing it. But I hope the Committee will agree that it is a bad principle for one civil servant, an employee of the commission, to have this authority, without there being any right of appeal or any redress whatsoever for persons involved. The amendment gives the Government power to establish a board to make necessary regulations.

The CHIEF SECRETARY: I hope the hon. member did not think I was purposely discourteous in not replying to his speech on the second reading.

Hon. A. F. Griffith: No.

The CHIEF SECRETARY: I thought that to do so was useless when I intended to take the Bill straight into Committee provided it passed the second reading. If it did not pass I knew I would have saved time by not replying. I am not going to be violent in connection with the amendment. I believe that if a board is necessary it should be set up, but I cannot see any value in the establishment of a board here.

Hon. L. Craig: The commission itself is a board.

The CHIEF SECRETARY: That is so, and it is a point I was going to make. There is nothing in the Bill to say that everything will be done by one man.

Hon. A. F. Griffith: Does the Chief Secretary think the board will do this job?

The CHIEF SECRETARY: The Commission will have certain employees—maybe one or half a dozen—who will deal with these things. It will not be one man at all. How far will we get if we create a board? If an advisory board is appointed, it will only make an examination and advise the commission, and it will still be the officer that the hon. member wants to get away from, to whom the recommendation will be given.

Hon. L. CRAIG: I do not approve of the amendment. We have given tremendous powers to the State Electricity Commission, and now we are asked to say to it, "You cannot approve of a piece of electrical equipment." The commission is composed of sensible people from all walks of life. The amendment would mean the constituting of a board which would be appointed by the Governor on the recommendation of the commission. This is just a duplication. We did not recommend a board for the passing of water supply equipment. We cannot buy a tap today unless it is passed by the Public Works Department. We cannot make an alteration to a building unless it has been approved by our local authority. The expert people on the commission are capable of determining what is and what is not good equipment.

Hon. A. F. GRIFFITH: The commission has the authority to tell any person building a house not to turn on the electric switches until a certificate has been issued saying that they are safe. That is quite right, but the provision here goes further. It deals with the importation and sale of electrical equipment. In my second reading speech I mentioned that the representatives of certain people and organisations were entitled to have a say on a board of this nature. They would then have the opportunity to protect themselves against a single individual who said that certain equipment could not be sold. At present there is no right of appeal against the decision of an officer who says, "You shall not sell this article."

Hon. L. C. Diver: Who is going to pay the members of this board?

Hon. A. F. GRIFFITH: No one. It will be an honorary board.

The Chief Secretary: Cheap and nasty.

Hon. A. F. GRIFFITH: No; on the contrary.

Hon. H. Hearn: You would not say that all honorary service is nasty, surely!

Hon. A. F. GRIFFITH: If Parliament thinks the board is not operating as it should, Parliament has the right to say, "This is not good," and to make an alteration.

The Chief Secretary: Why not leave the Act as it is, and then if it is not satisfactory in 12 months' time, amend it?

Hon. A. F. GRIFFITH: The Government has brought down the Bill for consideration. Why make a comment like that about the Act?

The Chief Secretary: I meant, the Bill.

Hon. A. F. GRIFFITH: I am not prepared to leave the Bill as it is, because the board I suggest will ensure a more satisfactory and equitable position for the people I have mentioned. Electrical equipment, which includes domestic appliances and machinery, is very important. We must assume that the Government, in appointing the board and making its regulations, would include people of the description I have mentioned; otherwise it would be deliberately flouting the ideas of those who introduced and passed the amendment.

Hon. H. S. W. PARKER: I cannot see any advantage in the board. It is to be only an advisory board. It would be recommended by the State Electricity Commission, which would appoint itself as the board. The board might consist of only one individual; but whether it be one, or 20, it is quite unnecessary, because regulations have to be made setting out the examination, testing, etc.

Hon. J. G. HISLOP: If the hon. member wishes to have this board, he should be more explicit about its constitution. The Electricity Commission could itself well become the advisory board. The hon. member should include in the amendment the definitions of the persons he mentioned in his second reading speech.

Hon. L. A. LOGAN: I agree that the amendment is not sufficient. I have suggested to the hon. member that the names of those he wants represented should be put on the notice paper; but he has such a trusting nature that he believes the Government will take cognisance of what is said here, and will appoint representatives of the trades mentioned. Unfortunately Ministers do not take much notice of what we say. The Parliamentary Draftsman was failing in his duty when he said it was awkward to put such an amendment on the notice paper. I think the board is necessary, as too much power could be placed in the hands of one person and instances of that have occurred throughout Australia in the last few months.

Hon. F. R. H. Lavery: Quote one instance.

Hon. L. A. LOGAN: There is one subjudice in this State at present. I see no reason why the Government should object to five men connected with the manufacture of these appliances assisting the S.E.C. in this regard. It could be an honorary board, perhaps with out-of-pocket expenses paid. I suggest that progress be reported to allow Mr. Griffith to place an amendment on the notice paper. I asked the Chief Secretary to give some reason for the introduction of the measure, but he did not reply to that.

The Chief Secretary: I said it all when introducing the measure.

Hon. L. A. LOGAN: I asked for the reason, but it was not forthcoming.

Hon. L. C. Diver: It is so obvious.

Hon. L. A. LOGAN: It is not obvious. The common sense of the manufacturer, plus that of the people, would be sufficient.

Hon. A. F. GRIFFITH: It has been said that I should have been more specific in nominating the board, but had I named four or five specific people, the Bill would have required redrafting. As Mr. Logan said, I framed my amendment in a trusting way, but surely the Government would not appoint a board except along the lines of what this Legislature has in mind!

Hon. H. Hearn: From where would it obtain information as to the type of board you desire?

Hon. A. F. GRIFFITH: "Approval boards exist in other States. I had in mind a board with a chairman from the S.E.C., a representative of electrical goods manufacturers, a representative of the wholesalers, a representative of the employees in the industry and an approvals engineer. The decision of the board would not be final, but it would make recommendations to the commission.

Hon. H. Hearn: I know you said that.

Hon. A. F. GRIFFITH: I did not say it. The Minister introducing the Bill in another place said it. It is evident that he had in mind the same principle as I have.

Hon. H. Hearn: Why did he not introduce it?

Hon. A. F. GRIFFITH: A member in another place introduced an amendment.

Hon. H. Hearn: I am referring to the Minister.

Hon. A. F. GRIFFITH: He said he did not propose such a board as it would only make recommendations to the Commission. Surely that question would be the subject of regulations. My amendment would make it an approval advisory board. The Minister in another place said he gave thought to doing it in this way. If the board is set up with power to approve, it will be able to approve. I hope the Committee will agree to the amendment.

Hon. H. HEARN: I hope the Chief Secretary will agree to report progress. The trade concerned is perturbed, and I do not think the amendment on the notice paper covers the ground properly. We should have time to clarify the amendment.

Hon. L. C. DIVER: I do not think the proposed committee is necessary. What is required is an appeal board so that anyone could appeal against the decision of the S.E.C., although I admit that instances of disagreement would probably be few.

The CHIEF SECRETARY: I was surprised to hear Mr. Logan's complaint that I did not reply to him on the second reading. I interjected and said I thought I had given all the information when introducing the Bill. At that time, I said—

> For a few years the varied types of control in the different States, and in some cases the lack of control, resulted in goods which were rejected in some States being sold in others.

Hon. H. K. Watson: That was before regulations were brought in two or three years ago.

The CHIEF SECRETARY: I am dealing with the hon. member's complaint. I further said—

> I am advised that it was not uncommon for hundreds of appliances which were not approved in one State to be dumped in another State for sale cheaply although they may have been very dangerous.

So I anticipated what Mr. Griffith was going to say and answered his query when introducing the measure. I think it would be better to vote on the principle involved rather than to report progress, and if the principle of the board is approved, I will agree to report progress so that the hon. member can put his amendment on the notice paper.

Hon. H. Hearn: That is fair.

The CHIEF SECRETARY: I believe this is the only State that has not this type of legislation on its statute book. When an article is approved in another State, it will be accepted here, so all we will be concerned with will be appliances manufactured in Western Australia. We are asked to set up a board within a board to advise a board to approve of electrical appliances, and I hope the Committee will not agree to that.

Hon. H. K. WATSON: The Chief Secretary's suggestion is fair and practicable. I do not think it is necessary that we should report progress; and, even if we did, we could recommit the Bill.

Hon. L. A. LOGAN: I am quite prepared to accept the suggestion by the Chief Secretary that we should put the question to the vote. In his opening remarks, however, he said that there were hundreds of appliances that were safe. He has still not given any proof of that. New South Wales and South Australia each has a board; so if we are to have uniformity we, too, should have a board. The board's only function would be to approve of those appliances that are made by local manufacturers, because those brought from the Eastern States would already have been approved. But, what about those appliances that come from overseas? A board, or the State Electricity Commission, would have to check them and grant its approval or otherwise.

The Chief Secretary: And you expect them to act in an honorary capacity?

Hon. L. A. LOGAN: Unfortunately, we in this Chamber cannot move for the appointment of a board, because it would entail an expense to the Crown. The main point is: Which officer of the State Electricity Commission is to be delegated to the job? I want the people connected with the trade to be given some consideration.

Hon. A. F. GRIFFITH: I have no objection whatever to the question going to the vote. Up till now I had decided to adopt the role so often adopted by the Chief Secretary; that is, to sit quiet and say nothing. However, I consider that it is not right for the Chief Secretary to mislead the Committee. He said that this was a small matter; but, in my opinion, an important principle is involved.

The Chief Secretary: It is a small matter in regard to the duties of the State Electricity Commission.

Hon. A. F. GRIFFITH: It is not.

Hon. H. S. W. Parker: Let us assume it is a large one.

Hon. A. F. GRIFFITH: I know that I could not convince Mr. Parker that it is larger than it appears to him now. The Bill proposes to deal with all electrical equipment and appliances. The Chief Secretary has said that other States have legislation operating similar to that now before the Committee, but that is quite wrong. In New South Wales there is an advisory committee.

The Chief Secretary: You have given the wrong meaning to my words.

Hon. A. F. GRIFFITH: I have not. In Victoria there is an electrical approvals board. If we are to have uniformity between the States, let us have an electrical approvals advisory board; not a board that would report to a board, as suggested by the Chief Secretary. It would be a board that would make a decision on which an approval could be made.

The Chief Secretary: Now you are altering your ground. Previously you said that the board would recommend.

Hon. A. F. GRIFFITH: I did nothing of the sort.

The Chief Secretary: I will leave it to members to decide.

Hon. A. F. GRIFFITH: I said that we should have an electrical approvals advisory board. I said that surely the Government would have the power to make regulations setting out what the duties and the powers of the board would be. Does the Chief Secretary remember my saying that?

The Chief Secretary: Yes.

Hon. A. F. GRIFFITH: In that case the Chief Secretary should withdraw the remark that I have changed my ground.

The Chief Secretary: The ground must have been shifting sand.

Hon. A. F. GRIFFITH: No, the ground remains the same. It will not be a board reporting to a board, but one set up and governed by regulations made by the Government, which will give it authority and power. The Chief Secretary said that the board would have power only to recommend.

Hon. H. K. Watson: And you are infringing the Standing Orders by referring to it.

Hon. A. F. GRIFFITH: I am not; but do not let me waste the time of the Committee.

Hon. H. S. W. Parker: Hear, hear!

Hon. A. F. GRIFFITH: Remarks such as that will draw me in, because frequently there are times when Mr. Parker is addressing the Committee and I could make similar remarks to those which he has just made.

Hon. F. R. H. Lavery: Let us go on with the clause.

The CHAIRMAN: Order!

Hon. A. F. GRIFFITH: There is no doubt as to what the powers of the board will be.

The Chief Secretary: I did not think the hon. member had so much faith in the Government.

Hon. A. F. GRIFFITH: That is just drawing a red herring across the trail, and the Chief Secretary knows it. If the Minister will not make the necessary regulation to apply to this proposed board, I will lose faith in his Government.

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

Ayes	10
Noes	16
Majority against	6

Ayes.

Hon. J. Cunningham	Hon. A. R. Jones
Hon. A. F. Griffith	Hon. L. A. Logan
Hon. H. Hearn	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. J. Murray

(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. N. E. Baxter	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. A. L. Loton
Hon. R. J. Boylen	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. L. Roche
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. McI. Thomson
Hon. Sir Frank Gibson	Hon. E. M. Davies

(Teller.)

Amendment thus negatived.

Hon. H. S. W. PARKER: I move an amendment—

> That in line eight of paragraph (a) of Subsection (1) of proposed new Section 33B after the word "labelled" the words "if and" be inserted.

If the amendment is agreed to it will mean that it will not be essential for all electrical appliances to be stamped. They will be stamped only if that is required by regulation.

Hon. H. K. WATSON: This amendment by Mr. Parker is more orderly than that which I have on the notice paper, and I therefore support it.

The CHIEF SECRETARY: I am pleased Mr. Watson does not intend to move his amendment. As Mr. Parker's amendment improves the clause, I am prepared to accept it.

Amendment put and passed.

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

> That in line 4 of paragraph (b) of Subsection (5) of proposed new Section 33B the word "may" be struck out and the word "shall" inserted in lieu.

The Chief Secretary has said that the intention of the clause is that any appliance approved in the Eastern States shall automatically be approved in this State. That being the case, it may be as well to clarify the position, by substituting the word "shall" for "may."

The CHIEF SECRETARY: This is not merely a case of substituting the word "may" for "shall." To do so would not be consistent with the latter portion. There is nothing wrong in altering the first "may," but to do so in the latter case, would make it mandatory and would alter the sense in the opposite direction. I would remind members that the purpose of the clause is to provide for acceptance of articles already passed in other States.

Hon. L. CRAIG: If "shall" is substituted, it means that the commission has no authority to refuse. Circumstances may arise where the commission finds a weakness in some appliance, but it will then have no authority to refuse. The substitution will take the power away from the commission to refuse even if a fault is found.

Hon. H. K. WATSON: On the definite assurance of the Chief Secretary, I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. N. E. BAXTER: I move an amendment—

> That the following proviso be added to Subsection (2) of proposed new Section 33C:—
>
> Providing that—
>
> (a) Should the electrical appliance, specified in the notice be in such condition, that it can be repaired, insulated or modified, so as to

make it safe to use, an instruction to have such appliance so repaired, insulated or modified, shall be included in the written notice.

(b) When such repair, insulation, or modification has been carried out, the Commission shall, if satisfied, issue a certificate of safety for such period as it may deem reasonable.

Section 33C provides that the commission, notwithstanding Section 33B, may prohibit the sale, hire, or use of the electrical appliance referred to in the notice which in its opinion is likely to be unsafe and dangerous to use. There is no escape for the owner of the appliance. Some method should be adopted to give persons interested in the electrical appliance, prohibited by this part of the clause, the means to put the appliance in order.

The CHIEF SECRETARY: The amendment is unnecessary. People holding responsible positions like that of an inspector would not direct that an article be thrown away if it could be repaired or put in order.

Hon. N. E. Baxter: There is nothing provided in the Act for that.

The CHIEF SECRETARY: Every little tin-pot thing cannot be provided in the Bill. We must trust those holding responsible positions not to do stupid things like this. Subsection (3) of the same section speaks for itself.

Hon. L. CRAIG: There is a weakness in the amendment. It would be incumbent on an inspector to say whether an article could be repaired, and that is a responsibility no officer would take. He might say that an article could be repaired, but after repair it might not work. To put a responsibility on an inspector to say an article can be repaired is placing too big an obligation on him.

Hon. N. E. BAXTER: I am surprised the Minister used the phrase "every little tin-pot thing cannot be provided in the Bill." We are here to amend legislation and to protect the public. If we think it is for the good of the State to put a thing into a Bill, we have every right, whether it is tin-pot or not. Referring to the Minister's remarks about Subsection (3) of this section, there is nothing to give the people the right to resubmit such appliances to the commission. Mr. Craig said too much responsiblility was placed on the inspector to make such a decision. I assume the commission will appoint an inspector who is a fully qualified electrician, and one who will know whether an article is faulty or dangerous to use. It is quite possible for an inspector to issue a notice under Section 33C prohibiting the use of an article without giving any reason. What then would the owner of the article do but throw it into the dustbin? The inspector, under this provision, is not bound to give any reason in the prohibition notice.

Hon. A. F. GRIFFITH: I refer to Subsection (3), mentioned by the Chief Secretary. There is nothing wrong in the amendment because an article is either approved, not approved, or deferred. On the question of responsibility, raised by Mr. Craig, surely an inspector of the S.E.C. is capable of accepting responsibility! He examines the appliance, and, in accordance with the Act, he has to approve, not approve, or defer its use or sale. If it is deferred, why cannot the inspector say that the electrical appliance specified in the notice is of such a condition that it can be repaired? Otherwise there would be no need for including the word "deferred."

Hon. H. S. W. PARKER: Mr. Baxter's amendment, so far from achieving what he desires, will make the position rather more difficult. If an inspector declared an article in use in my kitchen to be dangerous and I had it repaired by an electrician, the commission obviously would agree that it was satisfactory. Under the amendment, I would have to get a certificate in writing stipulating that the appliance was good for a specified period. Probably the period would be three months or six months, and then I would have to get another certificate. Once the appliance had been repaired, the commission could not refuse permission for it to be used. The amendment would throw a greater onus on the person possessing the appliance than the Bill would.

Hon. N. E. BAXTER: There is nothing in the Bill providing for an appliance to be repaired or resubmitted to the commission. The commission would have only the word of the owner that the appliance had been repaired, and the owner would leave without any written authority permitting its use. Thus the owner would be liable for committing an offence. The amendment would be a safeguard for the person concerned as well as for the commission.

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

Ayes	11
Noes	15
Majority against	4

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. A. R. Jones	Hon. E. Hearn
Hon. L. A Logan	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. J. G. Hislop
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. Craig	Hon. A. L. Loton
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. R. J. Boylen
Hon. E. M. Heenan	*(Teller.)*

Amendment thus negatived.

Hon. H. K. WATSON: The proposed new section 33D provides that where a company is convicted of an offence, the chairman and every director or member of the governing body and every officer concerned in the management is guilty of an offence unless he proves that it took place without his knowledge or consent. That provision is far too sweeping. If the company is convicted, nothing more is necessary. The others should not automatically be held guilty. I move an amendment—

That the proposed new Section 33D be struck out.

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

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.31 p.m.

Legislative Assembly

Tuesday, 1st December, 1953.

CONTENTS.

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

QUESTIONS.

HARBOURS.

(a) As to Finances, Fremantle and Outports.

Mr. HILL asked the Premier:

(1) Has he noted that Return No. II presented with the Estimates shows—

(a) Fremantle harbour surpluses, £73,693, and

(b) Bunbury harbour deficiencies, £90,627?

(2) Did he, when attending the recent South-West conference, draw attention to the rapid and serious deterioration in the finances of the Port of Bunbury?

(3) Did the South-West conference suggest means to improve the financial position of the Bunbury Harbour Board?