

MOTION—FEDERAL TARIFF.

Debate resumed from the previous day on the following motion by Mr. Doney:—

That in the opinion of this House the present protective tariff by its harsh effect on the primary industries has a highly injurious bearing on progress in this State, and consequently stands in need of an early and drastic downward revision, and that this resolution be forwarded by this Government to the Federal Government.

MR. GRIFFITHS (Avon) [3.55 a.m.]: I am not going to detain the House for long, but I think this a most opportune time to pass the motion and send it to the Federal Government. Taunts have been flung across the House regarding freetrade, but I do not believe any member is a freetrader. What we want is some sanity in the tariff. As I say, it is an opportune time to pass the motion and so support the strong movement in the Eastern States for a revision of the tariff. Similar motions have been passed in many Eastern States centres, and I sincerely hope this one will be agreed to.

On motion by Mr. Kenneally, debate adjourned.

ADJOURNMENT, SPECIAL.

The **PREMIER**: I move—

That the House at its rising adjourn till 4.30 p.m. to-day.

Question put and passed.

House adjourned at 4 a.m. (Friday).

Legislative Council,

Friday, 4th December, 1931.

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**BILL—FINANCIAL EMERGENCY ACT
AMENDMENT.**

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [2.32] in moving the second reading said: The Bill provides amendments to Sections 14, 15 and 22 of the Financial Emergency Act. The first two are the really important amendments that have to be considered. Sections 14 and 15 of the principal Act deal with the application of what has been called the cut in the wages of workers outside the Government service. Hon. members will recollect that numerous applications are being made under those sections, and that orders have been made in many instances. The Arbitration Court, in making those orders, took a certain view as to the meaning of Sections 14 and 15—that the effect of a successful application merely applied the reduction of wages to the employees of the particular person who made the application. One result of that view was, of course, that if a man were in a particular industry and had not any employees engaged at a given moment, he could not make any application for the benefit of the Act. The effect was that a man operating in a particular industry in a desultory way, working at some times and not at others, was adversely situated. His competitors could make an application and secure a reduction, thus making it impossible for that man ever to start again.

There is an instance of one man who operates a timber mill from time to time, as he secures orders. When he secures an order he opens the mill, engages men, and sets about the work before him. At the time when the timber millers applied for a reduction, his mill was not working. Therefore he could get no order, according to the view of the court. On the other hand, all the timber millers who were working obtained orders. That meant, practically speaking, that it was made impossible for that man to re-open his mill, because he could not have the advantage of the reduced rate of wages and was afraid to tender for a contract on any basis other than the old rates of wages.

One of the unions took an even narrower view of the meaning of the two sections. That view was that the order of the court applied only in favour of the particular applicant, and only with respect to the persons employed by that applicant at the moment of the order. The union moved the Full Court of the State

The **PRESIDENT** took the Chair at 2.30 p.m., and read prayers.

for an order of prohibition to prevent the Arbitration Court from making any order that extended beyond the workers actually employed at the moment of the order. The application came on for hearing before the Full Court in due course; and the Full Court refused the application, expressing the opinion that the meaning of the two sections of the Act was that whenever successful application was made, the result of the order was that the award or industrial agreement—the two amount to the same thing—itsself was varied; that is, that the variation applied to every employer and every worker covered by the award. On the following day the learned President of the Arbitration Court made a statement in which he indicated that he disagreed with the finding of the Full Court and did not propose that the Arbitration Court should be bound by that finding. In expressing that opinion, the Attorney General believes he was technically and legally right. The Attorney General does not think that the finding of the Full Court actually does bind the Arbitration Court.

Hon. J. Nicholson: But I thought there was some amendment of that expression of opinion by the Attorney General.

The CHIEF SECRETARY: No. The Attorney General agreed that the President of the Arbitration Court was technically and legally right. So now the position is that the Full Court has expressed one clear and definite opinion on the meaning of the two sections, and that the President of the Arbitration Court has stated that he thinks to the contrary. That, to my mind, is an invitation to persons concerned to litigate further on the matter; and it seems to me there is a distinct possibility of the exact meaning of those two sections being left in doubt for a considerable number of months. Any person concerned could appeal first to the Full Court of Western Australia, and then to the High Court of Australia, which would mean a delay of perhaps five, six, seven or even eight months.

The Act is in its very essence a temporary emergency measure. It is designed to meet a set of circumstances that we hope will not last longer than the end of next year. Moreover, the Act is designed to meet a set of circumstances that must be met quickly and promptly, if at all. Hence it appears to be the duty of the Government of the day to see that there is complete certainty at the earliest opportunity.

The first portion of the Bill is intended to put beyond any possibility of argument the meaning of Sections 14 and 15 of the Act in accordance with the view expressed by the Full Court, except that the Arbitration Court must satisfy itself that the application for an order for the reduction of wages is supported by employers employing a majority of employees working in the industry in respect of which the order is applied for. A further provision has been inserted to the effect that the court may, for good reason shown, limit the effect of any variation in an order to an individual employer, employers, groups of employers, or to any industry or branch of an industry. There are numerous very small amendments to Sections 14 and 15. If they are carried, no one can possibly argue that the two sections mean other than what the Full Court has held they do mean.

Another matter dealt with in the Bill I think hon. members will not regard as contentious. The Act provided for a compulsory reduction of interest. Hon. members will recall that as the measure was first presented in another place, there was no straightout flat reduction of interest. In that regard, power was given to any mortgagor to approach the court and obtain, if the court thought fit, a 22½ per cent. reduction of interest payable under his mortgage. That was altered by another place, and the reduction of interest was made a statutory one, and the mortgagee was given the right to go to the court, and, if he could, demonstrate that the cut should not apply in his particular case. Unfortunately, in the process of changing from one method to the other, Section 22 of the Act was not properly framed, and therefore Clause 4 of this Bill proposes to substitute a new Section 22, which will be more in accordance with the changed method of dealing with the question of the reduction of interest.

Furthermore, Parliament has not adequately dealt with the case of a mortgage where the repayment of principal is mixed up with the payment of interest. I refer to a case in which there is no definite repayment of principal and no definite payment of interest, the two being blended in a weekly payment. Such a case is not adequately dealt with by the Act as it now stands. The proposed new Section 22 is intended to deal with the situation and make quite clear what is to be done in circumstances of that sort.

In bringing down this Bill and dealing with Sections 14 and 15, the Government

are not presuming to express an opinion on the merits of the views held by the Full Court and by the President of the Arbitration Court, respectively. There are four gentlemen concerned in those two different views, all of them able and honourable men who are entitled to take different views. I move—

That the Bill be now read a second time.

As to Adjournment of Debate.

Hon. J. M. Drew: Early this morning, just after the sitting had been suspended, I asked for a copy of the Bill, and was informed that one would not be available until this afternoon. I have just picked up my copy, and have had no time to study it. The measure deals with highly important subjects—industrial matters and mortgages. I cannot cast an intelligent vote on the Bill unless these matters are fully elucidated in Committee.

Hon. E. H. Harris: Members are in a difficult position. This morning I also did what Mr. Drew did—endeavoured to get a copy of the Bill. Like him, I failed. I have just inquired for a copy of the principal Act, and am informed that copies will be made available from the Government Printing Office in the course of half an hour.

Hon. J. Cornell: There are only two copies of the Act in the Chamber.

Hon. E. H. Harris: I suggest to the Leader of the House that as soon as copies of the Act are available, the debate can proceed.

The Chief Secretary: Perhaps it would suit hon. members better if the debate were adjourned until a later stage of this sitting.

Hon. J. Cornell: That is the only thing we can do.

The Chief Secretary: I think that is the best arrangement.

Hon. J. NICHOLSON: I move—

That the debate be adjourned until a later hour to-day, to be fixed by the Leader of the House.

Motion passed, the debate adjourned.

**BILL—HOSPITAL FUND ACT
AMENDMENT.**

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [2.43] in moving the second reading said: The main purpose of the Bill is to deal with Sections 11 and 12 of the

principal Act, which provide for hospital benefits being available in certain cases. Those sections, in practice, have proved to be inequitable. The Act provides that a single person receiving less than £150 per annum, or a married person receiving less than £230 per annum, shall be entitled to free hospital treatment. But the Act does not go on to say that a patient's capital may be taken into consideration when a decision is made as to whether or not free hospital treatment should be given, and in consequence the Act has been exploited by some persons possessing estates and yet not earning more than the amounts previously mentioned. For instance, the department had one case in which a person had capital of over £2,000, but during the 12 months preceding entry to hospital had earned less than the amount specified. In that case free treatment was claimed, and the department had to grant the hospital service without any charge. Obviously that is unfair, and I am confident that Parliament never intended that free treatment should be afforded in such a case.

At present a hard and fast rule is laid down in Section 11 that a man who has, for instance, earned £228, pays nothing for hospital services, and a man who has earned £232 pays full fees, and in consequence there is free treatment on the one hand and liability for full fees on the other, even though there is a difference of £4 only in the earnings of the patients. Take two patients side by side in a hospital; one in receipt of £230 a year, and owning a house; the other receiving £250 a year, without owning house property. The man on £250 a year is worse off than the man in receipt of £230, in that he has to pay the tax whilst the other does not pay. One man receives free hospital treatment, and the other does not. While, on the face of it, Sections 11 and 12 provide a benefit that appears to be deserved, in practice it has proved to be more inequitable than the previous system that operated under the Act of 1927, when every person receiving hospital service paid what he could reasonably afford. Under the 1927 Act an indigent person paid nothing, but a person who could afford to pay full fees paid accordingly, and, in practice, there was infinite gradation between those two points. Under that system the department, in respect to Government hospitals, and the various hospital boards were reasonably efficient in the collection of fees, and complaints of any unfairness or harsh treat-

ment were rare, or, on investigation, they were invariably proved to be unjustified. The net result of the clause in the Bill will be to revert to the former practice, and the hospital board concerned will have power to fix the amount due by a patient, after taking into account his financial position and family responsibilities. To-day, because of the hard and fast provision in Section 11, a married person in receipt of £228 per year can obtain free hospital treatment, whereas a man on £232, with a family of nine children, cannot obtain free treatment. Should it happen that a hospital authority is unjust to a patient, then, if it proceeds by legal process to collect from him, the court has power to fix the amount considered reasonable. That is provided for in paragraph (b) of Clause 2. I am sure members will agree that the clauses in the Bill are more equitable to the community, as well as to the hospitals, than the present provision in Section 11.

The Bill also contains a clause by which, it is hoped, donations to hospitals will be encouraged. By it the Commissioner of Taxation will be permitted to rebate to the taxpayer under the Act, any donation he may have made to a hospital. If a person, either by instalments or in one amount, makes a donation to a hospital and if he desires that it be taken into account in connection with his assessment under, or his contributions to, the hospital fund, then he may make application to the commissioner and may have his donation credited against his liabilities under the Hospital Fund Act, or, if he has paid the donation by weekly instalments, he may, on application, receive a refund from the Commissioner of Taxation. When the Bill is in Committee, I shall move for the deletion of Subsection (3) of proposed Section 11A. In that subsection, it is proposed that a person shall not be entitled to costs in a court case if he has not already intimated to the hospital authority that he claims exemption from the payment of hospital fees. The subsection would introduce a new principle in that whether or not a person won or lost a court action, he would have to pay costs. After a re-consideration of the proposal, the Government are convinced that it would be wrong to persist in it. It is unsound and I shall seek its deletion when the Bill is in Committee. I move—

That the Bill be now read a second time.

HON. E. H. GRAY (West) [2.50]: I regret that we were not able to receive the Bill

at an earlier stage because it contains some important amendments and we have not had a fair opportunity to study them so as to give a definite opinion regarding their effect. I have firm views as to the wisdom of amending the Act at the present juncture, because that measure has not functioned in normal times. I have been able to study the position from the change-over until the present time and, in my opinion, the people of Fremantle have been greatly disadvantaged. The Chief Secretary referred to the power exercised by a hospital board. As a matter of fact, such a board possesses no power to do anything at all. Unless new regulations are issued in substitution for those at present in operation, boards will have no power even in respect of the collection of fees. From time to time I have expressed intense indignation at the way the hospital fund has been administered at Fremantle. The hospital there is a large institution and may be taken as a fair example to illustrate the administration of the Act. I consider people have been imposed upon. The policy of the department has been to collect fees irrespective of whether the patients or their relatives could claim exemption. My experience has been that wherever possible the department has insisted upon the payment of fees, and have been guilty of some shady transactions. I have known of instances in which decent people have been placed in an invidious position. The husband, for instance, may have lost his employment and has had to obtain sustenance. Owing to sickness in the family, the facilities of the hospital have had to be availed of and, in such instances, the gun has been put into the persons concerned. Rather than be placed in the position of indigent persons, those people, not caring to stand up against the hospital secretary or his officers have, in some instances, paid away all the money they possessed and have had to apply to the local relief committee for sufficient money to tide them over until the next sustenance payment was made to them.

Hon. Sir William Lathlain: Would not a man in receipt of sustenance be exempt from the payment of hospital fees?

Hon. E. H. GRAY: Yes, he is exempt now, but the policy of the department has been to collect money and to exert as much pressure as possible. Many of the people who have been affected in that way are those whom I class as the most decent people, those who desire to pay if they think they are expected to pay. That position was altered recently, but nevertheless I do not

think the Bill should have been introduced at this stage of the session. Of the patients who have passed through the Fremantle hospital, upwards of eighty-five per cent. have been unemployed. Thus it has been impossible to get a fair idea as to the operations of the Act or of the amount of money we are likely to receive from the hospital tax under more normal conditions.

Hon. J. J. Holmes: The Bill will not affect the unemployed.

Hon. E. H. GRAY: It will affect the working people.

Hon. W. H. Kitson: And it affects the unemployed very seriously.

Hon. E. H. GRAY: In view of the administration of the Act in the past, I am rather afraid of the effect of the amendments. We would act wisely if we refused to pass the second reading of the Bill and so gave the Act itself an opportunity to operate for a longer period so that we might ascertain whether or not it required amendment.

The Chief Secretary: The Bill will not affect those concerning whom you have spoken.

Hon. E. H. GRAY: I think it will. The Minister was right in saying that people who possessed capital should be expected to pay hospital fees, but I am afraid the Bill will give rise to hardship where those who have no capital are concerned. Patients or their relatives will be subject to an inquisitorial examination and rather than face court proceedings, most people will prefer to pay what is demanded of them. I think the principle underlying the amendments is dangerous. Although the Government may lose revenue in some instances, I believe in the long run the effect of the Bill will be to cause greater hardship than benefit to be derived from the few extra pounds that will be collected. The measure represents rush legislation and we should not agree to it.

Hon. J. J. Holmes: The purpose of the Bill is to rectify rush legislation.

Hon. E. H. GRAY: Our hospitals have been crowded with patients and recently the women's and children's wards have been full to capacity with those suffering from the effects of unemployment. I cannot support any measure calculated to increase the load on those in receipt of the basic wage or less. I appeal to members to withhold their consent to the Bill and next session we may be able to form a better opinion as to the necessity for amending the Act.

Hon. A. Thomson: How much do the Government consider they are losing at present?

Hon. E. H. GRAY: I have no idea, but I should say the amount would be small.

Hon. W. H. Kitson: Not £100 a year.

Hon. E. H. GRAY: The inauguration of the hospital fund and the imposition of the hospital tax have been received splendidly by the people as a whole. The majority recognise that it is merely fair that they should contribute towards the upkeep of our public hospitals. Because of that, the change-over to the new system has been carried out very satisfactorily. We should hesitate to add to the burden unless we are certain that the amending legislation is necessary. The interests of those who are suffering as the result of unemployment but desire to pay what they recognise they should in the circumstances, should be conserved.

The Chief Secretary: That is the object of the Bill.

Hon. E. H. GRAY: On the contrary, I think it will add to the disabilities of those we desire to protect. I appeal to the House not to pass the Bill in the hurried manner the Minister proposes.

HON. J. J. HOLMES (North) [3.0]: I propose to support the second reading. Mr. Gray has not uttered one sentence that could properly be construed to be antagonistic to the bill. Everything he said had to do with people whom the amendments will not affect. The hon. member referred to what happened at the Fremantle Hospital. I was a member of the board of that hospital for many years.

Hon. E. H. Gray interjected.

Hon. J. J. HOLMES: I do not know, but I hope the standard of honesty amongst the hospital patients has improved, for they were out to beat us every day in the week. We have even known people of affluence change into old clothes when coming to the hospital for treatment. It is that class that should be made to pay. The hon. member said that because of the unemployed it was a bad time to introduce legislation such as this. In my view it is the very time for such legislation, when people who can pay should be made to pay in order that the unemployed and sick and destitute shall have the treatment to which they are entitled. One of the duties of the Government is to look after the health of the people, and they can only do it by collecting fees from those who can pay. The hon. member said this would impose an increased burden on the people. But it will impose a

burden only on that section that are able to pay; it gives the authorities power to make such people pay. This is not rush legislation, as the hon. member termed it, but legislation to rectify mistakes made in the early part of the session when we rushed legislation through without due consideration. Experience has revealed defects in the Act, and the Bill is merely to rectify those defects. I will support the second reading.

HON. G. FRASER (West) [3.3]: I am surprised that one of the members of our new party should say this is not rush legislation. I have been here for three or four sessions, and I think this is the first occasion on which the hon. member has not at this stage of the session protested against rush legislation. To-day he is on the other side, declaring this is not rush legislation. Here we have a measure introduced in the early hours of this morning, and now being carried straight through to the end. If this is not rush legislation, I do not know what is. Since the hon. member has not raised his customary protest, I will. I say it is not fair that at this late hour of the last day of the session legislation should be introduced, and members expected to understand it and pass it. Mr. Holmes suggested there was nothing in the objections raised by Mr. Gray. I, too, want to raise objection to certain clauses. Clause 3 deals with persons notifying their intention to claim exemption from payment of hospital fees. That clause will impose great hardships on people who must have hospital treatment. Under the existing Act a person receiving less than a certain wage is granted free hospital treatment on the score that he is contributing to the hospital fund. But under the clause every person, notwithstanding that he is contributing to that fund, will have to go before an official of the hospital and subject himself to an inquiry into his own circumstances. Is it right that a hospital official should be empowered to go into the affairs of a sick man? Patients will be taken from their beds to the secretary's office and will there be subjected to third-degree methods in order that the official may judge as to whether or not they can pay for hospital treatment. The existing Act has been of very great benefit to certain sections of the community, especially those who cannot afford to pay for hospital treatment. Under the clause, however, we shall be going back to the old method and leaving it to offi-

cials to say whether or not a patient is able to pay for treatment.

Hon. Sir William Lathlain: How will you overcome the case cited by the Minister?

Hon. G. FRASER: There are anomalies in all Acts of Parliament. I will assist the Minister in any endeavour on the lines he indicated, but I will not assist him to drag everybody within the scope of the Bill merely because one or two persons may be evading the Act.

Hon. J. J. Holmes: The patient, not the hospital secretary, has to move in the matter.

Hon. G. FRASER: The patient makes application for examination, whereupon his circumstances are thrown open to inquiry by an official.

Hon. Sir William Lathlain: Has not that always been done?

Hon. G. FRASER: Under the old method, yes; but all that disappeared with the passing of the existing Act. Under the Bill a man claiming exemption from payment will be subjected to third-degree methods.

Hon. Sir William Lathlain: Only if he owns property.

Hon. G. FRASER: Many property owners in the community are very much worse off than many who have been out of work for the last twelve months. Clause 3 should not find favour with members. The Bill contains other amendments to the Act, but for lack of time I have not gone thoroughly into them. I do not like the provision that the court may grant exemption either in whole or in part. It is entirely wrong. We shall have the spectacle of a man drawing only a few pounds per annum having to pay some part of the hospital fees, when as a matter of fact he should not be asked to pay at all. It is entirely wrong, and I trust the Chamber will not support the Bill.

HON. J. M. DREW (Central) [3.10]: I have had only a few minutes in which to go through the Bill, but in that time I have come to the conclusion that it means a lot more than the Chief Secretary has represented. The Collier Government introduced a hospital Bill under which all were to contribute to the hospital tax and to receive benefit. This House decided that Bill was too generous. But what does the Bill before us mean? It means we are going back to where we were ten years ago. Under it there will be absolutely no benefit conferred, and nobody except paupers will be entitled to free hospital

treatment. If the Bill becomes law, anybody with means will be liable to be prosecuted in court. A man not on sustenance, and perhaps with only £20 or £30 in the savings bank, maintaining himself out of those savings, may find that a member of his family has to go into hospital. Immediately afterwards there will be an inquisition as to whether that man possesses means. Of course he possesses means, for he has a balance of, say, £25 in the savings bank. The minions of the law will come down on him and that money will be seized, leaving him penniless. He is placed on the plane of an ordinary debtor. People who have had to avail themselves of hospital treatment will be taken to court, and though they plead that they have no means, if it be found that they have a little useless property, scarcely capable of being converted into cash, they will be forced to pay. A man 50 or 60 years of age, with a house of his own and perhaps £20 in the savings bank, will be made to pay under a judgment summons. The argument of the Chief Secretary is that men of property have been evading the Act.

The Chief Secretary: And we cannot make them pay.

Hon. J. M. DREW: It seems strange that a man of property with an income in excess of what is prescribed in the Act cannot be forced to pay.

The Chief Secretary interjected.

Hon. J. M. DREW: I have been dealing with owners of property of small value. If the Government wish to get at big property owners, they should frame an amendment to meet that situation, but they should not collect in their net poor people who may own nothing more than a home or may have a small sum in the savings bank. I shall vote against the second reading. No justification has been shown for the introduction of the Bill. A solitary instance has been given of how it would be possible for someone with a large amount of property who had earned nothing in the preceding twelve months, to secure the benefit of free treatment, but that hypothetical case will not influence me. It might be advisable to make provision to meet such a situation, but in order to do that we are asked to deprive everybody of the rights and privileges conferred by the Act.

HON. A. THOMSON (South-East) [3.16]: If the Chief Secretary had given us an idea of the amount of which the Government considered they were being de-

frauded, one might have felt inclined to support the Bill.

Member: How long has the Act been operating?

Hon. A. THOMSON: Twelve months.

Member: No, only 11 months.

Hon. A. THOMSON: If the Government wished to amend the Act, they should have presented the Bill at an earlier stage of the session. Members have not been given an opportunity to consider whether the measure will or will not do an injustice, or whether it will protect the people who are entitled to protection. Hospital authorities have lately been chasing debts that to all intents and purposes were written off years ago, and have been harassing people because they have been fortunate enough to improve their positions a little. That is one of my objections to considering the Bill without having an opportunity thoroughly to study it.

Hon. Sir William Lathlain: If your friend went into a private hospital, would he not have to pay?

Hon. A. THOMSON: At the time he entered a public hospital he was not in a position to pay. If any man was entitled to the benefit of free treatment, he was, and that fact was recognised by the department at the time. The man was not harassed until some years afterwards, and this despite the fact that I had a definite assurance from the secretary of the Health Department that the claim would be waived. I have another grievance against the Bill. It relates to a matter that affects country hospitals.

Hon. J. J. Holmes: It is not the Bill you object to: you are ventilating your grievances?

Hon. A. THOMSON: If my district has a grievance, I will take the earliest opportunity to ventilate it. Let us consider the position of hospitals in towns like Katanning, Wagin and Collie. It was the policy of previous Governments to give a pound for pound subsidy for the erection of hospitals in country districts. Under that arrangement the Katanning Road Board accepted a very heavy financial responsibility. We now have a hospital of which we are proud: the medical service is good, and major operations are performed there. Hospitals in the metropolitan area are subsidised by the Government, but not one ratepayer in the metropolitan area is contributing towards half the cost of constructing the hospital. Yet that condition is imposed upon country people. The ex-Minister for

Works and the ex-Minister for Health visited Katanning, and when they saw the deplorable conditions, they undertook that if the district found half the cost of the hospital, the Government would erect one. The district accepted the responsibility of finding between £6,000 and £7,000.

The Chief Secretary: How can you connect that with the Bill?

Hon. A. THOMSON: It shows that further consideration is necessary before we amend the Act. We should not tinker with the Act at this stage.

Hon. J. J. Holmes: I think you are showing that those people who can pay should be made to pay, and that is what the Bill provides.

Hon. A. THOMSON: The hon. member lives in the city.

The Chief Secretary: On a point of order I wish to direct attention to the fact that the Bill is one to amend Sections 11, 12 and 13 of the Act, and that the hon. member is dealing with something foreign to the Title of the Bill.

The PRESIDENT: I understand that the hon. member is arguing that the Bill ought to go further than it does. Of course there is a limit to which that argument can be pursued, but I think he is merely referring to that aspect incidentally.

Hon. A. THOMSON: I am endeavouring to show that the Bill should not have been introduced at this late hour of the session. Provision is made in the Bill to permit of contributions to hospitals being allowed as deductions. The Government, however, refused to accept an amendment tabled in another place that would give the people of Katanning relief. We were grateful to the ex-Minister for giving us an opportunity to provide hospital accommodation in the district. We now have what is known as a base hospital and patients come from hundreds of miles around for treatment. The rate-payers of Katanning, however, have to contribute each year to a fund to redeem their half of the capital cost of the hospital. One might fairly assume that it would have been reasonable for the Government to accept the amendment proposed in another place by the member for Katanning. It provided that the people of Katanning should be entitled to deduct the amount contributed towards the capital cost of the hospital. That has been refused, although the Bill makes provision to treat donations to hospitals as a deduction. I approve of that, but I can-

not understand why the Government refused to grant relief in the other direction. I have a duty to perform to my district, which is suffering an injustice under the Act. The Government must have known for some time that such legislation would be introduced. It is not a Bill to provide for something that has been suddenly sprung upon the Government. There will always be some people who will evade the payment of their just dues, but to bring down in the closing hours of the session a Bill to amend an Act that imposes taxation on the people is not fair. I shall oppose the second reading.

HON. SIR CHARLES NATHAN (Metropolitan-Suburban) [3.26]: With me this discussion could be narrowed down to a very fine point. Members should cast their minds back to the discussions on the original measure. Unfortunately we have not had time to look them up, but I have a vivid and, I believe, correct impression of what took place. I remember that many members, including Mr. Gray, objected to the hospital tax. I myself remember voicing certain objections to it, and eventually agreeing to the Bill on one specific count. If I remember my objection correctly, it was that a strain would be thrown on the hospitals, and the hospital committees on account of the necessity for giving free treatment, and we had from the Minister, if not a complete assurance, a sufficient assurance that the money required would be obtained from the hospital tax.

Hon. G. Fraser: Our objection was that the Government were prepared to take money from the people and not render any service.

Hon. Sir CHARLES NATHAN: The objection of the hospital committee in Perth was the immense responsibility that would be cast upon them by the free ministration they would have to give. I can almost recall my own words on the subject. I said, "That would clearly be the responsibility of the Government. If the hospital tax is going to throw on you responsibilities which you feel you cannot shoulder, and if you are compelled by legislation to shoulder them, then it will clearly be the duty of the Government to provide, out of Consolidated Revenue or by some other means, enough money to enable you to carry on." The Act has been in operation only a few months, and the very position that the committee of the Perth Hospital feared would arise has

arisen. The number of patients for whom they have to provide free treatment is such that the hospital is apparently not getting sufficient revenue, and we are asked at this late stage to pass the Bill to rectify the matter. I propose to vote against the Bill, and thus throw on the Government the responsibility of presenting, at as early a date as possible, some information of what has happened under the Act—the amount of tax that came from the levy, the expenditure, and the cost of free treatment. With that information I would be prepared to consider such amendments as may be deemed necessary for the more equitable maintenance of the hospitals, but I am not prepared to be carried along practically step by step, as we apparently are being carried along, first of all to vote for the imposition of a tax under certain conditions and then, when our fears have been softened, to find the very condition of affairs existing that some members and some hospital committees foresaw, and then to be asked for a re-imposition of charges on certain people who are already bearing the tax. Therefore I shall vote against the second reading.

HON. W. H. KITSON (West) [3.30]: Sir Charles Nathan has somewhat accurately summed up the position. On two previous occasions we had lengthy debates upon the Hospital Fund Bill. Some members preferred to call it a benefit fund Bill, because those who were compelled to contribute were to be entitled to some benefits for that which they paid. When the Act of 1930 was before us the Leader of the House put forward the argument that it was not possible to give free treatment to everyone who contributed because the fund would not be sufficient to meet the expense. Figures were, however, quoted to show that there would be sufficient to provide free treatment for certain classes of persons who were to be determined by their annual income.

Hon. J. J. Holmes: Irrespective of any other means?

Hon. W. H. KITSON: Yes. I have sufficient confidence in the average person, who has a larger income than that which he earns from physical exertion, to believe that only in exceptional cases would he take advantage of legislation of this kind. I understand the Government rely upon two cases to support their contention that there should be an inquiry into the resources of everybody

who is asking for free treatment. In the former case the patient was found to have an equity in a property, amounting to about £2,000. During the year that individual did not earn the minimum figure mentioned in the Act, and was therefore entitled to free treatment. The hospital authorities thought he should pay, and I agree that he should pay provided he had the money available. The Chief Secretary does not say whether the equity of £2,000 was realisable or not, or whether the individual could raise the money to pay his fees at the time. The other case refers to an individual who was injured in an accident. The insurance company refused to pay the hospital fees, because the victim of the accident had not earned the requisite amount during the year. Because the company refused to accept responsibility for the payment of the fees, the Government declared their intention to amend the Act. I know of no other cases than these. The Chief Secretary has made a statement that he will find it hard to substantiate. He said that proceedings were not taken against these individuals because the Government had not the power.

The Chief Secretary: I did not say that.

Hon. W. H. KITSON: Then I must be losing my senses. Section 11 of the parent Act says that, "Notwithstanding Section 33 of the Hospitals Act, 1927, every married person contributing," etc. It then goes on to deal with the exemptions. The provisions of Section 33 of the Hospitals Act, 1927, give the hospital authorities or the Government the right to sue for payment for services rendered by public hospitals. The Bill before us, however, is one to amend the Hospital Fund Act and not the Hospitals Act. The measure is being utilised to make it compulsory for every person who wants free treatment at a public hospital practically to declare that he is a pauper. When I agreed to the Hospital Fund Bill I was under the impression that those who contributed to the fund would receive some benefit, particularly when their incomes were very small. I objected to the limitations that were imposed, as I thought they should have been higher, but my objections were overruled. The Government desire to remove the provision for free treatment, and to turn the Act into a revenue-producing measure rather than a benefit fund Act, as it was intended to be. Originally it was proposed that everyone who contributed to the fund should receive benefits. We went so far as to say it

would be necessary to provide intermediate hospitals or intermediate wards at existing hospitals. Figures were produced which satisfied me that the fund would provide sufficient money to do what it was claimed it would do. The present Act does not go as far as that, and now we have this amendment asking the Chamber to wipe out the provisions which gave the workers some benefits for the money they were compelled to pay. An effort has been made to induce the Commissioner of Taxation to agree to the money that is paid into the fund being deducted from the income tax of the person making the payments.

Hon. A. Thomson: That is fair.

Hon. G. Fraser: That was the original intention of Parliament.

Hon. W. H. KITSON: I understand the Commissioner has ruled that these deductions cannot be made because this is a benefit fund and not taxation in the ordinary sense. I agree that that position should be rectified. So seriously, however, do I view the other amendments that I propose to vote against the second reading. The parent Act should have remained longer in operation before the Government sought to amend it. Most of the people affected are of the working classes, who are suffering severely from the depression. If all the hospital authorities took the action that has been taken in some cases recently, it would mean that if a worker was possessed of a home valued at a few hundred pounds, this would be considered *prima facie* evidence that he was possessed of means and must pay for his hospital treatment. Those things that have occurred at Fremantle have occurred elsewhere. I have personal knowledge of some of the cases referred to by Mr. Gray. There is room for more sympathetic administration in the case of some of our hospitals, but I am afraid this Bill will not bring that about. I oppose the second reading.

HON. J. CORNELL (South) [3.43]: I do not profess to be an authority on hospital finance and administration. The general impression is that this Bill is loaded. I am not of that opinion. Mr. Kitson said that, under the Hospitals Act, 1927, the authorities had power to sue. If that is so, Section 11 deprives them of that power, even if it is suspected that people are getting away with something they have no right to get away with. It cannot be put over me that some people who enter public hospitals do not get away with something that they ought not to

get away with. I have lived too long and crossed too many dry creeks not to know otherwise. Within a stone's throw of my own house in this metropolitan area I know of a case where a person earning £8 per week received hospital treatment gratis. That is the type of people we want to get at.

Hon. E. H. Gray: The proportion of such people is very small.

Hon. J. CORNELL: According to my experience, it is large. The remark does not apply to the poorer section of the community. It applies to a greedy section of the community.

Hon. W. H. Kitson: No one would object to such people being caught.

Hon. J. CORNELL: The need for the Bill arises out of the fact that the parent Act has some weakness which prevents those people from being caught. Otherwise there would be no need for the proposed amendment. If there is a loophole through which unscrupulous persons can escape, we should provide means of catching those persons.

Hon. W. H. Kitson: So long as the rights of other people are not prejudiced.

Hon. J. CORNELL: It is not proposed to prejudice any rights. Under Section 11 of the Act a married man in receipt of less than £230 a year—a fairly good salary in these days—and a single man earning less than £3 per week are exempt.

Hon. G. Fraser: After the third degree has been put on them.

Hon. J. J. Holmes: Why should not the hospital authorities ascertain the position of those people?

Hon. J. CORNELL: Exemption is to be either wholly or in part under this Bill. There should be some section of the Act under which the authorities can claim with a reasonable chance of succeeding. In practice there is no difference whatsoever between hospital authorities trying to get at some fellow who has got at them, and the Commissioner of Taxation going after a chap who has tried to put it over him. That, I take it, is all that is intended. If, as asserted, there is an intention to harass other people, what drafting of a Bill can overcome that situation? It is well known that Acts of Parliament are drafted so as to catch the most unscrupulous. If they were not so drafted, probably no one would be roped in. In administration the Acts do not affect the scrupulous person. The machinery is there to catch the unscrupulous. That is all that is asked for here. I see no reason why hospital authorities, working un-

der an Act of Parliament and having reason to doubt that I, as a married man, receive less than £230 a year, should not have power to test my assertion. Failing such a right, nobody could be caught. I see less objection to this provision than to that provision under legislation for the prevention of gold stealing, which requires a man with a bit of gold on him to prove where he got it. The people who catch him have not to prove where he got it. The result of the provision is that the person always fails to establish a satisfactory explanation, and that generally he gets six months. Coercion is one of the features of the law. The remainder of the Bill provides that an individual who makes a donation shall receive credit for it. If the Bill sought to reduce the minimum income in the case of either the married or the single man there would be some ground for argument; but I see no reason why hospital authorities should not have the same inquisitorial powers as the Commissioner of Taxation possesses.

HON. E. H. H. HALL (Central) [3.51]:

I have every sympathy with the Health Department in their endeavour to ensure that all inmates of public hospitals should pay for treatment if they are able to do so. At the same time, in view of the exceptional period through which the State is passing, I am reluctant to vote for the second reading of the Bill. In fact, my vote will depend upon the Chief Secretary's reply to the good arguments advanced by various hon. members this afternoon. It has been said that the Health Department have been unable to collect any fees from patients in public hospitals who had substantial equities in properties. Mr. Kitson and hon. members sitting near him, speaking principally in behalf of what they termed working class people of Fremantle owning homes, argued against the Bill. It is the duty of members representing agricultural districts to bear in mind that many primary producers supposed to have substantial equities in properties worth £5,000 or £7,000, are hard put to it to-day to pay their railway fares to Perth in search of hospital treatment. While many farmers have substantial equities in their properties, they cannot possibly find money to pay for hospital accommodation or even the necessities of life. Having had years of close association with hospital administration in the Geraldton district, I wish to reply to some of Mr. Thomson's statements. Hon. members are aware, but may momentarily

have forgotten, that hospital accommodation in the older towns such as Geraldton, Albany, York and Fremantle has been provided out of Consolidated Revenue, without the local people being called upon to provide one penny. The hospital situation is entirely different in the agricultural areas and on the goldfields. When the Governments of the day were asked whether they could not provide those people with hospitals, the reply was, "Yes, we can; but you must do something for yourselves." If the amendments in the Bill are agreed to, it may be—though I do not say it will be—that unsympathetic administration may result in local court proceedings being instituted against a man who is unable to pay, but who in the past has helped to provide the very hospital in which he has received treatment. I do not wish that to happen. From personal experience I know that rotten trait in human nature which seeks to obtain everything that can be got out of the Government for nothing. I do not wish people who receive hospital treatment and are able to pay for it, to be allowed to evade what I may term a sacred responsibility. I go with the department as far as I possibly can; but I urge that the farmer, who is carrying the big burden to-day, should not be unduly harassed for payment of hospital fees when he has not the money.

HON. H. SEDDON (North-East [3.55]:

I have listened with interest to the debate on this Bill, and I give my hearty support to the amendments which the measure proposes. The contention has been advanced, and rightly, that many people take advantage of every opportunity to evade the responsibility of paying for hospital treatment.

Hon. J. Cornell: And everything else, too.

Hon. H. SEDDON: Yes. Several cases in which there was supposed to have been hard dealing by the hospital authorities were brought under my notice. Almost invariably I found, on investigation, either that the Health Department had not been made fully acquainted with the facts, or that the circumstances had been misrepresented to me. In all cases there is a sympathetic attitude on the part of the authorities. In those circumstances, and realising the difficulties with which the Government are faced by reason of the extraordinary situation which has seriously reduced the returns from the hospital tax, I consider it my duty to assist the Government to meet their responsibilities. I support the Bill.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East—in reply) [3.57]: It is usual at the close of a session to find the last Bill submitted described as rush legislation. However, some Bills have to be presented at the close of the session. This measure happens to be one of them.

Hon. G. Fraser: Such an important Bill ought not to have been presented at the close of the session.

The **CHIEF SECRETARY**: Hospital Bills on the lines of this measure have been before Parliament for years. A member who has been here as long as Mr. Fraser should be well acquainted with such measures, and should be able to deal with the three small amendments which this Bill proposes. Mr. Gray, again, has sat on a hospital board. He should be the last to take exception to these amendments. Neither the Health Department nor the hospital authorities can be charged with meting out harsh treatment to patients. Such a charge could only be advanced in some isolated case where false information has been given.

Hon. E. H. Gray: Such treatment is the general rule.

The **CHIEF SECRETARY**: I have never heard of harsh treatment. Perhaps it is the general rule in the hospital with which Mr. Gray was associated. Not the Health Department but the hospital authorities collect the fees, and hospital authorities give sympathetic treatment to patients. We are told that if the Bill passes, patients will be dealt with harshly. In what manner? The effect of the Bill will be to make some people who have no right to free treatment pay for their treatment. The passing of the measure will protect such people as Mr. Drew, Mr. Kitson, Mr. Gray and Mr. Fraser have been championing. More funds will be available, and consequently it will be possible to do more for those people. The Bill is aimed at persons who evade the principal Act. The hospital authorities cannot prevent it, because the Act protects them. No hon. member would say that the time was not ripe to amend the Act so that the situation might be met. There are dozens of such cases, so I am credibly informed. We have been told that we are out for revenue. It is not a matter of amending a hard and fast rule which has worked inequitably. The object of the Bill is to correct anomalies that it was impossible to see before, but which experience has shown must be corrected. Merely because the time is short, why should we not take the oppor-

tunity to do what we propose? Should we allow the people who can afford to pay to go on without paying? Members will realise that all that the amendment seeks to do is to make those people who should pay contribute towards the upkeep of the institution by paying their just dues. The Bill will not inflict a hardship on any section of the community.

Question put, and a division taken with the following result:—

Ayes	..	..	..	..	16
Noes	..	..	..	..	6
Majority for					10

AYES.

Hon. F. W. Allsop	Hon. Sir W. Lathlain
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. J. Cornell	Hon. G. W. Miles
Hon. J. Ewing	Hon. J. Nicholson
Hon. J. T. Franklin	Hon. H. Seddon
Hon. E. H. H. Hall	Hon. C. H. Wittenoom
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. J. J. Holmes	Hon. G. A. Kempton

(Teller.)

NOES.

Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. G. Fraser	Hon. A. Thomson
Hon. W. H. Kitson	Hon. E. H. Gray

(Teller.)

Question thus passed.

Bill read a second time.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. J. NICHOLSON (Metropolitan)

[4.8]: The Bill seeks to amend Sections 14, 15 and 22 of the Financial Emergency Act. Section 22 deals entirely with the position of mortgagees, and the other two sections have reference to other matters; they relate to that part of the Financial Emergency Act dealing with the variation of contracts of service coming under Part V, Division II. In the amendments which appear in the Bill I find that the Bill presented to us differs somewhat from that originally presented in another place. Of course it is the right of the other Chamber to make any alterations members there may deem necessary. I propose to limit my remarks more or less to the amendments which have been made to the Bill as originally presented, because I think those amendments are

calculated to lead to much confusion and are not in accordance with the principal Act. We all know the conditions under which the Financial Emergency Act was passed. It was purely and simply an emergency measure, and when it was originally presented members will recall the fact that the Bill, among other things, provided for an automatic reduction in wages. After discussion, however, apparently the automatic scheme was changed, and another substituted which made it compulsory for employers to make an application to the court if they desired a variation of any award. In an emergency measure one realises that it would have been probably more expeditious and simpler to achieve the matter by dealing with it in the way the Bill was originally proposed. But we have to deal with it as it stands and now we find that by Section 14—one of the sections it is now proposed to amend—it is provided that any employer (not any body of employers) who is subject to the provisions of the Industrial Arbitration Act or who is bound by any award or industrial agreement made under the provisions of the said Act or any amendment thereof, and who is employing employees at a salary, wage or remuneration which is fixed either directly or indirectly by any such award or industrial agreement, may, notwithstanding any provision of the said Act, or any award or industrial agreement made thereunder to the contrary, by notice in writing to the industrial union concerned, reduce the salary, wages, or remuneration of his employees in accordance with the provisions of Part II. of this Act relating to officers, and at the rates of reduction prescribed in the schedule to this Act unless and until the President of the Arbitration Court otherwise orders. I wish to draw the attention of the House particularly to paragraphs (i) and (j) included in Clause 2. Those paragraphs will affect the right of any individual employer when making an application to the court to vary an award or an agreement. Subsection 5 of Section 14 of the principal Act provides that if on the hearing of any such application, the court is satisfied that the national emergency with which the State is faced, justifies it in making an order for a reduction of rates of salary or wages prescribed in an award or industrial agreement, then, notwithstanding the provisions of the parent Act and so forth, the court may make an order to vary the rates obtaining. Para-

graph (i) provides for the court being satisfied that the application for an order to vary is supported by employers employing a majority of the employees working in the industry in respect of which the order is applied for. I suggest that the effect of the amendment will create much confusion. It is inconsistent with the right already given to any employer to make an application to the court under Subsection 1 of Section 14. In effect, it will revoke the right of the individual employer and will compel each employer who desires to apply to the court for a variation to secure the support of the employers employing the majority of the employees in the particular industry concerned. In addition to that it will reverse the position regarding one of the outstanding features of the Industrial Arbitration Act, which is the provision that any award or agreement made a common rule in the industry becomes binding on all parties concerned. The clause is not reasonable. It will place an onus of a very unfair description on individual employers. We might ask, for example, whether in the event of an employer committing a breach of an award, the prosecuting union should not receive similar support from the majority of those concerned on the other side. No union in prosecuting for a breach would be required to secure similar support as that suggested in paragraph (i). I look upon that amendment as an undesirable proposal. It would throw the responsibility on to each individual employer, before proceeding for a variation of an award, to secure the joining of a majority of the other employers in the proceedings. The difficulty could be effectively overcome by the court itself exercising the powers already provided in the Arbitration Act to ascertain whether other employers would be joined in the application. As the Bill stands, it will effectively bar an individual employer from taking proceedings to secure the relief intended to be provided under the original Act, which depends entirely upon one condition, namely, that the national emergency confronting the State justifies the court in making an order for variation. It is not a question of whether the majority of the employers have joined in a particular application or not. Any single employer should be able to make application under the existing provisions of the Act. I trust hon. members will appreciate the position. What applies to paragraph (i) applies with equal force to paragraph

(j) under which a proviso will be added to Subsection 5 of Section 14, reading—

Provided that the court may, for good reason shown limit the effect of any variation to an individual employer, employers, group of employers, or to any industry or branch of an industry.

I do not intend to oppose the second reading of the Bill, because the other amendments are essential and have been rendered necessary by reason of the circumstances to which I have alluded.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [4.37]: I endorse the contentions raised by Mr. Nicholson regarding paragraphs (i) and (j). If we consider the large emporiums in Perth, of which there are perhaps ten, it has to be realised that two of them probably employ more hands than the other eight combined. In that case the majority of the firms although employing a minority of the hands in the industries concerned, will not be able to make any application.

Hon. J. Nicholson: They would be barred.

Hon. Sir WILLIAM LATHLAIN: That is so. Then consider the position in the mining industry. One mine may employ a thousand men, and seven or eight other mines may employ in the aggregate 900 men. Because the one big mine has the majority of the employees in the industry concerned, the application of the seven or eight mines will be nullified if the paragraphs I refer to are agreed to. I shall strongly oppose their inclusion.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair: the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 14:

Hon. J. J. HOLMES: The words "in writing" in paragraph (a) were inserted in another place. I have a recollection of a complication that arose in another Bill because of the words "authorised in writing by the right person." However, if the Committee are satisfied, I am also.

Hon. J. NICHOLSON: I move an amendment—

That paragraph (i) be struck out.

I do that for the reasons which I gave on the second reading. The matter was forcefully illustrated by Sir William Lathlain.

Hon. Sir WILLIAM LATHLAIN: If the paragraph be not struck out, eight out of the biggest firms in Perth will be debarred from making an application for an order, because the employees of the other two firms would exceed the number of those employed by the eight firms. The whole of the wholesale and retail ironmongers in Perth are already under the Financial Emergency Act, but some big emporiums selling both ironmongery and furniture are placed at a disadvantage because they do not come under that Act. So this paragraph would render the position very unfair to the smaller firms, some of whom employ over 100 hands. It would be impossible for those firms to apply for an order, because the two biggest firms employ more hands than all the others combined. A similar position exists in the mining industry. I will support the amendment.

Hon. W. H. KITSON: There is in the paragraph nothing to prevent the smaller firms from being parties to an application for an order. So, too, in regard to the mining companies; the smaller companies could be parties to the application.

Hon. J. Nicholson: A small mining company would have to get the support of the others before making application.

Hon. W. H. KITSON: There is nothing to prevent any firm making an application to the court.

Hon. J. Nicholson: But the court could not make an order until it knew the applicants had a majority behind them.

Hon. W. H. KITSON: Owing to the decision of the Full Court, the position is that because a large firm gets an order under the Financial Emergency Act and reduces the wages of one particular tradesman, the matter becomes a common rule throughout the industry. Take a specific case: A firm of timber merchants employing all manner of workers makes application to the court for the right to reduce wages under the Financial Emergency Act. The order is granted. One of the firm's employees is a baker, not a timber worker. His wages are reduced with the others, and because of that the wages of every baker in the State are reduced under the common rule.

Hon. J. Nicholson: But that is in the timber industry, and so other bakers would not come under the same award.

Hon. W. H. KITSON: But, owing to the decision of the Full Court, that is the position. Under a common-rule application it is only fair that the court's decision should

be based on a majority of those in the industry. When first the Act was passed it was intended that every employer desiring to reduce wages should make application to the court. That has been upset by the decision of the Full Court. And the point dealt with by the Full Court was never raised nor argued. Still the Full Court gave a decision, and the Employers' Federation have advised all their members to put it into effect. The onus is thrown on the unions, if they wish to contest the position, to take proceedings against the employers.

Hon. Sir William Lathlain: Is it fair that all employers and employees should have to wait until they get a verdict dealing with two or three other people?

Hon. W. H. KITSON: No, but it is not fair that upon an application covering only two or three workers, the decision should be made a common rule affecting every other worker in that particular class of industry. Although the paragraph does place the employers in a very fair position, I would rather see it retained than struck out.

Hon. Sir WILLIAM LATHLAIN: The paragraph is not at all fair to employees. It is possible that eight or ten establishments employing shop assistants may be prevented from applying to the court because two or three other firms, who may not desire to apply, actually employ more hands than the eight other places put together.

Hon. W. H. KITSON: Sir William Lathlain is assuming that these large employers would not apply for a reduction in wages under the Financial Emergency Act.

Hon. J. Nicholson: They might not do so.

Hon. W. H. KITSON: Suppose some large storekeeper in the country obtained a decision from the court with respect to his employees, would it be fair that the decision should affect all shop assistants in the city? The paragraph would allow a combination of employers to go to the court and have the decision made a common rule throughout their industry. That procedure will undoubtedly save the time of the court.

Hon. J. NICHOLSON: The points raised by Mr. Kitson obscure the real issue. The question which the court has to determine is whether the national emergency with which the State is faced justifies an order being made by the court. There is no need for any majority to join the proceedings, for in that case they would be delayed. I hope the paragraph will be struck out.

Hon. W. H. KITSON: Is every employee to suffer a reduction in wages irrespective of the state of industry?

Hon. J. Nicholson: I did not suggest that.

Hon. W. H. KITSON: In this legislation Western Australia has gone further than any other State. Because we are in a state of financial emergency it is not to say that all employers are in a bad way, because some of them are doing very well. Every time an application is made to the court, the employers have had to disclose their financial position. The information, however, is given confidentially, and no one can say that it is correct.

Hon. Sir William Lathlain: Do you suggest the figures should be made public?

Hon. W. H. KITSON: No, but the representatives of the employees should know the evidence upon which a decision of the court is made.

Hon. E. H. H. Hall: Cannot the court satisfy itself as to the correctness of the information?

Hon. W. H. KITSON: The statements are sworn to, and the court has to accept them. If the tribunal is satisfied with the correctness of the evidence, the order asked for is made. Under this paragraph the Employers' Federation will be able to secure that a number of employers, representing the majority of those engaged in a particular calling, shall make application to the court, and if an order is made, that order can apply as a common rule in the industry. That procedure will save a lot of time.

Hon. Sir William Lathlain: If eight firms employ fewer hands than two others engaged in the same industry, the eight will be disfranchised.

Hon. J. Nicholson: That is so.

Hon. W. H. KITSON: No. Paragraph (j) makes provision for limiting the effect of the court's decisions regarding variations.

Hon. E. H. HARRIS: But paragraph (j) can be applied only after a decision has been reached under paragraph (i).

Hon. W. H. KITSON: I have outlined the present procedure and I suggest that paragraph (i) will make the position better from the standpoint of the employers themselves. No member can justify the existing conditions. There is an industrial dispute at Fremantle. Four large firms are vitally affected. The whole of their employees are on strike as a protest against the reduction of wages obtained by the firms under the provisions of the Financial Emergency Act. There are other firms at Fremantle engaged in the same

industry, but they are carrying on because they are satisfied to pay the ordinary rates that have been subject to the ordinary basic wage reduction. Owing to the decision of the Full Court, the four large firms were able to secure a further wage reduction.

Hon. J. J. Holmes: Do you believe in the smaller firms scabbing on the big firms?

Hon. W. H. KITSON: I do not know that I would regard them as scabbing, although I do not like scabs of any description.

Hon. J. J. Holmes: Well, call them black-legs.

Hon. W. H. KITSON: It is not right that one individual should be allowed to influence the wages to be paid to the rest of those employed in a particular industry. So long as those applying are representative of the majority engaged in an industry, an application for a common rule is justifiable.

Hon. Sir WILLIAM LATHLAIN: To give an illustration of the possible effect of paragraph (i), if such a provision obtained in the Victorian legislation, it would not be possible, unless Myers agreed to the application, for any of the retail drapers in Melbourne to make an application to the court, because Myers employs more hands than all the other retail drapers combined.

Hon. E. H. HARRIS: The more I listen to the discussion, the more I am impressed with the fact that if somebody could invent a sort of winnower that would enable us to separate the wheat from the tares in the political arguments on the Bill, splendid service would be rendered to the House.

Hon. J. J. Holmes: That is your job.

Hon. E. H. HARRIS: Am I not lending a hand? Sir William Lathlain has been arguing that a number of firms employed in an industry would be barred from making an application because one or two firms in the same industry engaged a majority of the employees. I do not know that his construction is quite correct. I do not think it means that the other firms must necessarily make application. All that would be required would be for some indication to be given by way of resolution, for instance, that the other firms extended their moral support and then the applicant firms could proceed to secure a variation. I do not think it would take much ingenuity to get round paragraph (i). Mr. Kitson argued that no one can justify the existing condition. What about the position of the workers? Should a union desire to approach the Arbitration Court is it necessary

to get the support of a majority of the workers engaged in an industry? A union may consist of 15 members, the minimum under the Act, and, provided the requirements of the Act are complied with, can make an application for an award. It does not matter two cents whether there are 2,000 other employees in the industry concerned. Is it fair to say to one section that they cannot make an application without the support of those employing a majority of the employees in an industry, and to say to another section that they can approach the court for an award without the necessity for the support of a majority of the workers in the industry? Consider the position that arose under the Industrial Arbitration Act Amendment Bill that we dealt with last evening. Two bodies not registered at the Arbitration Court—the Employers' Federation and the State Executive of the A.L.P.—are to be supplied with certain information, whereas 126 registered unions of employees and 33 registered unions of employers are to be pushed into the background, and the two unregistered bodies are those that are to get the information and be heard.

Hon. W. H. Kitson: You know you are distorting the facts.

Hon. E. H. HARRIS: Not one of those 159 registered unions will have any right to the statistics.

Hon. W. H. KITSON: I am not very much concerned about the passage of the clause, but my endeavour is to do something to secure industrial peace in this time of stress.

Hon. V. Hamersley: Is that possible?

Hon. W. H. KITSON: We have done very well for a long time.

Hon. J. J. Holmes: If you want industrial peace you should be busy at Fremantle.

Hon. W. H. KITSON: I have been busy there for some time. If the hon. member desires industrial peace, let him do the same, and get busy among those people he delights to represent from time to time. If warfare is desired instead of industrial peace, we can consider the clause as against the provision in the original Act as interpreted by the court. If the decision of the Employers' Federation be given effect to, and any application such as I have indicated becomes a common rule in an industry and wages are reduced accordingly, then I am afraid we can look forward to industrial unrest of a serious character. We believe in the Arbitration Court.

Hon. J. J. Holmes: I do not.

Hon. W. H. KITSON: And I believe in the provision that enables a common rule to be made in industries. Common rules are made only when all parties concerned have been heard in detail with the result that, generally speaking, both parties are fairly well satisfied when the common rule is made. I understand that the baking trade is not feeling the depression as other industries are.

Hon. Sir William Lathlain: Have the employees been brought under the Financial Emergency Act?

Hon. W. H. KITSON: Yes.

Hon. Sir William Lathlain: Is it operating against them?

Hon. W. H. KITSON: Yes, the Employers' Federation advised their members to work under the interpretation of the Full Court.

Hon. Sir William Lathlain: All are not working under it.

Hon. W. H. KITSON: No, because there are a few fair-minded employers in the State. If members desire smooth working for the Act, they should oppose the amendment.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	8
					—
Majority for	..	..	..	..	5

AYES.

Hon. F. W. Allsop	Hon. G. W. Miles
Hon. J. Ewing	Hon. Sir C. Nathan
Hon. J. T. Franklin	Hon. J. Nicholson
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. Sir W. Lathlain	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. E. H. Harris
Hon. J. M. Drew	Hon. G. A. Kempton
Hon. E. H. Gray	Hon. W. H. Kitson
Hon. E. H. H. Hall	Hon. G. Fraser
	(Teller.)

Amendment thus passed.

Hon. J. NICHOLSON: I move an amendment—

That paragraph (j) be struck out.

There is no need to repeat the arguments already advanced.

Hon. W. H. KITSON: This paragraph could well be retained. In some industries there are employers who are doing very well.

Hon. Sir William Lathlain: I do not think you could name one in Perth.

Hon. W. H. KITSON: I could name the Perth City Council, as well as private employers.

Hon. Sir William Lathlain: You could not name the Perth City Council, though you might name the Electricity and Gas Department.

Hon. W. H. KITSON: The court should be able to limit the application to an employer, to employers, to groups of employers, or to any industry or branch of an industry. A safeguard is that the decision would rest with the court.

Hon. G. FRASER: A little while ago members claimed that they knew nothing of the measure, but I am satisfied they knew much more about it before we assembled than they would lead us to believe. Already there have been signs of industrial turmoil.

Hon. Sir William Lathlain: Do you want to intimidate us now?

Hon. G. FRASER: No, but I warn members that they have evidently gone wage-reduction mad, and they will have only themselves to blame if trouble occurs. The employers should call a halt to wage reduction; otherwise I shudder to think of the possible consequences.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	7
					—
Majority for	..	..	..	..	5

AYES.

Hon. F. W. Allsop	Hon. G. W. Miles
Hon. J. Ewing	Hon. J. Nicholson
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. C. H. Wittenoom
Hon. Sir W. Lathlain	Hon. H. J. Yelland
Hon. J. M. Macfarlane	Hon. J. T. Franklin
	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. E. H. Harris
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. E. H. H. Hall
Hon. E. H. Gray	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clauses 3, 4. Title—agreed to.

Bill reported with amendments, and the report adopted.

Third Reading.

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

BILL—SECESSION REFERENDUM.

Assembly's Message.

Message from the Assembly notifying that it had agreed to the Council's amendments

Nos. 2 and 3, and had disagreed to amendment No. 1, and giving reasons, now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

No. 1. Clause 5.—Insert after the figure “(1)” in line 17 the words “within six months of the passing of this Act.”

Reason: It would be inadvisable to tie the hands of the Government in this matter.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Surely it is inadvisable to tie the hands of the Government as proposed. The Government will choose a proper time for the taking of the referendum. Such a time might not occur within the period of six months. The amendment might involve unduly heavy expenditure.

Hon. H. SEDDON: The Chamber should insist on the amendment. The Government listened to clamour and yielded to the pressure to introduce a referendum Bill.

The Chief Secretary: Another place instructed the Government to bring down the Bill.

Hon. H. SEDDON: Six months is quite long enough for presenting the case to the people and allowing them to make up their minds.

Hon. J. J. HOLMES: I hope the Chamber will insist on the amendment. The subject of secession has been bandied about till the public have reached a stage when they want the matter cleared up. The Legislative Council elections will be held within the next six months. Let the referendum and the elections take place on the same day. Members who are hot and strong for the Bill should insist upon the amendment. If a time limit is not fixed, what guarantee is there that the referendum will be taken at all?

Hon. G. FRASER: I hope the amendment will be insisted on. There is shuffling going on in connection with the Bill. The referendum should be taken within a reasonable time. If the present time is not opportune for the Government, why has the Bill been introduced? I have opposed the measure; but now that it has been carried. I want the referendum taken quickly. The sooner the bitterness involved in the question of secession is got over, the better it will be for Western Australia.

Hon. J. M. DREW: The Chief Secretary's motion indicates the farcical nature of the Government's attitude on the question of secession. The Bill has been agitated for during a period of 18 months. The Government sympathised with the secession movement, and declared that a referendum was necessary. They went so far as to assert that £2,000,000 a year would be saved to the State by our withdrawing from Federation. Six months is a reasonable period. I hope the amendment will be insisted on.

The CHAIRMAN: I shall give my deliberative vote with the noes.

Question put, and a division taken with the following result:—

Ayes	..	..	..	10
Noes	..	..	..	13

Majority against .. 3

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. J. Ewing	Hon. A. Thomson
Hon. J. T. Franklin	Hon. C. H. Wittenoom
Hon. E. H. Hall	Hon. H. J. Yelland
Hon. V. Hamersley	Hon. G. A. Kempton
	(Teller.)

NOES.

Hon. F. W. Allsop	Hon. Sir W. Lathlain
Hon. J. Cornell	Hon. J. M. Macfarlane
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. Sir C. Nathan
Hon. E. H. Harris	Hon. H. Seldon
Hon. J. J. Holmes	Hon. E. H. Gray
Hon. W. H. Kitson	(Teller.)

Question thus negatived; the Council's amendment insisted on.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

**BILL—HOSPITAL FUND ACT
AMENDMENT.**

In Committee.

Hon. J. Nicholson in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 11:

Hon. G. FRASER: Will the Minister explain the effect of Subclause 1? It is obvious that it refers to the exemption of an individual from the payment of hospital fees, “either in whole or in part.” I would like to know how that provision will be applied. The mere fact that an individual

owns property is no proof that he is in a position to pay his hospital account.

The CHIEF SECRETARY: As the Act stands at present, it is most inequitable. A man may have property but his actual income may be £228 a year only, and he can secure free hospital treatment notwithstanding that he is a wealthy person.

Hon. E. H. Gray: A wealthy person would be in receipt of more than that amount.

The CHIEF SECRETARY: Not necessarily. A man may have property worth £30,000—

Hon. G. Fraser: And may not be able to raise 10s.

The CHIEF SECRETARY: That is so, but the time will come when he will be able to raise it. It is not a question of the authorities jumping on a patient with both feet. They have always been reasonable and will continue to adopt that attitude.

Hon. E. H. GRAY: The Minister referred to a man who might have £30,000 worth of property and not be able to pay his hospital fees. If such a man were able to gain admission to a public hospital, it would be proof of laxity on the part of someone in authority. No such person could be admitted in view of the fact that he would have to be recommended for admission by a member of the board or a doctor. The Minister has indicated that he intends to move to strike out Subsection 3 of the proposed Section 11A, and that subsection clearly indicates that the department is out for money.

The Chief Secretary: Then why should the Government agree to strike it out?

Hon. E. H. GRAY: The department had the audacity to endeavour to get money in defiance of the court.

The Chief Secretary: Do not mislead the Committee. It is the hospital authorities, not the department, that collect the money.

Hon. E. H. GRAY: That is so. I warn the Committee that the clause is loaded. Since the inception of the Hospital Fund Act, hospitals, from the public point of view, have retrogressed in regard to management and the treatment of the public and patients, and we find a return to the bad old days when people were afraid to enter such institutions. The effect has been to place hospitals under the control of a few individuals who can make themselves awkward if they do not get their own way. The death rate at the Fremantle Hospital has materially in-

creased since the inauguration of the new system. I defy contradiction on that point. Since the change-over the discipline is not so good, the matron and the doctors are powers unto themselves, and the secretary of the board too. The control is in the hands of the head of the department. Arguments are not referred to the board, the members of which have to find out about various matters, and only then can they make recommendations to the department. My statements are true and will bear the strictest investigation. It will be impossible for anyone to secure free treatment if the powers that be decree otherwise. If a man is in bad odour with the secretary, his assistant or some other individual in authority, he will probably have to pay the whole of the fees, whereas if another individual is in the good books of those in authority, he will probably get off with payment of half the fees. That is what will be the effect of the amendment. It will place full power in the hands of a small coterie of officials who will be able to decide what a patient shall pay. The board will have no power whatever.

Hon. J. J. Holmes: Perhaps your board has neglected to do its duty at Fremantle.

The Chief Secretary: That is so.

Hon. E. H. GRAY: We have a splendid record at Fremantle.

Hon. J. J. Holmes: It does not look like it.

Hon. E. H. GRAY: The Minister said we had neglected our buildings. We have wards that have been erected as the result of public subscriptions at Fremantle.

The Chief Secretary: I did not say anything about buildings.

Hon. E. H. GRAY: Since the change-over the business methods of the department have been fifth rate, something like a pawnshop.

Hon. J. J. Holmes: Most people think they can do the job better than anyone else, and that is your attitude.

Hon. E. H. GRAY: It is not. I have endeavoured to indicate the change that has taken place at the Fremantle hospital since the inauguration of the new system. Under instructions from the department in Perth the hospital authorities have endeavoured to extract money from people who did not owe it. I have told Dr. Atkinson and Mr. Huelin what I think of the position, and am prepared to argue it out with them at any time. The department have been doing illegally what they could not do legally.

The CHIEF SECRETARY: It is nonsense for the hon. member to talk as he has

done. If there has been any alteration in the conduct of hospitals, it is not to say the Hospitals Act is to blame. What the Act has done is to provide funds that would not otherwise have been provided, and so those getting free treatment to-day would not have been able to get it to such an extent were it not for the Act, because the Government could not have found the money. Under the Act we have found the money by imposing taxation. The object of the Bill is to improve the Act. It does not in any way interfere with the rights of those who have had free hospital treatment under the Act. If it can be shown that a person's income is only £228, he is entitled to free hospital treatment. Mr. Gray has had long experience of the Fremantle hospital alone. But all the country hospital committees have paid 50 per cent. or more of the cost of their buildings, and are themselves controlling the hospitals. It is those people, not the department, who collect the fees. I hope the Committee will agree to the provision in the Bill.

Hon. J. M. DREW: The Chief Secretary contends that the amendment will remove anomalies. But the Bill goes very much farther and practically cancels all the privileges conferred under the Act. Those on the basic wage or below it are entitled to free hospital treatment. If the Government wish to deprive them of that privilege, they should adopt a straightforward course and bring down a Bill to repeal the sections granting those privileges.

The Chief Secretary: There is no intention of doing that.

Hon. J. M. DREW: Instead, the Government make provision that a man coming out of a hospital can be prosecuted if it is found that he has means. If he has so much as £10 worth of furniture, he can be sold up. It is not creditable to the Government.

Hon. G. FRASER: I asked the Minister to give us an idea of what would be the limitation necessary before the Government charged fees under the clause.

The Chief Secretary: It is in the Act.

Hon. G. FRASER: Then there is no necessity for the Bill.

The Chief Secretary: Yes, it is a question of values.

Hon. G. FRASER: What values would the Government consider as the stipulated

amount? We do not want people to be so unsettled in their minds that they do not know whether or not they were entitled to pay for hospital treatment. Some definite status should be laid down. I do not suppose the authorities would seize a man's £10 worth of furniture, as Mr. Drew suggested, but still the door is open for that to be done.

Hon. E. H. H. HALL: For many years I have had close acquaintance with the Geraldton hospital. I could recount scores of instances where patients have been requested to pay. If they could not pay, all that they had to do was to represent their true position to the Medical Department, whereupon they were given sympathetic consideration.

Hon. E. H. GRAY: When the new Act came into operation certain men were entitled to free hospital treatment, notwithstanding which they were presented with accounts by the hospital officials. If one requires exemption, the Act sets out the procedure to be followed. But the department, instead of making it easy for indigent patients, presented them with accounts, saying nothing about the exemption. And the officials, on being asked the reason for this said it was in accordance with their instructions. On representation made by the Fremantle Hospital Board, instructions were issued to the officials to supply all available information to patients. Even to-day, if it be possible to get any money out of a patient, the officials get it. Under the Bill, of course, the officials will be able to present an account to a patient and make him pay every possible penny that he can.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. E. H. GRAY: I think my fears are well founded, and I am sorry I have been unable to convince the Committee. I appreciate that provision is needed to make certain people pay who should pay, but the provision in the Bill is too sweeping. No matter how good officials may be, we should not invest them with such powers as are proposed.

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

Ayes	..	12
Noes	..	5
		—
Majority for	..	7
		—

AYES.

Hon. F. W. Allsop
Hon. C. F. Baxter
Hon. J. T. Franklin
Hon. J. J. Holmes
Hon. G. A. Kempton
Hon. Sir W. Lathlain

Hon. G. W. Miles
Hon. H. Seddon
Hon. A. Thomson
Hon. C. H. Wittenoom
Hon. H. J. Yelland
Hon. V. Hamersley
(Teller.)

NOES.

Hon. J. M. Drew
Hon. E. H. Gray
Hon. E. H. H. Hall

Hon. W. H. Kitson
Hon. G. Fraser
(Teller.)

Clause thus passed.

Clause 3—Persons to give to hospitals notice of intention to claim exemption:

The CHIEF SECRETARY: I move an amendment—

That Subclause 3 be struck out.

The subclause should not have been inserted in the Bill.

Hon. W. H. KITSON: I think the presence of the subclause reflects the intentions of those who instigated the Bill in the first place. Undoubtedly the idea was to secure as much revenue as possible, regardless of any other consideration. The subclause is unjustifiable and I am glad that the Minister has moved for its deletion.

Hon. Sir WILLIAM LATHLAIN: I support the deletion of the subclause, but I do not agree with the conclusions drawn by Mr. Kitson. When the Government have rendered a service to a person who should pay, they have a right to take steps to enforce payment. The Government have to secure a certain amount of revenue. To suggest that the Government will get revenue wherever they can is most unfair. Their plan for obtaining revenue has been laid down, and whatever revenue is obtained under this measure is reserved for hospitals. The motive implied by Mr. Kitson is quite unfair.

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

Clause 4—agreed to.

Clause 5—Allowance and refund in respect of donation to public hospitals:

Hon. A. THOMSON: I move an amendment—

That the following be inserted:—“Where in any financial year any contributor to the fund under this Act shall have made payment of a special rate or tax levied by any local authority for or towards paying the cost of erection or maintenance of any public hospital and shall furnish proof thereof to the Commissioner, such contributor shall be given credit for the amount of such rate or tax, against the amount of contribution to the

fund payable by such contributor in respect of such financial year, and the contributor shall be liable to pay only the balance (if any) of the contribution to the fund for which he has been assessed.”

The CHIEF SECRETARY: If members intend to move amendments, it is only fair that I should be supplied with a copy of them. This is the first intimation I have had of the amendment.

Hon. J. CORNELL: When an amendment that does not appear on the Notice Paper is moved, it is the practice to supply copies to the Chairman, the Minister and the Clerk.

Hon. A. THOMSON: I am submitting an amendment that was rejected in another place last night. If a man makes a donation to a public hospital, he is permitted to make the amount a deduction in his income tax return. That is entirely reasonable. At Katanning there is no hospital board, the institution being run entirely by the department, and run most efficiently. The total cost of the erection of the hospital to the Katanning Road Board was £5,528. To this amount has been added, by way of voluntary contributions and proceeds of social functions, £2,330, which has been expended on providing modern equipment and additional furniture, and on beautifying the grounds. Katanning ratepayers are rated on the first amount, £5,528. From this aspect they should be placed in exactly the same position as the man who gives a donation direct to a hospital. Under normal conditions residents contribute 1½d. in the pound of income towards the upkeep of the hospital. From this taxation the amount contributed through local rating should be deducted. The matter is one upon which Katanning ratepayers feel keenly, in view of the declining values of land in that district.

The CHAIRMAN: What the amendment proposes could be done only by a Bill originating in another place. The amendment is out of order, and not in conformity with the title of the Bill.

Hon. A. THOMSON: Unintentionally, I somewhat misled the Committee. The intention of the amendment is that where a Katanning ratepayer contributes £5 by way of rates towards paying the local authority's quota to the hospital, and his hospital tax is £10, the Commissioner of Taxation shall allow him a rebate of £5.

The CHAIRMAN: In another place, apparently, this amendment was moved in a different form.

Hon. A. Thomson: That is so.

The CHAIRMAN: The amendment as read by Mr. Thomson confirms me in my view that the amendment is out of order.

Clause put and passed.

Clauses 6, 7, Title—agreed to.

Bill reported with an amendment, and the report adopted.

Third reading.

Bill read a third time, and returned to the Assembly with an amendment.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had disagreed to the amendment made by the Council to Clause 2, now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: The Council amended Clause 2 by deleting paragraphs (i) and (j). The reason given by the Assembly for disagreeing to the amendments made by the Council is—

As under the amending Bill it is made quite certain that every order has the effect of varying an award so far as everyone who is thereby bound is concerned, there should be some safeguards that such order should be made only after proper inquiry, and also some discretion should be given to the court in limiting the extent of such order.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

It must be realised that the Bill is an important one, and the paragraphs are necessary. If the amendment be insisted upon, the Bill will be adversely affected.

Hon. J. NICHOLSON: The Committee discussed the paragraphs fully, and came to the conclusion that they should be struck out. They will alter one of the most important principles embodied in the parent Act. I hope the Committee will insist on the amendments.

Question put, and a division taken with the following result:—

Ayes	..	..	7
Noes	..	..	14
—			
Majority against	..		7
—			

AYES.

Hon. C. F. Baxter
Hon. J. M. Drew
Hon. G. Fraser
Hon. E. H. Gray

Hon. E. H. Harris
Hon. W. H. Kitson
Hon. E. H. Hall
(Teller.)

NOES.

Hon. F. W. Allsop
Hon. J. Ewing
Hon. J. T. Franklin
Hon. V. Hamersley
Hon. J. J. Holmes
Hon. Sir W. Lathlain
Hon. W. J. Mann

Hon. Sir O. Nathan
Hon. J. Nicholson
Hon. H. Seddon
Hon. A. Thomson
Hon. Sir E. Wittenoom
Hon. C. H. Wittenoom
Hon. J. M. Macfarlane
(Teller.)

Question thus negatived; the Council's amendment insisted upon.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—SECESSION REFERENDUM.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendment made by the Council but disagreed to by the Assembly, and notifying that in the event of a conference being held, the Assembly would be represented by three managers.

On motion by the Chief Secretary, resolved: That the Council agrees to the request for a conference, and appoints Hon. W. H. Kitson, Hon. H. Seddon, and the mover as managers for the Council, the time forthwith, and the President's room the place for holding the conference.

Sitting suspended from 8.13 to 9.40 p.m.

BILL—SECESSION REFERENDUM.

Conference Managers' Report.

The CHIEF SECRETARY: I desire to report that the managers representing this House and another place, appointed to consider the amendments made by the Council but disagreed to by the Assembly and insisted upon by the Council, have met and failed to arrive at an agreement.

The PRESIDENT: Under Standing Order 329 that means the Bill will be laid aside.

Report adopted.

BILL—HOSPITAL FUND ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

Sitting suspended from 9.45 to 10 p.m.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted upon by the Council, and stating that if a conference were agreed to, the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

That a conference be agreed to, that the managers for the Council be Hon. Sir William Lathlain, Hon. J. Nicholson, and the mover, and that the conference be held forthwith in the President's room.

Hon. G. FRASER: The procedure I am about to take may be unusual, but I do wish to suggest that a manager at this conference should be chosen from the party of which I am a member. We are fighting this Bill, and we have no representation on the conference.

Hon. J. J. Holmes: You have got the Minister who is in charge of the Bill. Is not that sufficient representation?

Hon. G. FRASER: The Bill involves a question of vital importance to the people whom we represent.

Hon. J. Nicholson: No one raised this point in connection with the conference on the Secession Referendum Bill. Various parties might have been represented on that conference, but they never thought of questioning the Minister's selection.

Hon. G. FRASER: That case was quite different from this one. We represent a very large number of people interested in the Bill.

The PRESIDENT: Standing Order 323, which deals with the point, reads as follows:—

If, upon such motion, any member shall so require, the managers for the Council shall be selected by ballot.

Therefore it is quite competent for the hon. member to move that the selection be by ballot.

Hon. J. CORNELL: This is not the first occasion on which I have risen to direct attention to the same point as Mr. Fraser is raising. It has always been the custom in this Chamber that the majority have two managers at a conference, and the minority one.

Hon. J. J. Holmes: That is just what has happened. The Minister in charge of the Bill fought for it right through.

Hon. J. CORNELL: It is well known that a Minister always sticks to his Bill.

Hon. J. J. Holmes: He is going to stick to it at the conference.

Hon. J. CORNELL: I want merely to direct attention to what has always been the practice. Having drawn attention to it, I hope Mr. Fraser will not proceed further.

Hon. J. J. HOLMES: We have just dealt with an important measure as to which there was no majority, the House being equally divided. Yet at the conference only one side was represented. When it came to selecting the managers apart from the Minister, two members were appointed who were entirely opposed to the Bill. But the other half of the House did not murmur. That is always the way with one party: as soon as they get put in the place where they ought to be, they kick and squirm.

Hon. J. CORNELL: With regard to the point raised by Mr. Holmes, the only time there was a majority against the Secession Referendum Bill was when, in Committee, the motion was put that the amendment be not insisted on. That was the only time when there was a majority against the Bill at any stage, except when the amendment was originally moved. It was on that line of reasoning that the majority obtained representation by two managers.

The CHIEF SECRETARY: In selecting the managers, I adopted the practice which has always been followed during the long period I have been a member of this Chamber. Two members active in opposition to the amendment disagreed to were the two members I nominated as managers. In view of the apparent dissatisfaction, I desire that a ballot be taken. I think that course would be more satisfactory, as well as more just to me.

The PRESIDENT: If any member of the House desires a ballot, a ballot must be taken in accordance with Standing Order 332, which deals with the method of appointment by ballot. In this instance the number to be chosen is three. A list shall contain neither more nor less than three names, or else it will be rejected. The ballot papers must now be distributed.

Ballot taken.

The PRESIDENT: The ballot has resulted in the selection of the Chief Secretary, Hon. Sir William Lathlain, and Hon. J. Nicholson. The motion now reads as moved by the Chief Secretary.

Question put and passed.

Sitting suspended from 10.10 to 11.50 p.m.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Report of Conference Managers.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [11.50]: I desire to report that the managers met and failed to arrive at an agreement.

Report adopted, and a message accordingly returned to the Assembly.

CLOSE OF SESSION.

Complimentary Remarks.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [11.51]: Before we adjourn I desire to congratulate you, Mr. President, on the able manner in which you have filled the position you occupy, and I wish to tender to you, on behalf of hon. members and myself as Leader of the House, hearty thanks for your kindness and consideration to us during the session. I also desire, on behalf of members, to express my sincere thanks to Mr. Cornell, the Chairman of Committees, for his capable and tactful handling of the work in Committee. On occasions Mr. Nicholson has relieved Mr. Cornell, and we are indebted to that gentleman for his services in that regard. The Clerk of Parliaments, Mr. Grant, has not been with us long, but in the short time he has occupied his present position, his wide knowledge has been revealed to us, and he has also been very helpful to members. The Usher of the Black Rod, Mr. Brown, has had much work to do since the departure of the ex-Clerk of Parliaments and the appointment of his successor, and to cope with the heavy duties falling to his lot, he has been obliged to work long hours. I wish to thank him for what he has done. I cannot let the occasion pass without recording my appreciation of the work carried out by the "Hansard" Staff. I am sure I am voicing the opinion of all hon. members when I say they have rendered us splendid and efficient service. Another officer to whom we are indebted is Mr. Sparks, and, personally, I am grateful to him for his courtesy and attention to my wants during the session. The present session has undoubtedly been one of the most strenuous and momentous in the Parliamentary history of Western Australia. During the sittings 105 Bills have been passed and, apart from the Financial Emergency Act

Amendment Bill that has just been lost, five Government Bills only have been rejected.

Hon. J. Nicholson: A great record.

Hon. J. J. Holmes: It is time you left off passing Bills.

THE CHIEF SECRETARY: Perhaps so. It is pleasing to say, notwithstanding the fact that we have had some very contentious measures to consider, the best of good feeling has prevailed during the discussions. I wish to thank members for their considerate attitude to me and hope all will enjoy a merry Christmas and a bright and prosperous New Year.

HON. SIR EDWARD WITTENOOM (North) [11.56]: I take this opportunity to congratulate the Chief Secretary on the excellent manner in which he has conducted the business of the House. His task of submitting all the legislation on behalf of the Government without the assistance of another Minister has placed him in a very trying position. However, when I made a move in the direction of overcoming the difficulty he would not accept my advice. I am pleased to be able to congratulate him on the admirable way he has carried out his duties. I also associate myself with the Leader's remarks regarding the Officers of the House who have displayed much interest in their work, and have rendered excellent service. It is almost superfluous to mention how much we admire the cultured control you, Mr. President, exercise over the proceedings of this Chamber, but we are indeed pleased to express our appreciation of your almost perfect observance of the functions of the Chair.

HON. J. CORNELL (South) [11.58]: I desire to tender my sincere thanks to you, Mr. President, to the Chief Secretary and members generally, to the Clerks and the "Hansard" staff, and to the little boys who run our messages for us, for many acts of kindness and courtesy during my occupancy of the positions of Deputy President and Chairman of Committees this session. I have been a member of this Chamber for 19 years, and I can say without exaggeration that I cannot recollect any more humid nights than we have experienced these last two evenings, nor can I remember when a more cordial spirit of good fellowship existed amongst members. During the session, it can be said that the Legislative Council,

in dealing with the business that had to be transacted, has pulled its full weight.

HON. J. NICHOLSON (Metropolitan) [12.0]: May I be permitted to join with previous speakers in expressing to the Minister my thanks for his kindly remarks regarding me. I feel that he will pardon me for remarking that, in conjunction with such services as I was privileged to render the Chairman of Committees, I was aided greatly by my colleague, Mr. Kitson, who has been associated with me as Deputy Chairman of Committees. Mr. Kitson has always displayed that willingness to render assistance which the Chairman of Committees desires from time to time, and both Mr. Kitson and I are indebted for the great help we received from the Chairman of Committees, who provided that guidance essential for the fulfilment of the responsible duties.

Hon. J. Cornell: Do not mention rulings.

HON. J. NICHOLSON: Even rulings sometimes need careful consideration. We feel sure that wisdom has always characterised the Chairman's rulings, and we can only hope that he has passed on that wisdom, like the cloak of Elijah, to the Deputy Chairmen. I wish to express my appreciation, Mr. President, of your unvarying courtesy and help. We have had a very arduous session, and the labour of it has fallen principally on the shoulders of the Chief Secretary, who has discharged his duties with the courage and valour that we expected of him. He has told us that something like 114 Bills have been presented to Parliament during the session, and that only five Government measures failed to pass. That is a remarkable record, and the thought passed through my mind that the Government, while establishing that record, have also succeeded in making it more difficult for the students in the profession with which I am associated to master the mysteries and difficulties of law.

Hon. Sir Edward Wittenoom: Why bring in the question of Bills? We only want to say "Goodbye."

HON. J. NICHOLSON: Those 109 Bills will involve a great amount of study on the part of students of law.

Hon. J. J. Holmes: And a great amount of profit.

HON. J. NICHOLSON: Probably they might result in profit. Let us hope they will, because in this time of national emergency,

it is good to think that the Government will have some source from which to derive revenue. I am sure the Chief Secretary would welcome such an opportunity. I add my appreciation of the services at all times rendered by the "Hansard" staff and of the courtesy shown by Mr. Brown and Mr. Sparks: and I conclude by conveying to you, Mr. President, hearty good wishes for the Christmas season.

THE PRESIDENT [12.8]: I wish to thank the Chief Secretary and the other members who have referred to the manner in which I have carried out my duties. Any measure of satisfaction that may have been derived from the way in which I have tried to do my work is due entirely to the manner in which all the members of this Chamber, without exception, have assisted me on every occasion, and to the kindness and consideration they have extended to me. It is indeed pleasing and gratifying to preside over a Chamber, the members of which are keenly desirous of upholding its best traditions, a Chamber that during the coming year, on the 2nd February, will celebrate the first hundredth anniversary of its coming into existence. It is a pleasure to think that members can look back upon it as something that has helped materially towards the great progress of Western Australia during that period. Whilst members are keenly anxious to uphold the best traditions of the Chamber, they are keenly desirous of advancing, according to their respective lights, the best interests of this great country. I thank the Leader of the House for his unfailing courtesy and consideration to me on all occasions. I also thank the Chairman of Committees for the help he has rendered me and the care with which he carried out his onerous duties, as well as sometimes acting in the capacity of Deputy President. To the Deputy Chairmen also my thanks are due, and to the officers of the House, especially my friend Mr. Brown, who has had of late to carry out the duties under very difficult circumstances, owing to the absence of the Clerk of Parliaments. To the "Hansard" staff, and to the journalists who have recorded our doings in the newspapers, the thanks of all of us are due. In conclusion, I wish that hon. members may enjoy the approaching rest from their labours, and that they will all have a merry Christmas and a prosperous New Year.

ADJOURNMENT—SPECIAL**THE CHIEF SECRETARY (Hon. C. F.**

Baxter—East) [12.12]: I move—

That the House at its rising adjourn until a date and hour to be fixed by the President, which time of meeting shall be notified by the President to each member by letter or telegram.

Question put and passed.

House adjourned at 12.13 a.m. (Saturday).

Legislative Assembly,

Friday, 4th December, 1931.

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

QUESTION—FINANCIAL EMERGENCY REDUCTION.

Mr. **SLEEMAN** (without notice) asked the Premier: Is he aware that the Treasury have applied the cut under the financial emergency legislation to people drawing as little as 2s. a day under a sanitary contract? If so, will he see that it is altered and, if not, will he make inquiries?

The **PREMIER** replied: I will make inquiries.

QUESTIONS (2)—TIMBER INSPECTION FEES.

Mr. **J. H. SMITH** (without notice) asked the Premier: 1, Does he endorse the attitude of the Minister for Forests in loading the farmers and landholders with an increase of inspection fees on timber from private property? 2, Is he aware that the Forests Department have now created another trading concern, working in conjunction with one firm? 3, Is he aware that under the arrangements made with Millars through the Forests Department, he is making that firm a present of between 18s. and 19s. per load at the expense of the workers in the industry?

The **PREMIER** replied: 1, Yes. 2, No. 3, No.

Mr. **J. H. SMITH** asked the Premier: Following on his reply to my question No. 3, will he make inquiries into the matter?

The **PREMIER** replied: Yes, I will inquire into the matter, but I think the hon. member is entirely wrong.

QUESTION—WOMEN CLEANERS.

Mr. **HEGNEY** (without notice) asked the Premier: Is he aware that a number of women cleaners engaged through the Child Welfare Department to do three days' cleaning at Government House ballroom after the Shell ball received 2s. 6d. per day, that after representations had been made by the women they received an extra 2s. 6d., and that seeing the payment for that obnoxious work is 8s. 6d., will he grant the difference?

The **PREMIER** replied: I do not know how the ballroom was cleaned up, but I will inquire. Whatever is right will be done. I should imagine that the people who had the use of that ballroom, I suppose for some charity purpose, should clean it up. Usually that is done.

QUESTION—MAINTENANCE DEFAULTER.

Mr. **MARSHALL** (without notice) asked the Premier: Will he make investigations into the case of a man who was separated from his wife, was unable to keep up maintenance payments and served a term of imprisonment at Fremantle, and is now treated as a single man when in search of employment?