

to take off their harvests for want of the machines. So in various centres feeling is running very strong, and it is high time the Government, on behalf of the settlers, overhauled the hire-purchase system. My electors welcome the provisions of the Bill. I do not know whether the Bill goes far enough or goes too far; it remains to be seen what members think of it. It is felt by many in the community, particularly those who are trading in machinery, that the Bill if it became law would put an end to all chance of people acquiring machines on the hire-purchase system in future. That is a very serious position and needs the most careful inquiry. The development of this country involves a very heavy initial outlay in machinery, and it is well-nigh impossible to expect anyone to have the necessary cash in hand to pay for everything required before embarking upon farming operations. If new settlers have to wait until they can pay cash for every machine they require, it will put a stop to the enterprise of a great many people. If the measure is going to have that drastic effect, we shall have seriously to consider the position and inquire from the vendors of machines actually how far-reaching the Bill might be. Still we must recognise that those who in the past have bought machinery and paid large sums towards the cost, perhaps more than 75 per cent., have an equity in those machines which should be recognised. No doubt there have been faults on both sides. In some cases people have had machinery taken from them, and not without justification. At the same time in many instances, the selling agents have pressed a great deal of machinery on the farmers, and have been to a great extent responsible for loading machines on to farmers who did not really want them. There have been heaped on to farmers, not only the cost of the machine itself, but the additional price the result of the heavy tariff and the further taxation that has been imposed, principally by the Federal Government. It has meant a tremendous increase in the cost of equipping a farm. If the measure is likely to add still further to that cost, there should be serious inquiry by a select committee before we agree to it. For it must be recognised that all increased costs are passed on to the men requiring the machinery. The Bill clearly recognises the farmer's equity in the machines he will pur-

chase in future, and for which he will pay large sums of money; the Bill, I say, is perfectly clear as to the future, but the question is whether the provision should be made retrospective, at all events to cover existing hire-purchase agreements. If it be made retrospective, the Bill will help those settlers who now find themselves in difficulties in respect of transactions. When we consider the risks the farmer has to take in regard not only to the weather, but to overseas markets, and when we are reminded of his many other troubles and worries, we realise that if we can get in the Bill a measure which will help him without interfering too seriously with those merchants who have paid out large sums of money and are now carrying very heavy loads in the way of credit advanced to settlers, it is earnestly to be hoped that a measure satisfactory to both parties, the farmers and the machinery merchants, will be evolved. I understand the mercantile firms are not very well pleased with the Bill, and I think that possibly a careful inquiry might result in some satisfactory arrangement being reached. Meantime I will support the second reading.

On motion by Hon. Sir William Latblain, debate adjourned.

House adjourned at 6.12 p.m.

Legislative Assembly,

Wednesday, 10th June, 1931.

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

BILL—WORKERS' COMPENSATION.

In Committee.

Resumed from the previous day. Mr. Richardson in the Chair; the Minister for Works in charge of the Bill.

Clause 43—Medical Board:

The MINISTER FOR WORKS: I have a statement to make on this question. I wish to express the Government's appreciation of the British Medical Association for the able assistance given us in connection with the Bill. They are the only public body I have met who agree to this fund. It might be said they are not interested. They are the only people who have come to me, not to get something, but to assist, and they have voluntarily offered to reduce the fees at present charged for workers' compensation cases by 25 per cent. They have asked for some kind of control of the medical service. They appointed a sub-committee who, when they first met me, asked for three months in which to draw up a scheme for the co-ordination of control. I could not give them a copy of the Bill at that stage because it had not been introduced here. After its introduction, I supplied them with a copy, and asked them to assist in the drawing up of necessary amendments on the medical side. My committee and the sub-committee of the association have met, and the result is the amendments appearing on the Notice Paper. A note was taken of the many good suggestions made by members of the Opposition. My committee, consisting of the Government Actuary and my secretary, met the sub-committee and came to definite decisions, and the amendments have been put into form by the Parliamentary Draftsman. It is pleasing to know that we have behind us such an organisation as the British Medical Association. They are much concerned about the cost of workers' compensation, and, as I mentioned, have voluntarily agreed to reduce their charges. The amount of £400—the maximum remuneration of a worker eligible for compensation—appeared in the Bill, as drafted, and I have since received a statement from one of the members of the sub-committee that, in view of the amount having been increased to £500, the decision regarding the reduction of charges may have to be reconsidered. If it is reconsidered I am satisfied it will be dealt with in a fair and reasonable way. I move an amendment—

That in Subclause 1 the words "appointed by the Governor, who shall nominate one of them to be the chairman of the board" be struck out, with a view to inserting the following:—"One of such members shall be appointed by and hold office during the

pleasure of the Governor, and shall be chairman of the board. At every meeting of the board for the hearing and determination of any question, matter, application, or appeal, the chairman shall preside, and with him shall sit two other practitioners chosen by the Commission and approved by the chairman. Such other two practitioners need not be the same on each occasion, but shall be specially chosen for the hearing and determination of each particular question, matter, application or appeal."

The amendment will overcome the appointment of the board by the Governor. The chairman will be appointed by the Governor and will be a fully-paid officer. When a doctor has a compensation case, he will forward a report, and the report will come before the chairman of the medical board who will follow up each case. He will always be available to assist the commission on medical questions. The other two members of the board will be appointed for their special knowledge of certain injuries. Often the board will be composed of the same members, but not always. This will make the measure more workable.

Hon. A. McCALLUM: The amendment is an improvement on the Bill. On the second reading I said it would be a grave error if the board were appointed as proposed, because it would practically mean a life appointment and, further, that we might have three medical men on the board who, though possessing a general knowledge, could not be experts in every case that came before them. In view of the specialisation which medicine and surgery have undergone, it is most desirable that the medical practitioners in each individual case coming before the board should be specialists in the particular phase of medicine or surgery involved. For instance, many doctors do not touch eye practice. Although qualified to deal with ordinary surgical cases, they would be out of place in dealing with an eye case. Similarly, eye specialists would be out of place in dealing with amputation of limbs. In that regard the Minister's amendment represents a great improvement. However, it still retains one objectionable feature. Much of the success of the board, and of the respect and confidence they will command, will depend upon the type of doctor chosen as chairman. He will need to be a highly qualified man, and a man of particular temperament. Very few doctors indeed will be fit to fill such a position. He will need to be a man of wide understanding, and of large

experience in dealing with human nature. He should not be what may be termed a man reared in a hot-house, without experience of men in the ordinary walks of life—merely a university-trained man. A great mistake will be made if at the commencement the right man is not secured. The wrong man could only be removed by the Governor, and that would be a serious step. A definite charge would have to be laid, and his removal would injure the doctor's professional reputation seriously. Undoubtedly the Government would hesitate to take such action. In view of the experimental nature of the new office and the great need for securing the right man, it would be dangerous to make a life appointment. No one can be sure that the first appointment will be the right one. My proposal is to make the appointment for a term of three years, and to provide that the appointee may be removed sooner by the Governor in the event of his proving incompetent or negligent. My amendment on the amendment will read—

“That the words ‘during the pleasure of the Governor’ be struck out, and ‘for three years but may be sooner removed by the Governor’ inserted in lieu.”

I hope the Minister will not press his proposal to make the chairman's a life appointment. Only once in a lifetime would one be able to secure the right man for such a position at the first pick.

THE MINISTER FOR WORKS: I do not think it right that the chairman of the board should be appointed for three years. I agree that the best possible man is wanted for the position. Advertisements will have to be published, and a board will have to make the selection. All medical practitioners are in practice, and by asking men in good practice to leave it for three years we shall not secure the best man. The position being highly important, the appointee should have security of tenure. His decisions will affect many people, both employers and employees. There is sufficient knowledge of the doctors now practising in Western Australia to allow of the right man being secured.

Mr. Raphael: The doctor will have security of tenure if he carries out his job properly.

THE MINISTER FOR WORKS: I do not agree with that. My endeavour has been to make the measure absolutely non-

political. I hope the chairman will not be appointed for three years.

Mr. H. W. Mann: The President of the Arbitration Court is appointed for seven years.

Members: No, for life.

THE MINISTER FOR WORKS: There is danger to the principle of the Bill in making the appointment for three years. It will be a full-time job. By reducing the term to three years, we shall limit our choice. I can see some danger in the matter, but the Committee may rest assured that it has already received consideration. Everything possible will be done to obtain the right man. I hope the proposed amendment on the amendment will not be carried.

Hon. A. McCALLUM: I move an amendment on the amendment—

That the words “during the pleasure of the Governor” be struck out, and “for three years but may be sooner removed by the Governor” be inserted in lieu.

The Minister talked about political influence.

The Minister for Works: I said that was what was being talked of outside.

Hon. A. McCALLUM: Such people have allowed their imaginations to run riot. I do not know how it could be argued that politics will enter into this question. Surely if there is one position that should be removed from politics, it is the one under discussion, which will be of such importance from an administrative and scientific point of view.

Hon. P. Collier: Even in the Minister's amendment, there is room for politics, because the Government of the day could remove the chairman.

The Minister for Works: That is so.

Hon. A. McCALLUM: If that is the only objection that can be raised, I do not think it need be regarded seriously. The object to be kept in mind is to secure the services of the right man. If a mistake is made in the first selection, the Minister's suggestion will lead to untold trouble.

The Minister for Works: But the interjection by the Leader of the Opposition answers that contention.

Hon. A. McCALLUM: There would have to be very serious grounds before action would be taken to remove the chairman, and, even so, it would be attended by great difficulties.

Hon. P. Collier: Unless the chairman showed gross incompetence, no Government would attempt it.

Hon. A. McCALLUM: A doctor appointed to this position and removed in such circumstances would have to leave the country, for he could not practise here. No medical man would submit to that without a fight. It is altogether too dangerous to make a permanent appointment from the outset. The Minister argued that the appointee would require security of tenure because he would have to give decisions that might be unpleasant to either the employers or employees. On the other hand, if those concerned knew that the appointee would give his decisions fearlessly, they would have confidence in him. The harm that could be done by an incompetent chairman of the board would be immeasurable. He would be able to inflict financial and other hardships upon individuals and industries as well, and cause untold inconvenience. The appointee must be a good organiser and a man possessing an understanding of his fellow-men. A good man in this position would be a source of real strength to the community. It was mentioned that £50 a week would probably have to be paid to secure the right man. The prospect of having to do so does not stagger me. Anyone who has had experience of Government departments knows what it means to endeavour to remove an unsatisfactory official.

Hon. P. Collier: The trouble is that they have too much security of tenure.

[Mr. J. H. Smith took the Chair.]

The Minister for Works: I know I had a lot of trouble to shift one man.

Hon. M. F. Troy: That was your big mistake. You shifted the best man in the service.

Hon. A. McCALLUM: A mistake of that description could be made under the provisions of the Bill, if the Minister's amendment were included. If the chairman is the right man for the position, he need have no fear of not securing re-appointment.

Hon. J. C. Willcock: Experience may show that the appointee may not have the proper temperament for such a position, quite irrespective of his capacity in other directions.

Hon. A. McCALLUM: That is the point I was endeavouring to make. The chairman will require to be a most tactful man, able to do justice to those interests he will have to conserve. This is a position of which we have no experience to serve as a guide, and to ask the Committee to agree to make an appointment for life, is altogether too much. What the Minister suggests implies a grave error of judgment on his part, and in my amendment there is no ulterior motive but merely a desire to secure the best man for the position.

Mr. H. W. Mann: Do you think that a well-placed medical man would risk his practice for a three-years' appointment?

The Minister for Works: That is the point.

Hon. A. McCALLUM: The man who will give his decision fairly without fear or favour, who will do the right thing and carry out the job thoroughly, need have no fear regarding his reappointment.

Mr. H. W. Mann: That is so, but he will have to satisfy himself first as to whether he is suitable for the position, and it may take him a year to become familiar with the work.

Hon. P. Collier: If such a man knows that the appointment is for life, he will not worry as to whether he is suitable for it, but will take it and keep it.

Hon. A. McCALLUM: It would not be right to continue an unsuitable man in such a position, but, on the other hand, if the chairman were giving satisfaction and the Government knew that he was suitable, he would be re-appointed. It is well known that doctors practising in St. George's-terrace close down for 12 months or more. I know of one doctor who regularly, every three years or so, takes a world tour and makes himself au-fait with up to date developments in medical science. That being so, there cannot be much force in the argument regarding the necessity for security of tenure.

Hon. P. COLLIER: I hope the Minister will accept the amendment on the amendment. Apart from judges and perhaps magistrates, there are no appointments in the State service that are made for life. I do not think the position under discussion is comparable with those held by men who administer justice in our courts. The argument that a man would not sacrifice his practice unless the appointment were to be made for life, would apply equally to many

other appointments. Men have left outside positions to accept posts within the Government service for limited periods without any assurance of re-appointment. No matter how exhaustive the inquiries may be with regard to any proposed appointee, the fact remains that the appointment will be made by a Cabinet consisting of laymen, who will be dependent upon the advice and recommendations of medical men. Laymen in that position will not be able to judge how far the medical men who advise them may be influenced by personal considerations. It is human nature that makes every one of us display unbiassed favouritism towards those whom we know. If a man applies to any one of us to assist him to an appointment, and we know the man well, it is only natural that we are more influenced in securing that man the appointment than we would be if it were a stranger that had come to us, although the stranger might be the better qualified man. And there are friendships in the medical profession, just as in every other walk of life. I and everybody else who has held ministerial office have made mistakes in regard to appointments to the Public Service. Such a mistake cannot be rectified without casting a serious reflection upon the appointee. What is sought by the Minister amounts really to a lifetime appointment, and no one would care to damage the appointee's future by taking the extreme step of removing him by an act of Cabinet. But if he be appointed for a given time, then after the expiration of that time it is quite a different matter, for the failure to reappoint him would involve but a very slight reflection on that man. Whoever may be appointed no doubt already has an established position in his profession, and so if, after three years, he were to resume private practice, he would have no difficulty in re-establishing himself in the minds of his clients.

Mr. Panton: If he had sold his practice he could not resume.

Hon. P. COLLIER: It is only a necessary safeguard that we should be able to review the position at least once in every three years, for it would be a very grave error if an unsuitable man were appointed for life. And if, after a time, the appointee made good in his post, there would be no difficulty about reappointing him; but

to begin with, the period should be limited to three years.

Mr. RAPHAEL: The point that appeals to me is that perhaps, when the measure is put into operation, it will be found there is not sufficient work for a full-time position. Moreover, I do not think any desirable man would be prepared to forfeit his practice to take on the position at the price the Government will be prepared to pay.

Hon. P. Collier: The Government will know from the income tax returns of doctors what salary they ought to offer.

Mr. RAPHAEL: We are told of the terrific loss that will be suffered by the appointee if he gives up his private practice and then finds there is not sufficient work for him in his new position.

The Minister for Works: What has that to do with it?

Mr. RAPHAEL: None of the more highly qualified doctors will be prepared to accept the salary the Government can offer. Certainly if a man were appointed for life, and then had to be removed, it would mean to him ruination, for he could not hope successfully to resume private practice. The doctor acting for the Government at the present time has made more than one mistake. It is possible he may be chosen as chairman of the proposed medical board. If so, since he has made mistakes in the past, probably he will make more in the future, notwithstanding which it will be very difficult to remove him. I hope the amendment will be agreed to.

Mr. PANTON: I do not know that the Minister has advanced sufficiently strong arguments to justify the Committee in making this a lifetime appointment. I did not expect the position would be a full-time one at all. Is the chairman of the proposed commission to be a full-time officer also?

The Minister for Works: Yes.

Mr. PANTON: According to the Bill, we are going to have the Government Actuary as chairman of the commission. Will he have to devote the whole of his time to that work?

The Minister for Works: Yes.

Mr. PANTON: Well, I can understand the chairman of the commission having to devote the whole of his time to his duties, but if I have read the Bill aright, the medical board will deal only with matters submitted to them by the commission.

Hon. P. Collier: The work of the medical board will be not nearly so much a full-time job as that of the commission.

Mr. PANTON: That is so. Before we can approve of the chairman of the medical board being a full-time officer, the Committee should have some statistics as to the number of major accidents occurring. A large proportion of the accidents that will occur can easily be dealt with by the commission. Only the cases of major importance will go to the medical board following upon a dispute between an injured worker and the commission. The Minister should show the necessity for the appointment of a permanent chairman. At even £1,000 a year I can see no need for such an appointment. At the Perth Hospital, with the exception of the Chief Resident Medical Officer and a few juniors, the medical services are carried out entirely by honoraries, who last year paid 30,000 visits to the institution. I object to the fund being loaded with the expenditure of a considerable sum upon the salaries of permanent officers.

Hon. J. C. WILLCOCK: Dr. Lovegrove is a medical officer who devotes a certain amount of his time to workers' compensation cases, and I imagine from the hours that he is occupied in this work he cannot be a very busy man. It should not be difficult to ascertain the average amount of workers' compensation cases that are usually dealt with. I am surprised to learn that it is intended to appoint a permanent board to superintend the carrying out of the activities under the Workers' Compensation Act. My idea was that the board would act chiefly in an advisory capacity.

The Minister for Works: Only the chairman will be a permanent officer.

Hon. J. C. WILLCOCK: Suppose at the end of 18 months it is found that a permanent official is quite unnecessary, and he has meanwhile been appointed for life, he will be entitled to a fair amount of compensation if he is deprived of his position. The chairman would receive not much less than £1,200 a year, and with the sitting fees that would be paid to the other members of the board no doubt the annual outlay would run into over £3,000.

The Minister for Lands: Should we abolish the board?

Hon. J. C. WILLCOCK: No, we want the board but do not want it to cost so

much. The idea of the Government is to relieve the burden upon industry, but here at least is an instance in which that burden will be added to. Fully 90 per cent. of the cases that occur will be dealt with by the commission. If a permanent board is appointed the least we can do is to see that a short term is set upon the appointment, in order that the results of the legislation may first be known. To say that all or even half or a third of these cases will be so complicated that they will have to be sent on to the Medical Board, is against all experience. I do not think the Medical Board will be occupied more than a day or two a week, and in view of the fact that we do not know just how much time would be occupied, in this way, we would not be justified in making a permanent appointment, and leading the chairman to believe that he has finished with private practice, that he has burnt his boats behind him and taken on this job for life. The Government would be well advised to wait until they have had 12 months experience of the operations of the board, and the amount of time they put in, and if it is warranted, then it might be worth while to make the appointment permanent.

Mr. H. W. MANN: If there is not sufficient work to make the job a full-time one it would be wrong to limit the appointment to three years. If it is ascertained after the experience of a year or two that there is not sufficient work to make it a full-time position, that would be a good reason for removing the official and no reflection would be cast on the occupant of the office.

Hon. A. McCallum: The Bill does not say it is to be a full-time job.

Mr. H. W. MANN: The hon. member has moved that the appointment shall be for three years. To me it seems that the position is just as important as that of the President of the Arbitration Court, who needs to have a full knowledge of law, a keen legal mind, and to be familiar with the affairs of the world. The medical officer in question would require to have complete knowledge of medicine and surgery as well as a knowledge of the world. A great responsibility will rest on him, especially if a claimant refuses to have an operation performed. The only way to secure the best medical skill is by making the position worth while.

Hon. P. Collier: There is no comparison at all between this position and that of the President of the Arbitration Court.

Mr. H. W. MANN: I contend it is equally important. Will not a man's life depend on the advice of this high official? It will be his function to say what treatment shall be given. The Bill suggests that if a claimant refuses to have an operation performed he forfeits his right to benefit. It will then be left to the skilled gentleman to say what operation shall be performed.

Hon. J. C. Willcock: Yes, in collaboration with the other two experts.

Mr. H. W. MANN: He will confer with the two who hold the casual appointments.

Hon. J. C. Willcock: Two experts.

Hon. P. Collier: And those two may override the chairman.

Mr. H. W. MANN: He will confer with them, but his decision will be final. I contend the appointment should be permanent just as are the appointments of the Commissioner of Health, and the Commissioner of Police. The Commissioner of Railways is appointed for a longer term than the hon. member proposes.

The MINISTER FOR WORKS: The member for Leederville asked me to furnish the number of claims under Workers' Compensation. I have here a letter from the British Medical Association which says, "According to the Government Actuary for the year ended 30th June, 1929, there were 13,206 claims for compensation."

Hon. P. Collier: How many were settled without reference to a board?

The MINISTER FOR WORKS: I have no other figures. If members consider the whole of the provisions relating to the medical board they will appreciate the necessity for having a chairman free from outside work. Compensation cases occur all over the State. The doctor attending a case must supply a report, which will go to the commission. It will be the duty of the chairman of the medical board to peruse each report.

Mr. Pantou: If submitted to him.

The MINISTER FOR WORKS: It will be submitted to him because he will be on the spot. He will decide whether a patient is making satisfactory progress or whether he should be placed under a specialist. The member for South Fremantle emphasised the need for getting an injured worker to the right doctor as quickly as possible.

This provision will help. The chairman should not engage in outside work on compensation cases. I am inclined to think he will have to be a full time officer. If the compensation work proved insufficient to occupy the whole of his time, he could probably do other Government work. If he does the work well, he will have a big job.

Hon. J. C. Willcock: He will deal only with cases referred to the medical board.

The MINISTER FOR WORKS: No, with every case. He will assist the commission and decide upon the matters to be referred to the medical board.

Mr. Raphael: He will be a sort of super board.

The MINISTER FOR WORKS: I would not expect the hon. member to understand me.

Mr. Raphael: You are talking a lot of trash. Talk sense and do not try to mislead the Committee!

The MINISTER FOR WORKS: The committee of the British Medical Association agree with me on this point. It should be possible to get the right man, and he should have security of tenure.

Hon. P. Collier: Have you anyone in mind?

The MINISTER FOR WORKS: No. The Association are anxious to assist the Government in making this legislation successful.

Mr. BROWN: The best possible man should be secured as chairman. The appointee would have to give up his private practice. There would necessarily be a big department.

Hon. P. Collier: Do you believe in building up a big Government department? You were elected in opposition to that policy.

Mr. BROWN: The object of the measure is to reduce the premium charges.

Hon. P. Collier: Your party came in to abolish Government departments.

Mr. BROWN: The only way to reduce premiums is for the Government to do the whole of the work.

Hon. P. Collier: You are going back on your election promises.

Mr. BROWN: The hon. member should wait until I have finished.

Hon. P. Collier: You consider you would get efficiency and cheapness from a Government department?

Mr. BROWN: I did not say that.

Hon. P. Collier: That is what you are saying.

Mr. BROWN: If the appointment were for three years, and the term expired while the Labour Party were in office, they might appoint a man with a leaning towards their policy.

Hon. P. Collier: How many friends of the Government have been appointed to Government positions in the last 12 months?

The CHAIRMAN: Order! That has nothing to do with the question.

Mr. BROWN: How many such persons were appointed during the previous six years?

Hon. P. Collier: Not so many as in the last 12 months.

Mr. BROWN: Would a medical man give up his practice to take this position for three years? Could not we provide that the chairman should not continue in office after reaching a certain age? The chairman of the board would have to be paid a reasonable salary.

Mr. Kenneally: How much?

Mr. BROWN: Less now than he would have got four years ago. Members of Parliament, too, will have to accept less than they are getting at present. Could not the Minister compromise by agreeing to an age limit? I would rather the clause were retained as printed than that only three years' tenure should be given to the chairman.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. S. W. MUNSIE: Members should be discussing the question whether the appointment ought to be a permanent one or limited to three years. This is an entirely new method of controlling the workers' compensation business. It is experimental. To say at the outset that the chairman of this new medical board should be appointed for life is ridiculous. Before doing any such thing we should have some experience of this type of legislation. We should have an opportunity to learn the actual nature of the duties required to be carried out, and thus form an estimate of the capabilities of the man needed for the position. I agree as to the necessity for appointing a medical board as well as a commission, but I am totally opposed to appointing a chairman of the board for life at this stage. If

a man were appointed for three years and proved efficient, there is no doubt his term of office would be extended. If he were not suitable it is possible that his successor would be found in one of the other members of the board. I support the amendment of the member for South Fremantle.

Mr. PIESSE: I am doubtful about the meaning of the words "pleasure of the Governor." It may turn out to be difficult to remove the chairman of the medical board once he has been appointed in the way proposed. It would be better that the appointment should be made for three years rather than for life. It seems to me the amendment on the amendment is the one to pass.

Mr. ANGELO: This is experimental legislation, and we should be going rather far if we appointed a chairman for life. I suggest that better results could be obtained if such a prominent Government official as Dr. Atkinson were asked to open up this new avenue of medical work and get the machinery of the board running smoothly. When this had been done, it might then be deemed advisable to fill the position with a permanent chairman. The work of this board would really be to hear appeals, and there would not be a great deal, as far as we can see, at present, for the chairman to do. We should not be talking of appointing a permanent official when we do not know the nature of the duties he will be called upon to perform. Medical men speak highly of the qualifications of our Principal Medical Officer, and declare he could make infinitely more outside the service. That opinion was expressed about two years ago, quite irrespective of the position here in view.

[Mr. Richardson took the Chair.]

Mr. MARSHALL: I support the amendment, although I recognise that there is force in the Minister's contention that the appointment should be for life. I dissociate myself altogether from the suggestion that a three-years appointment would render the chairman liable to political influence. In reply to a question asked by the member for Leederville it was stated that the total number of workers' compensation claims for the year ended 30th June, 1929, was 13,206. The number of disputed claims was not stated. The two industries which furnish the greatest number of beneficiaries under the Act are timber and gold mining.

Those who know these industries can estimate beforehand the number of cases they are likely to bring before the board in the course of 12 months. Not ten per cent. of the claims will be disputed. If the whole of the 13,206 cases of injury had to be referred to the chairman of the medical board, he would have to read 36 reports daily; and most of the reports would be brief. In Meekatharra during the last ten years not more than 30 or 40 cases have been disputed. We cannot at present afford to pay large emoluments to professional men whom it will not be possible to keep fully occupied. The commission will deal with the cases in the first place, and only refer them to the medical board if necessary. The work of the chairman of the board will not be a full-time job. It could be done by doctors now in the Government service. In connection with many serious accidents, there is no dispute whatever as to compensation. Where there is a dispute, the chairman will call in specialists; and his part will be to confer with them. The Minister should not contemplate making this a full-time position. Suppose an accident happened at Wiluna; by the time the report reached Perth—a matter of a week or nine days—the injured man would be back at work. We should not pay a doctor to sit in an office and peruse reports on such cases. The amendment on the amendment should satisfy the Minister, especially as this legislation is purely experimental. I am not wedded to the three years, but a term should be fixed until it is known what the work of the board will be. Let us ascertain that, and then if necessary amend the measure.

Mr. KENNEALLY: The amendment on the amendment deals specifically with the period of appointment. The duties of the chairman are outlined in Clause 44 and although the Minister says that those duties will warrant the appointment of a permanent full-time medical officer, we should have further information before accepting that assurance. I question whether the duties will warrant such an appointment. On the other hand, it would be possible for the Minister to prescribe the duties of the chairman by way of regulation, and he could even deal with the question of payment on the basis of so much per meeting.

The MINISTER FOR WORKS: I cannot accept the amendment on the amendment, but, as constant dripping wears away a stone, I have decided to suggest another

amendment as follows:—"That all the words after "practitioners" in line 3 of Subclause 1 be struck out, and the following inserted in lieu:—"One of such members shall be appointed by the Governor as chairman for a period not exceeding seven years, and he shall be eligible for re-appointment at the expiration of such term."

Hon. P. Collier: That would mean you might appoint a chairman for seven years to do nothing.

The Minister for Lands: He might be appointed for a year in order to give him a trial.

Mr. Withers: Who would decide the period of the appointment?

The MINISTER FOR WORKS: The Governor-in-Council. The amendment is a fair and reasonable compromise.

Mr. Kenneally: Make it three years and we might meet you.

The MINISTER FOR WORKS: I would not suggest that the member for East Perth would compromise on anything.

Hon. P. COLLIER: This is not a question of compromise at all. The Minister has not answered one of the arguments advanced against his amendment. He has taken our view in favour of a shorter period, and has taken his suggestion for a life appointment, and, in a spirit of "split the difference," has suggested seven years. That is not the way to deal with matters of this description.

The Minister for Railways: You would not suggest that the Bill proposes a life appointment.

Hon. P. COLLIER: I have not said that at all.

The Minister for Railways: It does not provide any tenure of office.

Hon. P. COLLIER: That point has been argued for hours, and the position is clearly understood. In effect, it is a life appointment that is proposed, but I do not want to cover that ground again. Of course, the chairman could be removed by any Government at any time.

Mr. H. W. Mann: But not if he were appointed for a term of three years.

Hon. P. COLLIER: But the phrase suggested is "not exceeding three years." Now the Minister suggests "not exceeding seven years."

The Minister for Railways: What is the virtue in three years as against seven years?

Hon. P. COLLIER: I agree with the member for Gascoyne that there should be

no appointment for some time to come. The position could be filled by a Government medical officer for six months or even 12 months.

The Minister for Lands: It could be done now.

Hon. P. COLLIER: Yes. An appointment of that description could be made, and that would enable us to know from experience how much work would have to be dealt with.

Mr. Angelo: At the outset, we would not know what the job was worth.

Hon. P. COLLIER: Of course not. I do not blame the Minister or his department for not being in a position to determine the points I have raised because no figures are available that will serve to indicate the volume of work that will have to be undertaken or the value at which that work should be assessed. Despite the lack of that information, it is suggested that we shall appoint a permanent chairman of the board, though we are absolutely in the dark.

The Minister for Works: Under my suggestion, the appointment could be made for one year.

Hon. P. COLLIER: And if the Minister will give me an undertaking that the appointment will not be made for more than one year at the outset, I shall accept it. Under such conditions, if the chairman were not re-appointed, no reflection upon him or his capacity would be cast in the slightest degree.

The Minister for Railways: There is one danger in an appointment for a short period; we might not get the type of man we want.

Hon. P. COLLIER: That point has been discussed at length, too. That is why the suggestion for a three-year period was made. Then, if no re-appointment were made, it would be no reflection upon the retiring appointee. If a commissioner of railways is not re-appointed when his term expires, no reflection is cast upon him.

The Minister for Railways: It is generally accepted that he is worn out.

Hon. P. COLLIER: That is not altogether the position. As a matter of fact, Governments do not act in an uncouth way in dealing with officers in high positions. If there is no intention to re-appoint, the officer concerned is generally notified accordingly,

and he is allowed to retire; he does not seek re-appointment.

The Minister for Railways: It was not done with Mr. Short.

Hon. J. C. Willcock: He was palpably in need of a rest.

Hon. P. COLLIER: Mr. Short had reached a considerably advanced age, and was seriously ill; there was no reflection at all upon him. However, something along the lines suggested by the member for Gascoyne ought to be done; especially since in a few weeks' time we shall be called upon to pass legislation making a 20 per cent. reduction in all wages, salaries and expenditure generally; we shall be called upon to curtail services which to-day are regarded as essential to the State.

The Minister for Lands: The Minister's suggested amendment will afford opportunity to make a short-dated appointment and then, if we get a suitable officer, to extend it to seven years. It is a very good compromise.

Hon. P. COLLIER: Will the Minister undertake that a short-dated appointment shall be made?

The Minister for Works: I cannot give you that assurance.

Hon. P. COLLIER: There you are! In the circumstances I really believe that three years is too long—except that for a shorter term we might not get a suitable officer. However, seven years is altogether too long a period.

Mr. H. W. Mann: Seven years is not too long if the appointee be efficient, whereas three years would be too long if he were inefficient.

Hon. P. COLLIER: In which case seven years would be doubly harmful. The Minister in his amendment would have even an unsuitable appointee remain for seven years.

The Minister for Railways: The Minister does not make the appointment. It will be made by the Governor in Council.

Hon. P. COLLIER: I should say so, since it is an important appointment.

The MINISTER FOR WORKS: The Opposition's amendment which I am seeking to amend would make the appointment for three years. That is to say, it cannot be for a shorter period. My amendment is for a period not exceeding seven years; it might be for three months.

Hon. P. Collier: And it might be for seven years.

The MINISTER FOR WORKS: Actually we might appoint one of our own medical officers for six months under this amendment of mine.

Hon. P. Collier: And you might not.

The MINISTER FOR WORKS: My amendment gives some latitude to the Government, but the amendment moved by the member for South Fremantle gives no latitude at all; the appointment must be for three years. Under my amendment we may select one of the Government doctors for six months, after which we might decide to appoint him for a longer period, up to seven years. Why should not the Government be trusted in a matter like this?

Hon. P. Collier: It is not a question of trusting the Government.

The MINISTER FOR WORKS: Only experience can tell us whether or not it will be a full-time appointment. Personally I believe it will be a full-time appointment when we get the whole of the fund going. However, time alone will show that, and so we require the elasticity that is to be found in my amendment.

Hon. P. Collier: The man who is the right man to-day may not be the right man in seven years time.

The MINISTER FOR WORKS: My amendment gives more latitude than either the original clause or the Opposition's amendment. It gives all the latitude between one month and seven years.

Mr. PANTON: The argument I put up at the outset has not been touched upon by the Minister at all. All that he considers is for how many years the appointment is to be made.

The Minister for Works: That is the amendment.

Mr. PANTON: We have no evidence to show that this will be a full-time position.

Hon. P. Collier: It is a hundred to one it will not be.

Mr. PANTON: Then the Committee should be all the more careful about this legislation, for once a man is appointed, whether it be for a month, a year or three years, it will be very difficult and quite unfair to dismiss him; and more especially since the appointee will be pretty high in his profession and will have sacrificed a great deal in relinquishing his private practice. In answer to my request for some statistics to go upon, the Minister has informed us that 13,200 cases were dealt with last year. But that conveys nothing,

for the greater part of those cases may have been minor accidents. We require information as to how many of those cases the commission would have referred to the medical board. The Minister, on the second reading, told us of a conference he had with the representatives of the British Medical Association. He read the shorthand notes of that conference, revealing that Dr. Holland had said that most of the amounts charged for workers' compensation by the medical fraternity ranged from £2 to £10. That goes to show there was very little exploitation by the medical fraternity.

The Minister for Works: Also I gave the exact figures from the State Insurance Office.

Mr. PANTON: And they are all in "Hansard." But if the fees charged by the doctors ranged only from £2 to £10, can any member imagine the commission sending any of those cases on to the medical board? Most workers' compensation cases are minor accidents, which I think will not go before the medical board at all.

The Minister for Works: Ninety-three per cent. of the cases referred to were temporary cases.

Mr. PANTON: Very well. That is the best piece of information we have received so far.

The Minister for Works: It is in "Hansard."

Mr. PANTON: On the figures of the last 12 months, 7 per cent. would probably go to the medical board. About some of them there would be no dispute; consequently a very small percentage would go to the board.

Hon. P. Collier: Perhaps 3 or 4 per cent.

Mr. PANTON: Even if it were 7 per cent., what work would there be to occupy a permanent chairman during the whole 12 months? Would those cases occupy all his time? I venture to say they could be dealt with in 24 hours.

The Minister for Works: Medical expenses for the 7 per cent. averaged £51. That also is in "Hansard."

Mr. PANTON: That being so, I am surprised at the Minister's proposal. I hope we shall be given a definite assurance that there will be no permanent appointment for six or 12 months until we gain experience of what is needed.

The MINISTER FOR LANDS: The proposal of the Minister for Works is a fair compromise because it will give an opportunity to do what members opposite desire,

namely, make a temporary appointment. There is uncertainty regarding the volume and value of the work, and if the Minister's proposal is adopted, we shall make a short-dated appointment. We might even appoint an officer in the service for a start. If an outside appointment had to be made, a doctor might be willing to give up his practice for a 7-year term but not for a shorter period.

Hon. P. Collier: Will you try it out for 12 months?

The MINISTER FOR LANDS: Yes. The proposal would give it a trial, whereas a three-years appointment would not.

Amendment on amendment put and negatived.

The MINISTER FOR WORKS: I wish to insert "for a period not exceeding seven years" but I am afraid that will have to be done after recommitment.

Hon. A. McCallum: Your amendment is before the Chair and you cannot move to amend it.

The MINISTER FOR WORKS: It would be better to strike out the first paragraph of my amendment.

The MINISTER FOR LANDS: I move—

That the amendment be amended by striking out the words "One of such members shall be appointed and hold office during the pleasure of the Governor and shall be chairman of the board" and the following inserted in lieu:—"One such member shall be appointed by the Governor as chairman for a period not exceeding seven years, and shall be eligible for reappointment at the expiration of such term of office."

Amendment on amendment put and passed.

The MINISTER FOR WORKS: Subclause 2 refers to the other two members of the board, and I wish to strike out the words "shall hold office during the Governor's pleasure and" in order to enable Subclause 1 to operate.

Mr. Panton: Has the second portion of the amendment to Subclause 1 been put?

The CHAIRMAN: No, the question before the Committee is that the amendment, as amended, be agreed to.

Mr. MARSHALL: I move—

That the amendment be further amended by inserting after the word "commission" the words "and the other party concerned."

As the amendment stands, it is a very one-sided affair, and is likely to result in a great

deal of injustice. Apparently the injured worker will have no right to say which doctors on the medical board shall deal with him.

Hon. P. Collier: There must also be some method of determining which party shall prevail in the event of a disagreement on the choice of doctors.

Mr. MARSHALL: I do not think there will be much difficulty in arriving at a decision. It may be a question of a man losing his leg. He should have a voice in the choice of the doctors who will determine what shall be done to him.

Hon. P. Collier: He is represented on the commission.

Mr. MARSHALL: Even so, under the proposal of the Minister he will not be able to appeal against the decision that is arrived at.

The Minister for Works: This refers only to medical cases.

Mr. MARSHALL: I am not of that opinion.

Mr. PANTON: It would be unfair to the worker that three men should be appointed permanently to the board. The injured man should be able to get the best advice that is available and thus have the services of specialists. It is to his advantage that this amendment should be put into the Bill. If it is an eye case, two eye specialists can be brought on to the board to deal with it. That is a better position than a board composed permanently of medical practitioners, who may not be specialists in every type of case that is brought before them.

Mr. KENNEALLY: The amendment of the member for Murchison does not go far enough. The commission may tell an individual that he must submit to certain treatment if he wishes to get compensation. The only redress the man has is to appeal to the medical board, which then determines whether or not the operation shall be performed. The better way to constitute the medical board would be to follow the system adopted in connection with railway appeals, when the railway officer himself has a direct representative on the appeal board. On this medical board I should like to see at least one doctor appointed on behalf of the injured worker, the other to be appointed by the chairman.

The Minister for Works: What about the employer appointing another?

Mr. KENNEALLY: The employer does not come into the matter in any shape or form. He simply pays his premium to the commission. He does not suffer at all. It is not proposed to operate on him, but on the employee. The employee is to undergo the operation or lose all compensation. I propose later to move an amendment under which the board will include a representative of the injured worker.

Mr. MARSHALL: So that the member for East Perth may move his indicated amendment on the amendment, I ask leave to withdraw mine.

Amendment on amendment by leave withdrawn.

Mr. KENNEALLY: I move an amendment on the amendment—

That after the word "practitioners" in line 4 of the second paragraph of the amendment there be inserted "one of whom shall be."

If this is carried, it will be necessary to strike out other words.

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

Ayes	..	..	..	17
Noes	..	..	..	20
Majority against				3

AYES.

Mr. Cunningham	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Withers
Mr. Munsie	Mr. Corboy
Mr. Panton	(Teller.)

NOES.

Mr. Angelo	Mr. Parker
Mr. Barnard	Mr. Patrick
Mr. Brown	Mr. Piesse
Mr. Doney	Mr. Sampson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. J. H. Smith
Mr. Lindsay	Mr. J. M. Smith
Mr. H. W. Mann	Mr. Thorn
Mr. J. I. Mann	Mr. Wells
Mr. McLarty	Mr. North
	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Collier	Sir James Mitchell
Miss Holman	Mr. Keenan
Mr. Walker	Mr. Ferguson
Mr. Lamond	Mr. Davy
Mr. Coverley	Mr. Teesdale

Amendment on amendment thus negatived.

Mr. MARSHALL: I move an amendment on the amendment—

That after the word "chairman" in line 6 of the second paragraph of the amendment there be inserted "and the injured worker."

The effect will be that the injured worker, or possibly a member of his family, shall have a voice in the constitution of the board to sit on his case. Otherwise he will have no say whatever. His state of health may be extremely bad, and all the consolation he will have will be derived from his dependants sitting beside him. Only persons severely injured will be under the necessity of available themselves of the amendment. Workers should have representation on such boards. The Minister is apparently afraid of the amendments moved, and does not give them the consideration they deserve.

The Minister for Lands: That is not correct; they are given every consideration.

Mr. KENNEALLY: We can oppose the Minister's proposal without casting any reflection upon any member of the medical profession. The point raised by the member for Murchison should receive careful consideration. If a man can be informed by the commission, in accordance with the terms of the Bill, that he must, for instance, undergo amputation or forego his right to compensation, let hon. members place themselves in the position of that man and consider whether they would not desire the right sought to be extended by the amendment. Should a man not have the money to enable him to continue the fight for the retention of his limb, he must agree when the commission swing the big stick they possess in the threat of amputation or no compensation. It may be said that the matter should be an easy one for the medical board to determine, as they will be fair. It must be realised that if the worker were given the opportunity to nominate a medical man in whom he had great confidence to represent him in the discussion regarding what was to be done with the injured portion of his body, that man would rest more content. The Bill indicates that the functions of the board will be important and wide. They will even be able to direct a local medical board in the country to refer a matter to the central board in Perth.

The Minister for Railways: And in 99 cases out of a hundred that will be in the interests of the injured worker himself.

Mr. KENNEALLY: I agree with that statement, but the powers I indicate refer not only to individual cases such as I have cited, but to decisions in other matters, including those referred to in Clauses 44 and 45.

Mr. Angelo: Will not Subclause 6 of Clause 43 affect the possibility of doing what you suggest?

Mr. KENNEALLY: That debars a medical man who has acted professionally in relation to the personal injury of the worker claiming compensation from sitting on the board; the worker may not select that doctor, but another in whom he has confidence.

Mr. Piesse: Would not the chairman of the medical board be the injured worker's natural protector?

Mr. KENNEALLY: He might be; but if the hon. member were in the position of the injured worker, would he be content to rely on the individual he terms the "natural protector" or would he be more satisfied if he were permitted to select a doctor to act on the board in his interests? So much power is vested in the board that it is essential that the person most directly concerned shall have representation on the board. The Minister suggests representation of others, but not of the injured worker.

The Minister for Works: What others?

Mr. KENNEALLY: Others are to be represented on the commission. So it is no use saying that because the board consists of three members, and the A.L.P. have one representative on the board, they have full representation. Again, if it be right to give the worker a representative on that board which has not the disposal of his body, why should he not have a direct representative on the board that will have the disposal of his body?

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

Ayes	..	..	..	17
Noes	..	..	..	20
				—
Majority against	..			3
				—

AYES.

Mr. Cunningham	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Withers
Mr. Munzie	Mr. Corboy
Mr. Pantou	

(Teller.)

NOES.

Mr. Angelo	Mr. Parker
Mr. Barnard	Mr. Patrick
Mr. Brown	Mr. Piesse
Mr. Doney	Mr. Sampson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. J. H. Smith
Mr. Lindsay	Mr. J. M. Smith
Mr. H. W. Madd	Mr. Thorn
Mr. J. I. Mann	Mr. Wells
Mr. McLarty	Mr. North

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Collier	Sir James Mitchell
Miss Holman	Mr. Keenan
Mr. Walker	Mr. Ferguson
Mr. Lamond	Mr. Davy
Mr. Coverley	Mr. Teesdale

Amendment on the amendment thus negatived.

Amendment, as previously amended, put and passed.

The MINISTER FOR WORKS: I have a consequential amendment—

That in Subclause 2 the words "shall hold office during the Governor's pleasure and" be struck out.

Amendment put and passed.

Hon. S. W. MUNSIE: Surely it will now be necessary to move the same amendment in Subclause 3, where exactly the same words occur. I move an amendment—

That in Subclause 3 the words "shall hold office during the Governor's pleasure and" be struck out.

Mr. PIESSE: I have an earlier amendment. It is definitely stated that the Minister may appoint three duly qualified medical practitioners residing in Perth. That, I take it, means that power may be delegated in localities which it is inconvenient for the medical board itself to visit.

The MINISTER FOR WORKS: That is all right. I have an amendment dealing with that.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That the following be inserted to stand as subclause 7:—“(7) The medical board may refer any case or question arising under this Act to a medical practitioner for inquiry and report, and for the purpose of making any necessary inquiries such practitioner may exercise all or any of the powers of the board, and in his report submitted to the board he shall state his opinion on the matters inquired into.”

The member for Murchison asked whether we could get a medical board in places like Wiluna. Consequently, I have had this subclause prepared.

Mr. ANGELO: Will this mean that the medical practitioner who has been attending to the injured worker shall have a place on the board?

The Minister for Works: No.

Mr. ANGELO: Then, what will you do?

The Minister for Works: We may send up a man from Perth.

Mr. PIESSE: I am afraid the Minister's amendment does not cover what I had in mind when I suggested a further amendment to Subclause 3. My intended amendment provided that power should be given to the board to appoint one or two medical practitioners, whereas under the Minister's amendment it must be one or three that shall be appointed.

Mr. PANTON: I did not follow the Minister when he said it might be necessary to send up a medical practitioner from Perth.

The Minister for Works: I only said that.

Mr. PANTON: Then the Minister ought not to say what he does not mean. Surely the medical practitioner who has been treating the injured worker is in the best position to understand the case. It is the duty of the medical board, as of all medical practitioners, to get a man back to the industry as quickly as possible. I have more faith in the medical profession than some members appear to have. If the Minister proposes to send a doctor from Perth to a place like Wiluna, I am not satisfied with the proposal.

The Minister for Lands: It will be a matter for the medical board.

The Minister for Works: The amendment explains itself.

Mr. PANTON: The Minister should not make interjections if he does not mean them.

Mr. MARSHALL: The amendment is necessary to make the measure workable in places like Wiluna and Meekatharra. I assume that no expense will be incurred in sending a doctor from Perth to one of those places when doctors are available at nearer centres. I take it that the present practice will be continued. The local doctor will patch up an injured man but, knowing that the case is beyond his capacity and the facilities available, will then send him away for expert treatment.

The Minister for Works: That is so.

Mr. MARSHALL: If a big accident occurred, the expense of sending a doctor from Perth would be justified.

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

Clause 44—Powers of medical board:

Hon. S. W. MUNSIE: I move an amendment—

That after "matter" in line 1 of paragraph (a) the words "depending on a knowledge of medicine or surgery" be inserted.

I think those words have been omitted through an oversight.

Mr. H. W. Mann: You would confine the board's investigations to those matters?

The Minister for Works: Those words are contained in paragraph (b) of the same clause.

Hon. S. W. MUNSIE: But they are equally necessary in paragraph (a). Otherwise, the board would have power over everything.

The MINISTER FOR WORKS: I have no objection to the amendment, but the provision in paragraph (b) is sufficient.

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

Clause 45—Power of principal medical board to hear and determine matters pending before local board:

Hon. S. W. MUNSIE: Subclause 2 provides that, by leave of the principal board, an appeal shall lie from the decision of a local board to the principal board. Why stipulate by leave of the principal board?

Mr. PANTON: I made a fuss about that point on the second reading. If a litigant wishes to appeal from the decision of a lower court, it is sometimes necessary to get leave from a higher court to appeal. If an individual desires to appeal from a local medical board, he must have the consent of the principal medical board.

Mr. ANGELO: Why should an injured worker have to write to the principal board for permission to appeal from a local board? Would not the principal board have to send to the local board for particulars?

Mr. H. W. Mann: No; they would have the records in the Perth office.

Hon. P. Collier: There are such things as frivolous appeals.

Mr. ANGELO: What is the good of appealing from a local board to an appeal

board if it is first necessary to get the permission of the appeal board?

Hon. M. F. TROY: Litigants have to obtain leave of the court before they can appeal. This is the same thing.

Mr. ANGELO: The clause is worded in rather an awkward way for the injured worker.

Clause put and passed.

Clause 46—agreed to.

Clause 47—Register of medical practitioners:

The MINISTER FOR WORKS: I have an amendment to move to this clause.

Hon. A. McCALLUM: I want to strike out the clause, and failing that, I want to add a proviso.

The CHAIRMAN: It will be necessary for the hon. member to move his proviso now, for he will be unable to do so if the clause is put and passed.

Hon. A. McCALLUM: I am totally opposed to the clause. It makes provision for a black list of medical practitioners; in other words, a rogue's gallery. Rewards will be offered for those men who are found to be practising if their names are on this list. Their photographs will be displayed, and advertisements published that certain practitioners are wanted.

The Minister for Works: I will agree to the striking out of the clause.

Clause put and negatived

[*Mr. J. H. Smith took the Chair.*]

Clause 48—agreed to.

Clause 49—Regulations:

Mr. MARSHALL: In view of the Governor's departure for England, does the Minister think there will be any difficulty in putting this clause into application?

Clause put and passed.

Clauses 50, 51—agreed to.

First Schedule:

Mr. KENNEALLY: I move an amendment—

That in Clause 1, paragraph (b), of the schedule the word "fourteen," line 7, be struck out, and "sixteen" inserted in lieu.

The existing Act increases the weekly compensation by 7s. 6d. for each child under the

age of 16 years. The amendment seeks to alter the age under the Bill back from 14 years to 16. In fact, the amendment proposes to change the position under the Bill to what is the position under the Act. Say an injured worker has two children, one a little over 14 years of age and the other a little under 16; in respect of those children the Bill deprives the worker of 15s. per week. I suppose the Minister knew this when proposing the amendment, which therefore represents a deliberate attempt to deprive the injured worker of money. Many men are now working part time, and their pay entitles them to a very low amount of weekly compensation, so that a reduction of 15s. would be a serious blow. No reason has been given by the Minister for decreasing the age. The result of the paragraph as it stands will be to cut out children between the ages of 14 and 16 years. Children over 14 are cut out from the sustenance allowance. Are such children not to live at all? The Minister has said that this is a workers' measure, one that will lift a burden from industry but not deprive the worker of compensation. I hope the Minister will see the error of his ways. If he does not, I trust members opposite will vote for the amendment. Many of the constituents of the member for Perth, for instance, are in a very bad position. The hon. member met them during the election, and he should know what their position is now.

Mr. H. W. MANN: Yes; before and since the election.

Mr. KENNEALLY: I hope the hon. member will help to defeat the attempt to deprive an injured worker's family of 15s. per week. I appeal to the member for North-East Fremantle, who represents what is obviously a working-class constituency. Many people in that constituency will be affected by the Bill. I ask members of the Committee to take the Minister at his word as regards his description of this measure.

The MINISTER FOR WORKS: The provision in the paragraph regarding the age of children dependent on the worker will bring our legislation into line with every other Act in Australia, in each of which the maximum age is stated as 14. It is true that in the amending legislation passed in the Federal Parliament in 1930, there is a modification, the effect of which is that if a child is over 14 years of age when

the accident occurs, no payment is made in respect of that child. But if the child is under 14 years of age when the accident occurs, payment is made in respect of it and is continued should the incapacity of the worker last until the child is 16 years of age. In the Commonwealth, New Zealand and Queensland Acts provision is made that the child must be wholly or mainly dependent on the injured worker, and later on I shall move to amend the paragraph to bring it into line.

Mr. Wansbrough: Why not include a provision similar to that in the Commonwealth Act?

The MINISTER FOR WORKS: I do not know that I would object to that. At present the First Schedule provides that an incapacitated worker shall be entitled to 50 per cent. of his wages and an additional amount of 7s. 6d. per week for every child under 14 years of age, with a maximum total payment of £3 10s. a week.

Mr. H. W. Mann: Has not the present Act worked satisfactorily?

The MINISTER FOR WORKS: I cannot reply to that question because I have not figures relating to the difference it would mean to the fund if we retained 16 as against 14 years of age.

Mr. Kenneally: Then if you have no such figures, why make the alteration from 16 to 14?

The MINISTER FOR WORKS: As the member for East Perth himself has said hundreds of times during the debate, this is a Workers' Compensation Act Amendment Bill. My committee have advised me that we are working along proper lines.

Hon. P. COLLIER: During the discussion the Minister has frequently referred to his committee. Who comprise this mysterious committee? We have not been informed on that point although the Minister seems to place so much reliance upon them.

The Minister for Works: I was wrong when I made that statement; I must take the responsibility.

Hon. P. COLLIER: I accept the Minister's statement, but I was going to remark that it was rather extraordinary to think that some outside committee was allowed to frame such legislation. The Minister justified the amendment by saying it brought our legislation into line with Acts in the Eastern States, but yesterday, when we attempted to secure amendments that would

bring the Bill into line with those Acts, we were not successful.

The Minister for Works: You need not continue; I will accept the amendment.

Amendment put and passed.

Mr. KENNEALLY: I move an amendment—

That in line 8, of paragraph (b), the words "who is wholly dependent on the worker" be struck out.

Possibly discussion would be saved if the Minister would accept this amendment.

The Minister for Works: I do not intend to.

Mr. KENNEALLY: Where is the necessity for the amendment the Minister is waiting to move, namely, to insert "or mainly" after "wholly"?

The MINISTER FOR WORKS: The necessity arises because in actual practice a father who is not keeping his children at all claims and gets 7s. 6d. per week each for them. A man may even be separated from his wife and not be maintaining either her or the children. Yet because he has a child, he receives 7s. 6d. per week for its maintenance when really it is being maintained by the mother. The words which the hon. member would strike out will prevent that sort of thing without depriving any man who is entitled to the 7s. 6d. per week. It was intended that the provision should read, "wholly or mainly," but somehow the words "or mainly" were left out. The same words appear in the 1930 Commonwealth Act, and also in the Acts of New South Wales and Queensland.

Mr. KENNEALLY: While the Minister's amendment would make provision for those children wholly or mainly dependent on the worker, I want to make provision for the child that is partly dependent on the worker.

Mr. H. W. Mann: Would not "partly" be covered by "mainly"?

Mr. KENNEALLY: Not to my satisfaction. A man should not be deprived of the money simply because his child is only partly dependent on him. If the Minister will agree to make the phrase read "wholly or partly," I will withdraw my amendment.

The Minister for Lands: We gave you the previous point; why not give us "or mainly"?

Mr. KENNEALLY: Because we cannot afford to barter when the welfare of a child is at stake. The Minister for Works

is trying to avoid the payment of the money if the child is in no way dependent on the father. That is quite a good case, but if the child is in any way dependent on the father, the compensation should be paid. If the Minister will agree to substitute "partly" for "mainly" in his proposed amendment, I will withdraw my amendment.

Hon. A. McCALLUM: I hardly think the reason given by the Minister is the real cause of this provision, for it will not really be the position at all. If the money for the maintenance of his children is paid to the father and he is not contributing to their maintenance, there is a simple remedy—the money can be garnisheed. The Child Welfare Department would do that.

The Minister for Lands: It may not be under the Child Welfare Department.

Hon. A. McCALLUM: The Minister for Works spoke of the father being separated from the family. In such a case the Child Welfare Department is bound to be helping to some extent. The Minister proposes to stop the issue of that money for the maintenance of the children. Would it not be better to pay it out and make sure that it goes to the maintenance of the children? It is not a remedy for the position. The children will be no better off. The provision is likely to do much harm. If it could be proved that a child had a pound or two in its money box, it would not be wholly dependent.

The Minister for Works: The money box would not stop it.

Hon. A. McCALLUM: A child would be required to spend the few coppers in its money box.

The Minister for Works: That is an extreme view.

Hon. A. McCALLUM: That is what the Government are insisting upon regarding sustenance for the unemployed.

The Minister for Works: Why have all the States in Australia made similar provision?

Hon. A. McCALLUM: The reason given by the Minister cannot be the correct one; otherwise a remedy could have been adopted.

The Minister for Works: It has stood the test of time in the other States.

Hon. A. McCALLUM: To require that a child of 14 or 15 shall be mainly or wholly dependent is playing the game low.

The Minister for Works: Then the other States are playing the game low.

Hon. A. McCALLUM: It is wrong to make a child think it is not dependent upon its parents. Many children have school banking accounts. If the provision were enforced, they could be made to disgorge.

The Minister for Works: That is a very extreme view. Children are not getting the money to-day; the fathers are getting it.

Hon. A. McCALLUM: Then there are ways to ensure that the money is used for the children. The measure provides for extreme action if those in authority care to take it. During the six years I administered the Act no complaint was ever made about the money not going into the right channel. If the Minister would adopt "partly" instead of "mainly" it would be an improvement.

The Minister for Works: How would you define "partly"?

Hon. A. McCALLUM: It would be as easy to define "partly" as "mainly."

The Minister for Works: "Partly" might mean 6d. a week pocket money taken out of the child's money box.

Hon. A. McCALLUM: If the money does not go to the child, where will it go? Fancy a child of 15 or 16 having to prove that it is mainly dependent on the father!

The Minister for Works: The father would have to prove it.

Hon. A. McCALLUM: It is not a nice position in which to place a parent.

Mr. H. W. Mann: Even under the amendment the parent would have to prove that the child was partly dependent.

Hon. A. McCALLUM: We are trying to get all those words eliminated, but as a compromise have suggested the words "wholly or partly."

Mr. H. W. Mann: I suggest the proof should be the filling in of a form setting out the number of children dependent on the worker, and the onus to be on the board to prove they were not so dependent.

Hon. A. McCALLUM: That is a new interpretation to place upon the law, except in the case of goldstealing and pilfering on the wharf. The whole principle is repugnant to me.

Mr. KENNEALLY: Many people nowadays are unable to keep their children either wholly or partly. According to the Commonwealth Employees' Compensation Act, the word "dependant" means such of the members of an employee's family as were wholly or in part dependent upon

the earnings of the employee at the time of his death. That should appeal to the Minister. With the leave of the Committee I will amend my amendment by leaving in the words "but is wholly."

Amendment, by leave, amended accordingly.

Mr. KENNEALLY: My amendment which I now move will read—

That after the word "wholly" the words "or in part" be inserted.

The MINISTER FOR WORKS: I cannot agree to the amendment. In the case of death I think the words "wholly or in part" should go in, but we are now dealing with the First Schedule. The 1930 Commonwealth Act says, "In respect of each child totally or mainly dependent." All I want is to provide for that. We should not pay the father this allowance unless he is wholly or mainly supporting the children. Surely there must be sound reason for the appearance of the words in all the other Acts. The amendment should be rejected.

Amendment put and negatived.

The MINISTER FOR WORKS: I move an amendment—

That in Clause 1, paragraph (b), of the schedule, after the word "wholly," line 8, there be inserted "or mainly."

Amendment put and passed.

Progress reported.

BILL—COLLIE RECREATION AND PARK LANDS.

Returned from the Council without amendment.

House adjourned at 11.4 p.m.

Legislative Council,

Thursday, 11th June, 1931.

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

BILL—SPECIAL LEASE (ESPERANCE PINE PLANTATION) ACT AMENDMENT.

Read a third time and *passed*.

MOTION—STOCK REGULATIONS, KIMBERLEY CATTLE.

To inquire by Royal Commission.

Debate resumed from the 3rd June on the following motion by Hon. G. W. Miles—

That an Honorary Royal Commission be appointed to investigate the administration and application of the regulations under the Stock Diseases Act, 1895, as gazetted on the 11th October, 1929, particularly as they relate to the restriction of the movement of cattle from the Kimberley district.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East) [4.36]:

One can appreciate the motives actuating Mr. Miles in fighting the battles of the Kimberley pioneers. They deserve all the assistance they possibly can get. However, after inquiry at the Department of Agriculture, I am satisfied that he has been grossly misled regarding the attitude of the department in connection with the administration of the Stock Diseases Act as applied to the control of pleuro pneumonia, and I am convinced, if the action now being taken is not continued and perhaps more rigidly exercised, the State may be faced, not with the problem of confining the ravages of pleuro pneumonia to the cattle stations in the North, but with a wild-fire spread of the dread disease to the length and breadth of the State. To date the officers of the department have done remarkably well in restricting the spread of the disease, and I am surprised that the leniency that is being shown to the northern growers in the disposal of their cattle in the southern markets has not resulted in serious devastating consequences to the herds in the southern districts of the State. The position is that the Kimberleys, both East and West, are affected with pleuro-