Hon. L. THORN: Yes. That remains in the Rockingham Road Board area, but this is on the other side of the road and will be included in the proposed new area. The hall will be in one area, but the people who banded together to build it will be in another, while at the same time some of the residents will still be in the same area as the hall.

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

Ayes	20
Noes	21
Majority against	1

Ayes.

Mr Abbott	Mr. Nimmo
Mr. Brand	Mr. North
Dame F. Cardell-Oliver	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Doney	Mr. Perkins
Mr. Hill	Mr. Thorn
Mr. Hutchinson	Mr. Watts
Mr. Manning	Mr. Wild
Sir Ross McLarty	Mr. Yates
Mr. Nalder	Mr. Bovell

(Teller.)

Noes.

Mr. Andrew	Mr. Lawrence
Mr. Graham	Mr. McCulloch
Mr. Hawke	Mr. Moir
Mr. Heal	Mr. Norton
Mr. J. Hegney	Mr. Nulsen
Mr. W. Hegney	Mr. O'Brien
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Styants
Mr. Kelly	Mr. May
Mr. Lapham	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Hearman	Mr. Guthrie
Mr. Ackland	Mr. Tonkin
Mr. Mann	Mr. Sewell

Amendment thus negatived.

Clause put and passed.

Progress reported.

House adjourned at 11 p.m.

Legislative Council

Wednesday, 11th November, 1953.

CONTENTS.

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

BILLS (2)—FIRST READING.

1, Trade Descriptions and False Advertisements Act Amendment (No. 2).
Introduced by Hon. H. Hearn.

2, Municipal Corporations Act Amendment.
Introduced by the Chief Secretary.

BILLS (2)—THIRD READING.

1, Fertilisers Act Amendment.
Passed.

2, Local Authorities, Royal Visit Expenditure Authorisation.
Transmitted to the Assembly.

BILL—ELECTORAL ACT AMENDMENT (No. 1).

Recommittal.

On motion by Hon. J. McI. Thomson, Bill recommitted for the further consideration of Clause 2.

In Committee.

Hon. C. H. Simpson in the Chair; Hon. H. S. W. Parker in charge of the Bill.

Clause 2—Section 83 amended:

Hon. J. McI. THOMSON: I move an amendment—

That all words after the word "by" in line 2 be struck out and the following words inserted in lieu:—

(a) Deleting the word "booth" in line two of subsection (4) and substituting the word "place".

(b) Adding after the word "vote" being the last word in subsection (4) the words "or canvasses or solicits his vote".

The purpose of my amendment is to strike out of the present Act the word "booth" and insert the word "place" in lieu. There are many entrances to polling booths through which voters enter; therefore it would be advisable to make the substitution.

Hon. H. S. W. PARKER: The effect of the amendment is to bring the wording of the Act into uniformity, because this is the only section in the Act where the word "booth" appears. Some years ago it was inserted in error; and although there is a definition of "place" there is none for "booth". The other amendment is designed to prevent anyone canvassing or soliciting for votes within 50 yards of the polling booth. In view of the amendment made the other day, it will be necessary to make it in this clause, otherwise a person could solicit votes up to the door of a polling place.

Hon. A. F. GRIFFITH: Do I understand that the building is regarded as the polling "place"? If it is, then something ought to be done in the Act to sort this out. I will give an illustration. Members may know the Kent Street High School. It consists of a set of buildings, and if the definition given is the correct one and polling takes place in one of the rooms of the school, the whole building could be regarded as the polling place. My experience is that returning officers have regarded the polling booth as being the one room they use.

Hon. A. L. LOTON: There is no doubt that the "place" is the building. It would be extremely difficult to define what would constitute a distance of 50 yards away. Mention was made that Kent Street High School occupies one acre of ground, so I would like to hear Mr. Parker on that phase. In the reprinted Act of 1943, which has an important bearing on the point raised by Mr. Griffith, the definition of a polling place is given.

If the Kent Street High School covers an acre of ground, it is quite possible that many points of the building as laid down under the Electoral Act, irrespective of where the polling takes place in that building, would constitute entrances, and this definition would cover any distance 50 yards away from any part of the buildings.

Hon. H. S. W. PARKER: The amendment has been introduced because nowhere else in the Act does the word "booth" appear. It was included through an oversight, and it has not been amended. If the word is left in the Act, there will be arguments as to what constitutes a polling booth, because there is no definition. The present Acts says "within 50 yards of a polling place", and that is 50 yards from the building or any part of it in which polling takes place.

In practice I do not expect that anyone is going to insist that the back entrances of a building should be included in the definition. If there are canvassers at a back entrance within 50 yards, they should be kept away. It is a good scheme to lay down a definite place but in actual practice canvassers will be handing out cards at the normal approach to the building, and that is where they have to keep 50 yards distant. The amendment is necesary to make the position clear.

Hon. A. F. GRIFFITH: I appreciate that we are discussing the deletion of the word "booth" with a view to inserting the word "place". Returning officers hold different views as to what constitutes the nearest street or way. Some permit people to hand out "how to vote" cards at the door of the entrance to a polling booth. If the word "place" is inserted, and construed to refer to the building containing the booth, arguments will arise as to what is the nearest street or way.

Hon. H. S. W. Parker: That does not enter into the question at all.

Hon. A. F. GRIFFITH: I believe that, under the amendment previously inserted, the cards could still be distributed. The Kent Street High School consists of a group of buildings; and sometimes one room detached from the rest of the buildings is used as a polling place, and sometimes a room in the main building.

Hon. A. L. LOTON: If the word "place" were inserted, and a tram passenger, approaching the Perth Town Hall from Hay-st. east, advised an elector as to his vote when within 50 yards of the building, he would be committing an offence. The deletion of the word "booth" will cause further difficulties for the department and the public.

Hon. H. S. W. PARKER: The present limit is within 50 yards of a booth and the Act contains no definition of "booth". If the word "place" were inserted in lieu, everybody would understand it because "polling place" is defined in the Act. The alteration will clarify the position.

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

Bill again reported with a further amendment.

BILLS (2)—FIRST READING.

1, State Government Insurance Office Act Amendment.

2, Public Trustee Act Amendment.

Received from the Assembly.

BILL—COMPANIES ACT AMENDMENT (No. 1).

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—ADMINISTRATION ACT AMENDMENT (No. 1).

Second Reading.

HON. H. S. W. PARKER (Suburban) [5.0] in moving the second reading said: This is a Bill to provide that in an intestacy —where a person dies leaving property, but does not leave a will—the estate shall go to the surviving widow or widower, in instances where there are no close next of kin. At present when a person dies leaving a widow or widower, the first £1,000 and half the balance goes to the survivor, the remainder being left for relatives whoever, wherever, or however distant they may be. That is found to cause considerable hardship in many instances.

A great number of people are foolish enough to buy a sixpenny will form and fill it in. In 99 cases out of 100 such forms do not fulfil the wishes of the deceased and in nearly as large a proportion of instances they are not wills at all, as they do not conform to the law. I heard one hard-luck story of a blind man who made everything over to his wife. She purchased one of these forms and made out what purported to be a will. On the form there was the notation, "Witness sign here," and she had a witness sign.

The result was that she died intestate, as the document was witnessed by one witness only, and her widower had to sell his house, the only home he had, because he received nothing but the first £1,000 and half the balance, the rest going to some distant relative of his deceased wife. I repeat that a great many people foolishly do not make wills and it is because of that that there is so much money lying in Chancery in England and elsewhere. It cannot be disposed of because the claimants cannot prove their claims.

As I have pointed out, under the 1949 Act, when a person dies intestate the surviving spouse receives £1,000 and a half of the balance if there are any issue, and the other half of the balance goes to that issue. The English Act has been altered, and this Bill proposes that the amount of £2,500 shall go to the surviving husband or wife, plus one-third of the balance, with two-thirds of the balance going to the issue. The proposal is to increase the amount from £1,000 to £2,500, which I think members will agree is only fair and proper in view of present-day money values.

If a spouse dies intestate and leaves no issue—no parents or brothers or sisters or sons or daughters or nephews or nieces or the issue of any nephew or niece surviving—then the widow or widower shall receive the entire estate and that will not deprive anyone of anything, because it would be only very distant relatives who would be debarred from sharing in the estate.

Hon. Sir Charles Latham: Is that not the law today?

Hon. H. S. W. PARKER: No. They get the first £1,000 and half the balance, and the rest goes into Chancery until someone proves his claim. They look up the genealogical tree—

Hon. A. L. Loton: To what tree are you referring?

Hon. H. S. W. PARKER: The genealogical tree. I think members will agree that that is a fair provision, and I would point out that in 1952 the law in England was altered to have that effect. If a spouse dies intestate leaving no issue—no children or descendants of children—but leaves a parent, or brother, or sister, or nephew, or niece, or issue of a nephew or niece surviving, under the 1949 Act the widow or widower would receive £1,000, plus half the balance, the remainder to go to the distant next of kin.

In 1952 the English Act was altered to make £20,000 the amount which would go to the surviving spouse, plus half the balance, and half the balance to the relatives. In this Bill it is proposed to make the amount £10,000 to the survivor, plus half the balance, the remaining half to go to the relatives.

If there are any other matters that members would like explained, I will be only too happy to give them the information when replying to the debate. The Bill seeks simply to deal with deceased estates where there is no will and no children living, but only a widow or widower, in order to ensure that the survivor gets the whole of the estate. If there are no children, but there are brothers, sisters, nephews, nieces and so on, the surviving spouse will get the whole of the estate up to £10,000 and half the balance, the other half going to the relatives I have mentioned.

Hon. F. R. H. Lavery: What is the position where there are children?

Hon. H. S. W. PARKER: We are not altering the law where there are children, except to make the sum £2,500, instead of £1,000.

Hon. J. M. A. Cunningham: Does that take into consideration the payment of probate duty?

Hon. H. S. W. PARKER: We cannot deal with probate in this Bill.

Hon. J. M. A. Cunningham: What does that come under?

Hon. H. S. W. PARKER: Probate duties. This deals only with the administering of the estate—to deal with whatever estate there may be after probate duties, fees, funeral expenses and so on have been paid. I commend the Bill to the House and move—

> That the Bill be now read a second time.

On motion by Hon. L. Craig, debate adjourned.

BILL—RETURNED SERVICEMEN'S BADGES.

Second Reading.

HON. H. S. W. PARKER (Suburban) [5.12] in moving the second reading said: This is a small Bill the purpose of which is to make it an offence to wear an R.S.L. badge without authority. The measure states clearly that if a person who is not a financial member of the league wears the badge, or has it in his possession without lawful excuse, he shall be liable to a penalty, and proceedings may be taken summarily against him.

Some time ago we passed an Act giving the Anzac Club a licence, and entree to that club is by means of the badge. Unfortunately, people who are not entitled to wear the badge have been known to go into the club and, apart from putting them out when they are discovered—which, incidentally, may be difficult—the only action that can be taken against them is to sue for the value of the badge, which is about 2s. 6d. When that sum has been paid, I do not think anything else can be done.

I would remind members that the badge belongs, theoretically, to the organisation and not to the person who wears it. There are individuals who are sufficiently unscrupulous to wear the badge in order to impress people or gain sympathy when they apply for jobs. That is undesirable. In South Australia the law prohibits the wearing of these badges without proper authority, and I think the other States are considering legislation to that end.

This measure is important for the protection of members of the league, which I think members will agree has done excellent work. It has assisted all Governments in questions relating to returned soldiers and in the difficulties that have arisen from time to time in the administration of various Acts dealing with returned men. This body therefore does require some protection, and it is for that purpose that the Bill is brought forward. I commend it to the House. I move—

> That the Bill be now read a second time.

On motion by Hon. A. L. Loton, debate adjourned.

BILL—COMPANIES ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 28th October.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [5.16]: The debate on this Bill was not very lengthy and very few members took part in it, but one or two points have been raised to which I should like to reply.

The first to which I shall refer is that mentioned by Mr. Craig, who objected to the provision in the Bill requiring all prospectuses to be printed in letters of eight point face measurement unless the Registrar of Companies certifies that the type and size of the letters used are legible and satisfactory. For the information of members I might mention that eight point face print is similar to that used in its news items by "The West Australian". Mr. Craig feared that if such a restriction were approved by Parliament it would deter foreign firms from sending their prospectuses here.

I have discussed this question with the Registrar of Companies. He advises there is no fear of such an occurrence. The registrar states that practically every company that wishes to circulate a prospectus in Western Australia sends a draft prospectus to him for approval through its solicitors in Perth. The companies have at all times been only too anxious to adopt any alteration or proposal regarding their prospectuses suggested by the registrar. The only companies that have evaded the registrar in this regard are the less reputable ones, which possibly have some special axe to grind.

The registrar has several sample prospectuses in which a flamboyant story is told in bold type, while the details, which by law must be included in the prospectus, are in microscopic letters, which can easily be overlooked. In one case the print can barely be read with the naked eye under a strong light. The registrar is quite convinced that all reputable foreign companies will not have the slightest objection to the provision. The amendment will give that officer power to approve of other types of print provided they are quite legible and satisfactory. This is to cover print which in many respects is similar to eight point face type.

Then again, Mr. Craig pointed out some objections that could be raised with regard to the interests of foreign companies in insolvent local companies. He brought some very sound arguments to bear on the point and I agree with him that, while the amendments have merit, their intention could be evaded.

In replying to the point raised by Mr. Watson, I would say that the statutory requirements as to the contents of prospectuses are intended to compel disclosure of certain facts relating to the company, its antecedents, promoters, directors, and experts who furnish reports in the prospectus. This disclosure is required in all cases. In the case of a reputable company, full disclosure entails little difficulty to the company concerned and possibly attracts little notice from an intending investor. However, it must be recognised that there are all kinds of companies and all kinds of company promoters.

Nobody is anxious to read very small type if it can be avoided, and where compliance with the statutory requirements in a prospectus is likely to be embarrassing to the promoters, the facts disclosed can be hidden in microscopic type in the expectancy that they will escape notice. Yet some of those facts may be very significant for an intending investor and may well influence him strongly in subscribing for shares.

Dealing with Mr. Watson's objections to the proposals regarding creditor companies and insolvent companies, members must know that their are certain interests, mostly resident outside this State, which engage in forming or floating companies with the express object of developing Western Australian projects but which, in order to carry out their object, have used a method involving a holding company and an operating company. The method has been applied particularly in quite a number of mining companies which have been formed for the purpose of developing Western Australian mines and mining, and sometimes in other industries.

Such companies are almost invariably formed and domiciled and have their organisation in England, but have Western Australian subsidiaries as the operating companies. The subsidiary working and developing the proposition, and invariably owning the assets in Western Australia, is usually controlled by the English company, which owns the whole or the majority of the shares therein. The Western Australian company is therefore only a puppet company. There is, however, in effect, an identity of interest.

It is generally known that some mining companies are operated in this manner. There appears to be no reason why such a holding company should rank equally pari passu with the ordinary creditors. There is, however, every reason in equity and common fairness that the claim of a holding company so closely identified with its puppet company should be deferred—like husband and wife in bankruptcy —until the claims of all the other creditors, according to their actual priorities, are paid and satisfied. It seems unlikely that a person or company lending money to such a holding company would place much reliance on the security afforded by a debt due by a subsidiary company operating in Western Australia. Particularly is this true where the operating company is a mining company.

With regard to investment companies—the term "investment company" has a technical meaning. To be an investment company under the Act, a company must be proclaimed as such by the Governor. Part XIV of the Act places restrictions on investment companies as to the avenues in which their funds may be invested. These restrictions are intended to protect investors and the Part, as a whole, is designed to prevent a repetition of investment company frauds of which there have been some notorious examples in recent years.

A proprietary company is a company which is not obliged to file its balance sheet in any public registry. In other words, it is not required to give publicity to its financial affairs. Patently it is undesirable that an investment company should be permitted to invest its funds in the shares of a proprietary company regarding which the public can obtain no information.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3—Section 47 amended:

Hon. H. K. WATSON: I hope the Committee will not agree to this clause. I listened to the explanation given by the Chief Secretary a few moments ago and feel it does not answer the objection that could be raised to the clause. It specifies that the prospectus must not be printed in letters of less than eight point face, unless approved by the registrar. If members have a look at the statistical returns furnished recently, they will see that all the printing in those tables is in type of considerably less than eight point. In some cases, such as the Consolidated Revenue reports, they are printed in six point and occasionally in seven point. But nowhere are they printed in eight point. The Chief Secretary said that some of the small print in the prospectus could not be read by the naked eye under a strong light. The point is, however, whose eye? We are not all gifted with good eyesight.

Hon. H. S. W. Parker: In what point face is the Bill printed?

Hon. H. K. WATSON: It is probably printed in 12 point face measurement.

The Chief Secretary: Yes. It is much more than eight point face.

Hon. H. K. WATSON: I understand it is customary for the Government Printer to print all statistical tables in six point face; the Quarterly Abstract is printed in six point face. If the word "six" were inserted instead of "eight", it might ease the position. Promoters of companies and printers should be given the ordinary commercial liberty of action and not be told that they must print their prospectuses in a particular type, provided these documents are legible. That is the main thing. Very often we find in prospectuses that information which is printed in large type is repeated towards the end in small type.

Hon. Sir Charles Latham: Do the prospectuses that come from the Eastern States have to be submitted to the registrar?

Hon. H. K. WATSON: Yes.

Hon. H. Hearn: What about those that are posted from the Eastern States?

Hon. H. K. WATSON: If a flotation is proposed, then they must be submitted. As the Chief Secretary has said, solicitors in the Eastern States have to submit propectuses here, and they have to anticipate approval because of the pressure under which they are working and the necessity to get the prospectus out according to schedule. When floating a company, people do not proceed in that leisurely manner in which the registrar considers these matters. They are working flat out and have no time to spare. Very often they will not be able to decide what size type is required by the Act.

The CHIEF SECRETARY: I hope the Committee will agree to the clause. All that is required is that the registrar shall be satisfied that the print is legible. Mr. Watson did not quote any cases of difficulty that had arisen.

Hon. H. K. Watson: The difficulty has not yet arisen; the Bill has not been passed.

The CHIEF SECRETARY: I have instanced cases in which the registrar has found prospectuses difficult to read, and it would not be only his eyes that would have to peruse the type. The clause is designed to protect the investing public. As a result of years of experience, the registrar says that this is what he requires. The type must be eight point or, if smaller, it must be legible. The type used does not have to be eight point.

Hon. H. K. WATSON: The Chief Secretary said that I had not cited illustrations of where the registrar had rejected a prospectus on this ground in the past. That is so because he has had no jurisdiction in dictating the type to be used in the printing of prospectuses. In ninety-nine cases out of a hundred, what is submitted to the registrar for approval is not a printed document but a typewritten one. Here is a prospectus which could have been approved by the registrar. It is submitted in typewritten form and could be approved as complying with the requirements of the Act; but when it comes to be printed, the last two pages, although quite legible, are not in eight point type.

The Chief Secretary: They do not have to be.

Hon. H. K. WATSON: I think it is reasonable to assume that if eight point type is mentioned in the measure, he will not accept a document unless it is printed in that type. I do not think we should rely on the registrar's discretion to approve of anything below that. If a printed prospectus came out like this one, the company would have committed a technical breach of the Act.

The CHIEF SECRETARY: A company could not be successfully prosecuted if the type were legible; and the court would be the judge of that. The registrar knowing that would be the position, I cannot imagine his launching a prosecution when he did not have a chance of success.

Hon. A. F. Griffith: The clause says that a prospectus shall be printed in letters of not less than eight point face measurement.

The CHIEF SECRETARY: It goes on to say that shall be so unless the registrar certifies that if type less than eight point is used, such type is legible and satisfactory.

Hon. A. F. Griffith: If the draft the company submits is in a type that is legible—

The CHIEF SECRETARY: It may or may not be.

Hon. A. F. Griffith: Assume that it is. Does the registrar know that the type used in the booklet coming off the printing press will be the same size?

The CHIEF SECRETARY: It would be playing tricks on the registrar to submit a draft in one type and have it printed in another.

Hon. H. K. Watson: Often, the document is just typewritten.

The CHIEF SECRETARY: It may be, but I should think that the size of the print would have to be shown; otherwise, how would the registrar be able to certify that it was all right?

Hon. J. M. A. Cunningham: Would he not be sent a proof of the prospectus?

The CHIEF SECRETARY: I assume that would have to be done; otherwise, the registrar could not approve. The main object of this provision is to protect the investing public.

Hon. A. F. GRIFFITH: The assumption of the Chief Secretary regarding the submission of a prospectus to the registrar is quite contrary to his first argument. I take it that the prospectus submitted to the registrar would have been typed in the office of a secretary, accountant, solicitor, or some business man, who did not have his own printing press. The prospectus would be typed and the required number of copies submitted. Then, after it had been approved by the registrar, it would be sent to the printer. It is quite ridiculous to suggest that the type of the draft is going to be identical with the type set on a printing press. If that is what the Minister wants, he should submit a clause providing for a proof copy of the prospectus, as it is to come off the printing machine, to be submitted to the registrar.

Hon. Sir CHARLES LATHAM: What actually happens is that a prospectus issued in Western Australia is printed in a size

that is quite legible; but there are what are known as foreign companies that send prospectuses here containing very small type, setting out some of the important sections of the prospectus. It is to prevent this that the Bill was introduced. Generally, the prospectuses of reputable companies are satisfactory; but we have known of companies in the Eastern States, and some in this State, which have not been concerned about the type. Their aim has been to place before the public, for subscription purposes, certain classes of business that have not been very satisfactory, and some of the type used by them may have been extremely small and difficult to read. I have not seen any prospectus with regard to which there has been any trouble. I do not know whether the registrar has had experience of some; it is possible he has. There is a protection in this clause. Type of the eight point size does not have to be used. A smaller type can be employed, but it will have to be legible.

Hon. J. M. A. CUNNINGHAM: The Minister has given a reasonable explanation, and it appears that this is more a safeguard than anything else. It seems to me it will give the registrar the opportunity of precluding the operations of undesirable companies, in much the same way as the language test is used to exclude certain immigrants. I am prepared to support the clause.

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

Ayes	14
Noes	10
Majority for	4

Ayes.

Hon. C. W. D. Barker	Hon. A. R. Jones
Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. A. L. Loton
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. J. McI. Thomson
Hon. Sir Frank Gibson	Hon. J. Cunningham

(Teller.)

Noes.

Hon. L. Craig	Hon. H. S. W. Parker
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. L. A. Logan	Hon. J. Murray

(Teller.)

Clause thus passed.

Clause 4—agreed to.

Clause 5—Section 184 amended:

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

> That in line 3 of paragraph (i) after the word "up" the following words and parentheses be inserted:—
>
> "(other than a members' voluntary winding-up)."

The object of the clause is to restrict the appointment of liquidators to persons other than those who for two years previously had been a director, officer, or employee of the company. This, in principle, is quite good, but there are three classes of liquidations—an official liquidation; a creditors' voluntary winding-up; and a members' voluntary winding-up. A members' voluntary winding-up cannot take place unless the company is completely solvent. In that case virtually the only persons concerned are the shareholders themselves, and it should be within their power to appoint as liquidator the secretary or a director of the company. He would still have to be a registered liquidator. An unqualified director or secretary could not be appointed. He would save the company expense

The CHIEF SECRETARY: A voluntary winding-up is a "members' voluntary winding-up" because the directors have complied with the provisions of Section 236 of the Act. That section was modelled on, and is a replica of, Section 230 of the Companies Act, 1929, of England. Dealing with the operation of the English section ,the Cohen Committee had the following to say:—

> In the case of a voluntary liquidation, if the directors and shareholders of the company wish to retain control of the liquidation or, in other words, to ensure that the winding-up is a members' winding-up, the directors under section 230 have to make a statutory declaration to the effect that they have made a full enquiry into the affairs of the company and that, having so done, they have formed the opinion that the company will be able to pay its debts in full within a period not exceeding 12 months, from the commencement of the winding-up. It has been said that this provision, which was introduced into the Companies Act by the Act of 1928, has been widely abused and that directors have recklessly or even fraudulently made declarations of solvency in order to retain control of the liquidations which have resulted in heavy losses to the creditors.

Figures published by the Cohen Committee show that in one out of approximately 27 members' voluntary windings-up, the creditors were not paid in full and in a few cases the creditors, notwithstanding the declaration of solvency, exercised their right to apply to the court for a compulsory winding-up order. In those cases it can be assumed that the declarations of solvency were not justified. From the Cohen report it is clear that even if a winding-up is technically, by virtue of Section 236, a members' voluntary winding-up, there is no certainty that the creditors' interests will not be affected or prejudiced in the course of the liquidation and that the winding-up should not at the outset have been conducted as a creditors' voluntary winding-up.

Another reason why the amendment proposed by Mr. Watson should be rejected is evident in the case where a per

son controlling a company by reason of his holding or controlling the majority of shares, has acted in fraud of the minority shareholders. In a nice comfortable liquidation with an allied liquidator, the fraud may continue to be concealed and so be buried with the company. It is important that a liquidator should not be placed in a position where self-interest and duty as a liquidator conflict. Unless the court sees fit to make an order permitting the appointment as liquidator of a person who would otherwise be disqualified, the liquidator in every winding-up should be an independent person.

Hon. H. K. WATSON: The remarks of the Chief Secretary indicate that the Registrar of Companies, and the Government perhaps, apparently works on the assumption that virtually all companies and boards of directors are fraudulent. That is the wrong approach. We have to legislate for the greatest good for the greatest number.

Hon. L. CRAIG: Mr. Watson is quite right. Many companies are formed for a specific purpose, and when that purpose has been achieved they wish to go into liquidation. They would then want the secretary to wind up the company and distribute the assets to the shareholders. No shareholders' liquidation could take place unless the company were completely solvent. Probably 999 out of every 1,000 companies are good companies. In the rare cases where the perpetration of some fraud is possible, the creditors would look after the position. If they fear a company cannot fulfil all its obligations, they can insist on its being compulsorily wound up, in which event an outside liquidator would be appointed.

Hon. H. L. Roche: The proposal in the Bill seems to be protective rather than anything else. Whilst most companies are well conducted and have no desire to defraud anyone, the provision is meant to apply to the odd company that does not conform to those principles.

Hon. L. Craig: It covers all companies.

Hon. H. L. ROCHE: That is so, but we have to legislate for the ones that do not play the game, even though they are in the minority. I cannot follow the argument against an independent liquidator.

Hon. L. Craig: He would be more expensive.

Hon. H. Hearn: He might not know the type of business and so not be able to get the best results from the liquidation.

Hon. H. L. ROCHE: Apparently from the reply of the Minister, the liquidator, if he comes from within the framework of the company, might not play the game.

Hon. H. Hearn: That would be very rare, and he could be proceeded against.

Hon. H. K. WATSON: The other night we were discussing the Co-operative Federation Trust; and in order to save the trust expense, we provided that the secretary should certify forms which had to be sent to the registrar. If the trust went into liquidation I imagine there would be no more suitable person than the secretary to act as liquidator. Why should the company come to me or any other outside registered liquidator and have to pay a decent fee? I know nothing about the trust's affairs, whereas the secretary is on the spot and could wind it up.

Hon. Sir Charles Latham: Have these methods been used?

Hon. H. K. WATSON: Yes, where the company is solvent.

Hon. H. L. Roche: What about one that is not solvent?

Hon. H. K. WATSON: If it is not solvent, this cannot be done.

Hon. L. CRAIG: Not only can the secretary not wind up a solvent company, but no one who knows anything about it is allowed to have anything to do with it. There might be 10,000 employees in a company, and if a person were employed by any one of those 10,000 people, he could not be appointed as a liquidator. That is going to extremes. If a person knew the smell of wheat, he could not wind up a wheat company! We must be reasonable about a company that is in good order and is financially sound. A pastoral company might sell its station. There is a case where the asset, but not the shares, is sold; and if the company goes into liquidation, all it has is the cash sum paid by the purchaser. Should an outside liquidator be called in to wind up that company?

Hon. H. L. Roche: How would the minority shareholders get on?

Hon. L. CRAIG: This applies only to those companies that are solvent; the clause does not deal with a company that is not in a position where it has paid all its debts. I hope the amendment will be agreed to.

The CHIEF SECRETARY: I am in the unhappy position of being a buffer between two company experts. All I can do is to repeat what I said when I introduced the second reading—

> The Act provides that no person may be the liquidator if he is a director, officer or employee of the company, or if he is the partner of or is employed by one of these persons. It has been found that people have qualified as liquidators by resigning from whichever of these position they held. This is not considered advisable....

That has been the experience of the Registrar of Companies over the years.

Hon. H. K. Watson: By the registrar sitting in his office and imagining things.

Hon. L. Craig: That is it.

The CHIEF SECRETARY: The hon. member always thinks he is the only person who works.

Hon. L. Craig: Has anyone ever heard of a case in this State?

The CHIEF SECRETARY: I cannot answer that. But it is only logical to assume that when legislation of this character is brought forward, it is not introduced with the idea of harassing anybody.

Hon. L. Craig: It is making it difficult.

The CHIEF SECRETARY: It has been introduced with the idea of protecting people.

Hon. H. Hearn: Some people have a funny idea of protection.

Hon. L. Craig: Hitler invaded Belgium and France to protect the people of those countries. It was a funny idea of protection.

The CHIEF SECRETARY: I also said—

> The Bill seeks to debar a person from acting as a liquidator if, for two years prior to the commencement of the winding-up of the company, he has held any of the positions I have mentioned. This will assist to preserve the principle of independence of liquidators, which is considered to be most desirable.

That has been the experience of the department concerned and I give it to members for what it is worth.

Hon. H. K. WATSON: In any event, the accounts must be audited and the liquidator is subject to the auditor, who is the watch-dog. A special resolution must be passed before a company can go into liquidation and there must be a 75 per cent. majority of the shareholders in favour of it. Then there is an appeal to the court, which has full jurisdiction over liquidation. At any time the court can order any liquidation to be converted into one which comes under the supervision of the court. There is plenty of protection and I appeal to members to consider this provision from the viewpoint of the general company rather than the rare imaginary cases.

The CHIEF SECRETARY: This provision is not a local idea. It is something that has been taken from the English Act.

Hon. L. Craig: You had to go to England to find a case, too. There were none in Australia.

Hon. H. Hearn: The English company set-up is entirely different.

The CHIEF SECRETARY: This is not something that has been cooked up by the local Registrar of Companies. They have had centuries of experience with company law in England and this has been taken from their Act.

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

Ayes	19
Noes	5
Majority for	14

Ayes.

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

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. C. W. D. Barker
Hon. G. Fraser	*(Teller.)*

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

Clause 6—Section 269 amended:

Hon. H. K. WATSON: I think this clause is wrong in principle. Even if it is adopted, I feel we should not derogate from the rights of banks, or financial institutions which may have lent the money to the holding company. If the clause is to be passed, I suggest that the proviso which I have on the notice paper be agreed to, otherwise a subsidiary company will have to battle for financial accommodation. Therefore, I move and amendment—

> That the following proviso be added to proposed new Subsection (2):—
> "Provided that nothing contained in this subsection shall apply to a claim by any person against the insolvent company under any charge now or hereafter given by such creditor company."

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: I am prepared to accept the amendment.

Hon. H. K. WATSON: I want to make my position quite clear. I am moving the amendment purely as a precaution. If it is carried, I will still vote against the clause, because even with the proviso added it is still undesirable.

The CHIEF SECRETARY: That shows that even although a person is prepared to be charitable, he still gets stones thrown at him. Nevertheless, I still accept the amendment; and I hope that members, after voting in favour of the amendment, will retain the clause as amended. I think it is necessary, notwithstanding what Mr. Watson has said.

Amendment put and passed.

Hon. H. K. WATSON: As I have indicated, I still consider that the clause should not be agreed to, because it strikes at the fundamentals of company organisation and ordinary commercial principles. The clause would prevent a subsidiary company

from obtaining finance to carry on; and, in the long run, the creditors whom it is desired to protect might be prejudiced. As Mr. Craig said during the second reading debate, the clause can easily be evaded. It applies only when a holding company is carrying three-quarters of the capital. If any company desired to evade the clause, it need only arrange its affairs so that the holding company did not hold three-quarters of the capital.

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

Ayes	13
Noes	8
Majority for	5

Ayes.

Hon. N. E. Baxter	Hon. A. R. Jones
Hon. G. Bennetts	Hon. Sir Chas. Latham
Hon. J. Cunningham	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. C. H. Simpson
Hon. Sir Frank Gibson	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. J. Murray
Hon. L. Craig	Hon. J. McI. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. H. Hearn
	(Teller.)

Clause, as amended, thus passed.

Clauses 7 to 12, Title—agreed to.

Bill reported with amendments.

BILL—JURY ACT AMENDMENT.

Second Reading.

HON. H. S. W. PARKER (Suburban) [7.40] in moving the second reading said: This Bill came down from another place, but not in the form in which it was originally introduced. Nevertheless, I commend it to the House and I would mention that some amendments will be moved in Committee. The principal Act provides that every man between 21 years and 60 years who has real estate valued at £50 net, or personal estate to the value of £150 net, and who resides within 36 miles of the court situated in his district, becomes eligible to act as a juryman.

One of the provisions in the Bill proposes that women shall also have the right to be empanelled, if they have the necessary qualifications; but they may, if they so desire, give notice to the sheriff that they do not wish their names to remain on the jury list. Before the Bill was amended in another place, it provided that women between 21 and 60 years of age, who had the necessary qualifications, should be placed on the jury list only if they made application accordingly. However, it was argued by members in another place that women should be on exactly the same footing as men. Therefore, the amended Bill, now before the House, provides that women who are eligible shall have their names placed on the jury list but may make application to have them removed from it. There are jury women in New South Wales and Queensland, but they are listed only on application. No women act on juries in Victoria, South Australia and Tasmania.

Another provision in the Bill proposes to abolish special juries. For many years these juries have constituted a thorn in the side of the Labour Party, and, as long as I can remember, that party has always objected to them. Another provision, which is perhaps the most important, concerns the selection of those jurors that are to be empanelled. At present a list of all jurors is made up alphabetically by the sheriff, and generally speaking he picks out 40 names for the coming criminal sessions. On the next occasion he takes the succeeding 40 names, so that often people with the same surname serve on the one jury. The proposal is that instead of the names being taken alphabetically from the jury list, a number will be placed against each name. Then the cards of all jurors will be placed in a suitable barrel, and from that barrel will be extracted the number required. Thus a general selection all round can be made.

Hon. C. W. D. Barker: Will the defendants still have the right to challenge?

Hon. H. S. W. PARKER: I shall come to that. The selection will comprise all persons on a particular panel, and the list will be handed into the court where jurors are required for the trial of a particular individual. All the 40 names will be put into a box, as at present, and the required number will be extracted. Those extracted will form the jury to try the individual concerned. The usual right of challenge, and the rest of the procedure laid down at present, will be followed. The Bill deals with the procedure only up to the time of trial.

There is provision also for the service of summons to be kept as secret as possible. If a summons is left at a house and calls on an individual to attend as a juror on a certain date, obviously that cannot be kept a secret; but it will be an offence for the person serving a summons to notify anyone who is to sit on the jury, so that a person summoned will not know who else has been called upon until such time as he arrives at the court. There is a very good reason for that, in case anyone desired to square a juror. The list is now available some days before the trial. The Bill makes it available four days before a trial this period giving both sides an opportunity to decide the persons suitable for selection. If more than four days are given, an opportunity is provided to square a jury. When it comes to the trial, the selection is exactly the same as formerly.

The Bill originally provided for majority verdicts in all cases, including capital offences. I propose to move in Committee that a majority verdict of 10 to 2 be

permitted in criminal cases other than for capital offences. Great objection was raised to not having an absolute verdict of 12 jurors in a capital charge, and I am not going to argue the rights or wrongs of that principle. I merely ask for the principle to be adopted of majority verdicts in criminal cases, other than capital offences.

I have had great experience of jurors in criminal cases; and it is not unknown for a relative, a friend, or a friend of a relative of the accused person, to fluke selection on the jury, with the result that one juror might stick out. In that case the Crown, and the accused or his relatives, are called upon to bear the cost of another trial. If 10 jurors out of 12 consider a person guilty, we may rest assured of his guilt. I have never known of a jury convicting an innocent man, but I have known many cases where a jury has acquitted a guilty man. Such cases are not at all uncommon. It has been suggested that 10 jurors are not sufficient to find a man guilty, but I would point out that during the war the number of jurors was reduced to six. If six jurors could find a man guilty at that time, surely 10 jurors should be sufficient today to provide a majority verdict.

In Victoria, New South Wales and Queensland the majority verdict applies only in civil actions. In South Australia there is a majority verdict of 10 to 2 in other than capital offences, after a four-hour retirement; and in Tasmania the same applies, except that it is after a two-hour retirement.

By the adoption of this proposal a lot of the cost to a defendant would be saved, and also the time of the jury and everybody concerned with the case. The cost and time involved in a second trial would be saved. I have known of many instances where, on a second trial, there has been a unanimous verdict of guilty.

I shall place another amendment on the notice paper. This arises from the remarks of the Minister for Justice to the effect that the Bill shall not come into operation until a date to be fixed. That is necessary because a new list including women jurors would have to be prepared. Members may recall that a Bill dealing with the Criminal Code was recently before us. In that measure it was proposed to repeal Section 25 of the Jury Act. However, that amendment appeared in the wrong Bill. Later I propose to move an amendment to the present Bill, to repeal that section. That will bring the law into conformity with existing practice. There is nothing very contentious about the matter.

The object of the majority verdict is to overcome the present invidious position in which jurors find themselves when a man is found guilty. It may happen that the accused is a friend of a friend of one of the jurors, and the finding may "come back" on to the juror. If jurors could give a majority verdict they would be protected from any such unpleasantness which might arise in finding a friend's friend guilty. The Bill provides that anything which transpires in the jury room is secret, and no one is permitted to say which way a juror voted. Only the number is disclosed.

The Bill is a great improvement to the Jury Act, especially in regard to selection of the jury. It gives women the right, desired by so many of them, to sit on juries. They will have an opportunity to do a duty for their country by giving up a certain amount of their time for that purpose. In England women have been sitting on juries for some considerable time. I move—

That the Bill be now read a second time.

HON. C. W. D. BARKER (North) [7.58]: I support the second reading, but there are a few things I shall say in Committee. The Bill is good as a whole, and has much to commend it, particularly the portions granting women the right to serve on juries. Today women are taking a bigger part in world affairs, and it is high time that we in Western Australia recognised that fact and gave them the opportunities accorded to women in other countries. Often in cases of persons being tried by juries, there is need for a woman's touch and outlook on life. I have no objection to the suggested method of selecting the jury.

I strongly oppose the amendment, proposed by the hon. member, for a majority verdict. The corner-stone of British justice is that the accused should be given the benefit of the slightest doubt. Once that right is taken away, the very foundation of British justice will be dispensed with.

On motion by Hon. L. A. Logan, debate adjourned.

BILL—MATRIMONIAL CAUSES AND PERSONAL STATUS CODE AMENDMENT.

Second Reading.

HON. H. L. ROCHE (South) [7.59] in moving the second reading said: I ask members to be tolerant if I refer rather closely to my notes, because the debate involves certain references to legislation and legal implications, which for me—I not being a lawyer—are a little difficult.

The Bill seeks to reinsert in the Matrimonial Causes and Personal Status Code Act, 1948, the words "as if the prior marriage had been dissolved by death." Those words were inadvertently omitted when the codified legislation was passed by Parliament in 1948. They first appeared in our legislation as long ago as 1863

when they formed part of the Administration of Justice (Divorce) Act. In 1915, the law relating to divorce was amended to permit of the marriage of a woman with her deceased husband's brother. In 1935, the law was further amended to provide that as soon as the decree nisi for dissolution of marriage or nullity of marriage, was made absolute, either of the parties to the marriage might if there was no right appeal against the decree absolute, marry again, as if the prior marriage had been dissolved by death. That was the law from 1935 to 1948. Sir Ross McDonald, who was then Attorney General, in introducing the codifying Bill in 1948 stated—

> It is therefore to be borne in mind that, with respect to the substantive grounds for divorce, they remain as they stand on the statute book today, but the Bill is to codify the laws that are found in a number of statutes and to give them clear and logical expression

From those remarks it is obvious that there was no intention to omit the words that the Bill seeks to restore to our legislation. This Bill originated in another place. When the measure was introduced there, the Minister for Justice obtained a report from the Solicitor General and, although it is somewhat lengthy, I crave the indulgence of the House to quote it, as it confirms my statement that these words should not have been omitted. The Solicitor General reported—

> In my opinion, the Hon. A. F. Watts, M.L.A., in his speech to the House on the above Bill, correctly stated the legal position regarding marriage with a divorced wife's sister and with a divorced husband's brother. The only other matters which could possibly be relevant and to which Mr. Watts did not refer are set out in my opinion to you dated 6th August, 1953 (C.L.D. 3211/53), and may be summarised as follows:—
>
> (a) The Administration of Justice (Divorce, etc.) Act, 1863, of Western Australia first provided that the effect of a decree dissolving a marriage would be that the parties might marry again "as if the prior marriage had been dissolved by death."
>
> (b) Act 41 Vict. 21 (1876, assented to in 1878) first permitted in this State marriage with a deceased wife's sister, and that although there was no reference in the relevant "Hansard" debates to marriage with a divorced wife's sister, the effect of this Act and of S. 62 of the abovementioned Act of 1863 was to permit a divorced man to marry again as if his wife were deceased, and therefore to permit him to marry his divorced wife's sister.
>
> (c) That the United Kingdom has never permitted marriage with a divorced wife's sister or with a divorced husband's brother during the lifetime of the divorced spouse. In all Australian States, however, except Western Australia, such marriages are permitted even during the lifetime of the divorced spouse.
>
> (d) That when the change in the law was made in 1948 the attention of Parliament was not directed to the change, and that at least so far as Parliament was concerned the change was probably due to inadvertence.

In another place, the Minister for Justice conceded that the words had been omitted inadvertently, and supported the second reading. As the Solicitor General has indicated that the Acts in all the other States of Australia contain those words, members will appreciate that it was not intended to have them removed from our Act.

I emphasise that this Bill will not provide any additional grounds for divorce, and will not affect divorce issues one iota, but will merely permit of marriages which, I believe members will agree, are desirable in the circumstances rather than that couples should be living together in an unmarried state. While I claim that it will not increase divorces, it will increase marriages.

This matter has been brought to my notice as a result of the unfortunate position in which some people find themselves. I have been assured by a city solicitor that he knows of two instances where people, since 1948, have gone through a form of civil marriage, believing that they had contracted a legal marriage; but unfortunately, owing to the omission of those words, the marriages are not legal. If one solicitor knows of two instances, the likelihood is that there are others. I do not wish to stress the matter further. I have endeavoured to make plain the object of the Bill, and I repeat that the sole intention is to repair an omission and enable certain divorced people to marry. I move—

> That the Bill be now read a second time.

HON. H. S. W. PARKER (Suburban) [8.8]: This is a very simple measure necessitated, I regret to say, through a fault on my part because, when I had occasion, in this Chamber, to introduce the Bill that codified the law on matrimonial causes, I informed the House that the measure was simply a codification of the law of divorce and would in no way alter the law. The House agreed with me, and

the Bill was passed without difficulty. That was the intention, and that is what I thought was the case. I did not check the position, because I thought other people had done so. Where the typographical error occurred, I do not know.

I have received a number of letters from people who have been entirely misinformed regarding the object of the Bill. First of all, I should like to make it clear that the measure has nothing whatever to do with the grounds of divorce. All it seeks to do is something that may happen after a divorce. From 1878 to 1948 —a period of 70 years—the law of this State was that a man could marry his divorced wife's sister. In 1863, the Administration of Justice Act provided that, on a decree absolute for divorce being granted, the marriage would be dissolved as if by death. In 1935, the Supreme Court Act came into operation and contained a similar provision.

In 1948, when the law was taken out of the Supreme Court Act and codified in a separate Act—the measure I introduced into this Chamber—I said the law would be the same as before. As I have explained, that statement was wrong, because the words "as if by death" had been omitted. All that is required now is to insert the words "as if by death", which were inadvertently omitted. Back in 1878, the population of Western Australia was very small, and there had obviously been a number of marriages that were not legal, so the Act of that year provided that marriages that had already taken place, and any future marriage with a deceased wife's sister, should be made lawful. That is still the law.

It is rather curious that the people who are making complaints now do not complain that, if a man had murdered his wife and served his sentence, he would be at liberty to marry again. There are no complaints on that score about marrying a deceased wife's sister. The letters I have received have come from well-intentioned persons, but they have no idea of the real position. They have been entirely misled by somebody. This Bill is not a divorce measure.

Is it not better that, in the cases I have mentioned, a marriage should take place? The people who have written to me complain that it would be grossly immoral and very dreadful if a man were permitted to marry his divorced wife's sister. Let us consider the matter in steps. When a man divorces his wife and marries her sister, there must have been some grounds for divorce. Putting it the other way, if he is at fault, she divorces him, and in that event he may marry her sister. It rests entirely with the wife whether there is a divorce or not. Let us assume the worst, namely, that, during the marriage, the husband has become infatuated with the wife's sister, and the wife decides to divorce him on that ground. She has given him an open go. It may be said that he should not marry the sister, but then he would live in adultery with her. It is impossible to change the habits of such a man by telling him that he must not do a certain thing. What would happen would be that the couple would live openly in adultery posing as man and wife.

I have had letters saying we must protect the children, and that is exactly what we are doing. These people will in many cases have children who, unless this measure is passed, will be branded as illegitimate and will not be entitled to share in estates, and so on. I know of a highly reputable family where the parents died and left a considerable estate; but unfortunately they did not make a will, and the whole of the property went back to the State because legally there were no children. There had been no marriage and no one knew that until the parents died.

Is it not better, in order to protect the children, to allow the persons mentioned in this measure to marry? Are we to encourage people to live in open adultery? How would that affect public morality? Is it not better than that they should marry, and that their children should be protected? Which is the lesser evil from a public point of view—that people should live in adultery, or that we should allow divorced people to marry? As members of Parliament, we have a duty to the public, and in this instance we must endeavour to rectify what has happened as the result of people failing to obey the laws laid down in the Bible. Human nature being what it is, all the laws of the Bible are broken. We have the Criminal Code to punish thieves and even murderers, but we have no punishment for the adulterer. In the days of the Old and New Testaments stoning was the penalty.

Hon. C. W. D. Barker: You can get redress by sueing for alienation of your wife's affections.

Hon. H. S. W. PARKER: Damages can be obtained by sueing the co-defendant, and that is the only penalty there is for adultery. There is no penalty in the ordinary sense of the word, even for open adultery. The only so-called penalties are divorce and ostracism by decent people. If this were a Bill to facilitate divorce, I would not support it in any way, although divorce has been known as far back as history goes. Christ mentioned it in the Sermon on the Mount and said, "If a wife commits fornication, divorce her, but anyone who marries her is guilty of adultery." It is nothing new.

Hon. C. W. D. Barker: What did you say then? Christ said what?

Hon. H. S. W. PARKER: I refer the hon. member to the Sermon on the Mount. I refer him to Matthew—I take it he has a Bible at home. Let him peruse

Matthew 5, verse 31. Christ said, in effect, that there should be a Bill of Divorcement. It may be remembered that a woman who had committed adultery was brought to Christ, and they asked what should be done, and he said, "Let him that is without sin cast the first stone," and then told the woman to go about her business. There is a lot of wrong talk about divorce, and we, members of Parliament, must step in where human nature falls down. Many excellent and good people are doing their utmost to make others live up to their conciences and in accordance with high moral standards; but, alas, the weakness and frailty of human nature are such that they simply cannot do it, and so we must do the next-best thing. No one can make anyone else moral or good by Act of Parliament.

Hon. H. Hearn: Is all this not beyond the scope of the Bill?

Hon. H. S. W. PARKER: I am afraid it is beyond the scope of most things.

Hon. H. Hearn: Is not what you are discussing beyond the scope of the measure?

Hon. H. S. W. PARKER: I am explaining what this measure is really about, because many people who have written to me have been under a wrong impression.

Hon. H. Hearn: I think it is beyond the scope of the Bill.

Hon. H. S. W. PARKER: The hon. member could still take some notice of it. It has been said that we are seeking to make adultery lawful, but that is not so. As soon as people are capable of obeying the dictates of their consciences, we will find that we do not require any divorce laws or even the Criminal Code, but until that day arrives, we must do the next-best thing. I have pleasure in supporting the Bill.

HON. SIR CHARLES LATHAM (Central) [8.22]: I am one of those who do not like to encourage the use of divorce legislation. When a couple are joined together in holy matrimony, it is a binding contract, and they know, when they take it on, what it means. As Mr. Parker has pointed out, human nature is difficult to control, and more particularly when you are trying to control it in someone else. For a long time, as Mr. Roche and Mr. Parker have said, the laws of the land permitted a person to marry the divorced spouse's brother or sister as the case might be. It is regrettable that we passed through this House a piece of legislation, honestly believing that we were leaving the law in that regard as it had stood up till then; but since 1948 there have been a number of marriages that are affected by that legislation.

In one instance that I know of, a couple with two young children are living happily, and I therefore feel that it is my responsibility, irrespective of my personal feelings, to try to legitimatise those children. The parents were married in good faith by an officer who thought he was entitled to marry them, and I therefore must set aside my personal feelings. I would not like to think that I had passed over an opportunity of correcting a condition such as those people will live in for the rest of their lives if this legislation is not agreed to. In my experience, marriage is the most important contract one undertakes in life; but in spite of my personal feelings I must support the Bill, in fairness to those who have been misled by an Act passed by this House and another place.

HON. C. W. D. BARKER (North) [8.25]: What Sir Charles Latham said has caused me to change the view that I held of this measure only a few minutes ago. I, also, think that the marriage vows, taken in the presence of God, should be regarded as sacred, and I do not like divorce in any shape or form. It is unfortunate that these people have married under a misapprehension that led them to believe it was lawful; and, if only to protect the children, I feel that we should do something about this Bill, although I see dangers in it, also. I think that where a man knows he is not allowed to marry his divorced wife's sister, there will be no suspicion in the home at all.

Hon. L. Craig: He was always allowed to marry her, until a few years ago.

Hon. C. W. D. BARKER: Love of home is one of the most important possessions of anyone in this world. Knowing he could not marry his divorced wife's sister, the average man would probably take no notice of her about the house.

Hon. Sir Charles Latham: He could, until 1948.

Hon. C. W. D. BARKER: I agree; but when a man knows that he can marry his divorced wife's sister—she is more likely to be about the house than any other woman—his wife is likely to become suspicious, and that would tend to break up family life, an end towards which we should not contribute in any way. However, after listening to Sir Charles Latham's explanation of why he intends to vote for the measure, I feel that, for the same reasons, I must support it.

On motion by Hon. F. R. H. Lavery, debate adjourned.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. A. R. JONES (Midland) [8.27]: I rise to oppose the second reading of this Bill and hope to make myself clear—in the explanations I will give the House—as to why I am doing so. It was only 12

months ago that we had a similar amending measure before this House and debated it at some length. The debate was keen and most members of the House took part in it, and in the Committee stage every aspect of the measure was given full consideration. I believe that at that time we dealt with a measure which was very fair to the wage-earner, or the worker, as Labour supporters prefer to call him. I believe a Labour Government would not have brought a similar measure before this House because of its belief that it would have been defeated. The previous Government took a great step, by means of that measure, to make things easier for those entitled to benefit under the Workers' Compensation Act. Let us realise that this legislation came into being through the generosity of the employers, and that through their generosity it has been amended, from time to time until, at the present stage, the employee receives quite a substantial payment if he is injured in any way while at work.

Hon. C. W. D. Barker: Rightly so, too.

Hon. A. R. JONES: I think we all believe that, because we amended the Act last year, and gave a greater concession than had ever been given before. It is right that the worker should be compensated; but if any one of us were to sustain an injury while at work, we would not get any compensation. Surely we are entitled to it as much as the worker.

Hon. F. R. H. Lavery: But it is in your interest to stop at work.

Hon. N. E. Baxter: What about the person running his own business?

Hon. F. R. H. Lavery: I am talking about members of Parliament.

Hon. A. R. JONES: When I worked on my own farm, and wanted protection and some source of income while away from work on account of injury, I had to provide that protection myself, and not at very great cost either. I do not say that the worker should not collect compensation while away from his duties through injury. But if he wants more than was provided in the amending Bill last year, then it is up to him to pay some contribution to meet the extra premium which would be necessary if this Bill were passed. I am told, by one who is able to work out these things, that it will necessitate an extra premium of 60 per cent. to cover all that is asked for in the amending Bill. I feel this is an imposition, particularly after the generous contribution we made by amending the Act last year. I do not think the Bill, in its present form, is worthy of consideration.

Hon. C. W. D. Barker: Cannot the insurance companies bear some of the cost out of the profits they made last year?

Hon. A. R. JONES: I made inquiries from one or two insurance companies, and I am told that in many instances workers' compensation has been a bad loss to them over the last 12 months. That is not surprising when one sees the benefits they have had to pay; and the loss caused last year will be reflected in the increased premiums this year. Accordingly, not only will we have that increase to contend with, but we will also be faced with a further increase of 60 per cent. if all the amendments in this Bill are accepted. Members would appreciate, therefore, what a burden it would be on industry.

The grounds on which I base my argument are that, while Western Australia is striving hard at the present time to progress in secondary and primary industries, we will not be doing the right thing if we accept the measure as it is before us now. Not many months ago, when the present Government went to the people, it said on the hustings that its policy in effect would be to reduce the cost of living; to build up secondary and primary industries by encouraging people to set up industries in this State; to encourage land settlement—

Hon. C. W. D. Barker: Only the other night one member said you were handling more profits than you ever enjoyed.

Hon. A. R. JONES: The Government's policy was enunciated only a few months ago. As a result of that campaigning, what do we find? Do we find that the cost of living has been reduced at all? Do we find that any incentive has been given to secondary or primary industry in this State? I claim that nothing has been done at all to encourage these industries.

Hon. E. M. Davies: You want to do it at the expense of the worker.

Hon. A. R. JONES: What effect will this legislation have on our railways?

Hon. L. A. Logan: It will increase the cost of freight.

Hon. A. R. JONES: It will increase the cost of running the railways; and that added cost will have to be borne by the country people, and those living in the remote areas like Kalgoorlie, and the other goldmining towns such as Leonora and Boulder, etc. All those places will be affected. What is the added cost going to be to the tramways? I do not know exactly but I think it will be several thousands of pounds to enable the workers to reap the benefits that this measure attempts to provide. The same applies to the Government buses and the State electricity undertakings; all their workers would have to be covered by extra premiums to meet the benefits proposed in this Bill. Those benefits will increase living costs throughout the length and breadth of this State.

Hon. A. F. Griffith: Home building will also be affected.

Hon. C. W. D. Barker: Why should the worker have to pay?

Hon. L. Craig: He is not paying.

Hon. N. E. Baxter: No; and he never has.

Hon. A. R. JONES: The Government is responsible for bringing down a measure like this. It should not have done so, particularly when only a few months ago it told the people of this State what it proposed to do to make the State a better place for primary and secondary industries to be established in. What is the Government doing now? What effect will this Bill have on all that it has promised? It will only add to those costs. I would like to ask members of the Labour Party to consider carefully what is keeping this country buoyant today. Is it the butter we produce? Of course it is not! Butter is being produced at a loss. Is it the fruit we produce and sell overseas? That is not so either, because we find that our markets are drying up; the cost of production is too great and we are losing our markets in the North-West, and in the islands in the north. Can we look to wheat as the buoyant factor today? We find that wheat handling authorities are having great difficulty in selling wheat at a much reduced price compared with what it was 12 months ago. Costs in that industry have greatly increased. Let us go through our secondary industries. We find that Chamberlains produce tractors and agricultural machinery. But to keep that industry in production the Commonwealth Government pays £240 for every tractor that is built, in order to sustain competition.

There is only one thing that is keeping our internal economy on a sound basis, and that is wool. Can anyone of us tell what is going to happen to wool in the next three months, let alone in the next 12 months? In the papers we see it reported that wool has been steady, and that it has fluctuated perhaps 5 per cent. Right up to the sale held yesterday in Adelaide the prices were steady. But yesterday there was a recession, and we found that some countries were not buying. It would only need a ring to be set up amongst buyers throughout the world, and our wool market would go to pieces in no time. We must realise the effect that would have on the economy of our country, particularly when we have only one product on which we can rely to keep our economy stable.

I believe it is up to every Government to do everything possible to reduce the cost of production on all articles in all other industries; because while the producer will be affected if we have a recession, the worker will be affected most. The worker has taken the attitude, "We should get all we can, no matter what effect it has on the economy of the State." That has been exemplified in everything we have seen done in the State during recent times.

I do not believe the Government is right behind this Bill. I feel it has been pushed into introducing it by the industrial unions of the country, and I would not be surprised if members of the Labour Party felt a sense of relief if the Bill were thrown out, or if its benefits were drastically reduced, because it is outside the bounds of reasonable thinking people to imagine that the economy of the country can stand what is asked of it in the Bill. Let us turn to the goldmining industry. We have had the members for the Goldfields from the Labour side tell us how the goldmining industry is just able to maintain itself at the present time. We are told that no great profits can be made from gold. Yet those same men support the rise in freights which added to the cost of production of gold.

Hon. G. Bennetts: We had no option.

Hon. A. R. JONES: Those same members will support this Bill, which will further increase the cost of production of gold.

Hon. E. M. Davies: What would happen to the industry if we did not try to make it pay? Why not be genuine?

Hon. A. R. JONES: I am told by somebody who was able to work it out that it will cost the goldmining industry £150,000 per annum in extra premiums. If that is what the members opposite propose to support, it surprises me a great deal. The goldmining industry has no chance at all of handing on its costs; it is a primary producer and has no chance of doing so.

Hon. C. H. Simpson: Those in the goldmining industry are primary producers.

Hon. A. R. JONES: That is so. They produce from the earth. Whether the manufacturer has an opportunity of handing on his costs, I do not know.

Hon. H. Hearn: He has not.

Hon. A. R. JONES: The basic wage in this State is at least 10s. greater than in any other. I think the reason that we have had industry come to this country is that we have enjoyed industrial peace in the past. That was so until last year, when we had a bad strike which affected the whole economy of the country. Industry came to Western Australia again, because our Workers' Compensation Act provided reasonable payment for workers when injured. But do members think industries will continue to come to Western Australia when they find that, under this Bill, if it is made law, they will be obliged to meet those extra commitments? They have already had to met the various wage rises, including the 10s. increase over and above that of the other States of Australia. I think that the workers are just killing the goose that lays the golden egg; and the sooner Labour members in this House and in another place can persuade their followers to take a little notice of them, instead of their taking notice of leaders and executives of unions, the better it will be for the workers generally.

I have been asked whether I want the workers to stand all the burden. I want them to take their share and receive what they are entitled to. I have insured myself. I worked for a motor firm years ago, and was protected under this Act. But I also took out a policy against accident, particularly when going to and from work, and during week-ends. If a worker wants to be protected while on his way to and from work, let him take out a small policy. It would cost him only 30s. a year. Why should the boss be expected to pay that money? That is one more imposition that we should not ask the employer to endure. We tossed this provision out last year, and why it has appeared again—

Hon. E. M. Davies: The Government you supported brought it down.

Hon. A. R. JONES: Do not tell me that I always supported the Government.

Hon. E. M. Davies: I said the Government you supported.

Hon. A. R. JONES: Thank God I have a mind of my own! I say what I think I should say, and I do not support the Government when I think it should not be supported.

Hon. E. M. Davies: I saw you supported the Government. I did not say you supported the measure.

Hon. A. R. JONES: The provision was rejected last year, and very good reasons were given for that action. Those same reasons exist today. I have every sympathy for the worker who is genuinely in distress; for the man who is inconvenienced, or whose work is interrupted on account of an accident. If there were any way to protect a man with a family, so that he could draw at least the basic wage while he was incapacitated, and if that could be done in a way that would exclude irresponsible people, who have not genuine reasons for absenting themselves from work—people whom we might go so far as to call malingerers—I would be agreeable to the basic wage being paid to those who needed it.

Hon. F. R. H. Lavery: You are throwing a big slur on the medical profession.

Hon. A. R. JONES: It is not beyond possibility that some members of the medical profession help some of the malingerers.

Hon. F. R. H. Lavery: Dr. Hislop would not be pleased to hear that.

Hon. A. R. JONES: I think he would admit it if he were here. We know that at Midland Junction and at Fremantle men can obtain certificates entitling them to remain away from work for a number of days, and even weeks, although they are really able to resume work sooner. If we are going to raise the amount of compensation to such an extent that a person will be able to receive nearly as much as he would be receiving if he were at work, there will not be very many interested in returning to employment, particularly those who are without dependants.

The Bill seeks to raise the compensation payable to a man with a family, and I think that is the one really good part of it. It is the only good provision out of 17 clauses and a schedule. When we can find in a Bill of this kind only one or two small benefits that should be granted to the genuine man, it seems to me a pity that it should even have been introduced. I believe that we should reject it on the second reading in the hope that an amending Bill will be introduced next session providing for reasonable conditions. I am sure this House would give it the consideration it deserved.

Hon. G. Bennetts: Although you agreed that the amount of £2,800 was quite all right.

Hon. A. R. JONES: I did not say I agreed to that.

Hon. H. Hearn: You are putting words into his mouth.

Hon. A. R. JONES: The goldmining industry is one with which I am fully conversant. It is one of which I have had a little experience. For years I had the pleasure of mixing with Goldfields people, and travelling from Norseman to Wiluna and, in fact, through all the Eastern Goldfields. I am aware of the important part that the industry played in the last depression. It helped this country considerably and, in fact, kept it going until other industries were able to make a greater contribution to the State's economy. It seems to me a pity that the Government is doing all it can to push the goldmining industry out of business, because we shall surely need it again. With the increased railway freights and the impact of this Bill on the industry, it is not very hard to visualise shows that are now making a little profit on low-grade ore going out of business.

I would ask members of the Labour Party, and particularly the Ministers, to try to make their followers see a little more clearly what the economy of this State is resting upon, and how not only the producer and the industrialist, but also the worker, must play his part in making this State what we would like to make it. I do not think it would be any hardship if the workers had to wait for another 12 months for amending legislation to be introduced, because I do not think any hardship is suffered today through a person being injured. I think that the compensation is £10 per week for a man with dependants, and £8 a week for a man without dependants. I have never heard of any case of hardship, though there may have been some.

Hon. Sir Charles Latham: Help is received from social services.

Hon. F. R. H. Lavery: What social service payment does an injured worker get?

Hon. Sir Charles Latham: There are social service benefits for the family.

Hon. F. R. H. Lavery: He does not get any at all. If he is under workers' compensation he does not receive social service benefits.

Hon. Sir Charles Latham: His family has social service benefits, and it is just as well for you to know it!

The PRESIDENT: Order!

Hon. F. R. H. Lavery: I should know if anybody does. The hon. member's statement is not correct.

Hon. Sir Charles Latham: What about child endowment?

Hon. F. R. H. Lavery: That is a different thing.

The PRESIDENT: Order!

Hon. A. R. JONES: We must all endure some sacrifice in order that we can make this State what we want it to be. If we decide blindly to follow other States and raise compensation rates because they have done so, we will keep secondary industries away from this country, to the detriment of the worker himself and of the whole economy of the State. If we gradually impose further costs upon industry, we shall frighten people away from this State and drive them off the land rather than encourage them to go on it. I hope the reasons I have given will justify members in rejecting the Bill at the second reading.

HON. C. W. D. BARKER (North) [8.55]: I support the Bill. I had not intended to say a word on it tonight; but after having listened to Mr. Jones, I felt that I must do so. The Bill is an attempt to bring the compensation paid to an injured worker into line with the present-day cost of living. It aims to raise the amount from 66⅔ per cent. to 80 per cent., with a maximum payment of £2,800. In my opinion, a worker who is injured needs just as much to live on during the time he is unable to work—and sometimes more—than when he is actually at work. Perhaps he needs a nurse to look after him, or his wife may need someone to do the housework while she is looking after him. In the circumstances, I think it is fair to ask for 80 per cent. of the basic wage. The hon. member asked those of us who are associated with the Labour Party whether we are aware of the effect this measure will have on industry. I say frankly that I am aware of it, and I am afraid of it; but I do not think the worker should be called upon to bear the full burden of restoring the economy of the country to a stable position.

Hon. J. McI. Thomson: He is not asked to.

Hon. C. W. D. BARKER: As the cost of living rises, so must the needs of injured men rise with it. It is only fair that they should be given a reasonable figure. I am aware that this measure will impose an extra burden on the cost of production. All workers are alarmed at the way wages are rising, and nobody can see how it will end.

Hon. J. M. A. Cunningham: You would be satisfied with 80 per cent. of the basic wage?

Hon. C. W. D. BARKER: No; I say they should get 100 per cent.

Hon. J. M. A. Cunningham: You said 80 per cent. of the basic wage.

Hon. C. W. D. BARKER: Yes.

Members: The Bill does not say that.

Hon. C. W. D. BARKER: I meant to say 80 per cent. of their earnings. I correct that. Why should they not receive that amount? If a man has been used to a certain standard of living, should that standard be reduced because he is injured at work?

Hon. N. E. Baxter: Do you think a bricklayer on £25 a week should receive 80 per cent. of that?

Hon. C. W. D. BARKER: If he is worth that while he is working, he should receive it when he is injured.

Hon. N. E. Baxter: That is ridiculous.

Hon. C. W. D. BARKER: I am trying to be fair. The hon. member may think I am ridiculous, but I do not think so. If he had to live on wages today, he might not be so comfortable. If he were injured and received only 66⅔ per cent. of his wages while out of work, he might change his tune. I agree with Mr. Jones about the effect this measure will have on industry, and I think something should be done in that regard—but not at the expense of the worker all the time. If we froze wages and prices and solved the matter that way, letting everybody take a share of the burden, we might get somewhere. But to say that the worker must pay all the time, is entirely wrong. I know as well as anybody that our economy today is riding on the sheep's back. I am apprehensive of the dangers which face us, and I think we should do something about it.

Hon. H. S. W. Parker: Are you prepared to have wages frozen?

Hon. C. W. D. BARKER: Yes, I am, together with prices. I think that is the only practical approach to the problem. It is a lot better than trying to get the worker to bear the full burden all the time.

Hon. A. F. Griffith: What is your definition of a worker?

Hon. C. W. D. BARKER: Anyone who works, no matter whether it be with his brains or with his hands. It is anyone who produces and helps our economy.

Hon. N. E. Baxter: Everyone is a worker.

Hon. C. W. D. BARKER: Yes; everyone who takes part in producing goods, or who contributes towards our economy. What I am saying is right, and members know that it is; but, unfortunately, what they want to do all the time is to ask the worker to bear the full burden of bringing things back to a stable condition. When the Bill was brought before the House it was not introduced at the request of the trade unions or industrial organisations, but in good faith, with the realisation that the cost of living and prices generally had gone up. It was to make provision so that an injured worker could live decently, and maintain his obligations while he was off sick through an injury received in his employment. I support the Bill.

HON. SIR CHARLES LATHAM (Central) [9.1]: I support the second reading of the Bill. In the early days, when we older fellows were young, we carried all this responsibility ourselves, and I do not think that many people suffered as a result. By a gradual process, a little more hurried at some times than at others, a charge has been made against the economy of the country, and we are now reaching such a stage that I am not sure what the future will be. I would not like to say what will happen in the future; and I will not know, I hope.

The early history of workers' compensation was that it was felt by the employer—and there was some agitation by the worker—that industry should provide some compensation for those injured in industry. I remember that when a Bill was introduced into this Parliament, many years ago, to deal with this matter, it was regarded as probably the most liberal piece of legislation of its kind in the world in this regard. It provided for a good deal of consideration for the worker who was injured in industry.

The number of toes that were accidentally amputated in the South-West was amazing; and so was the number of trucks purchased from the compensation money received by the people whose toes were amputated. That statement is true. Even the Labour Government of the day felt it had to do something about the position, which was being exploited by the very men we tried to help. In addition, the medical profession found that workers' compensation was a useful adjunct to increasing their emoluments.

Men were put into hospital when suffering from complaints that would not have prevented us from continuing to work. I remember some railwaymen unloading rails in a station yard on one occasion, and one fellow got a bruised thumb-nail. The doctor said to him, "With that thumb-nail you must go to hospital". I was thinking of that the other day when I jambed my thumb in the door of a motorcar, and had to have the nail removed. I did not go to a hospital and have a couple of days off because of it.

Hon. L. A. Logan: You are tough.

Hon. Sir CHARLES LATHAM: We are making a lot of weaklings today instead of a few tough men that we want. This country will not be developed without toughness. Do not let us make mendicants of these people, but instil into them that they should accept some responsibility themselves. I expect Mr. Barker's mother and father did not have just one or two children.

Hon. C. W. D. Barker: There were 11.

Hon. Sir CHARLES LATHAM: I dare say the hon. member was the eleventh child; and look at the size of him! There could easily have been four or five others. People in those days had large families, and were proud of them. Today parents say they have not the money to keep their families going. However, when I look at the amount of money spent on s.p. betting and liquor in Western Australia, I realise that a large sum is being devoted to those things that could well be used in other directions.

Hon. C. W. D. Barker: We want a national insurance scheme.

Hon. Sir CHARLES LATHAM: We want a lot more schemes that industry and economy will not have to pay for! We have watered our currency to a large extent, and there is no doubt that the hard-thinking men of the industrial movement in Australia have come to the same conclusion. If they only had the backbone to get up, as some of the old stalwarts of the Labour movement did in the past, we might have a system today which would, to some extent, control our economy.

Hon. C. W. D. Barker: You are not accusing me of not having a backbone, are you?

Hon. H. Hearn: You are not a leader!

Hon. Sir CHARLES LATHAM: A little while ago the Commonwealth Arbitration Court more or less decided not to increase the basic wage. It did this to see if it were possible, when there was not a very big wage rise throughout Australia, to stabilise the currency, which was becoming almost valueless. When Germany reached the position it did in 1918-19, it was not the man who had a little bit of money behind him who suffered, but the worker. When I was in Vienna in 1928, the number of suicides taking place daily, because of the poverty there, was amazing. The people who were in trouble were not the ones who had had the common sense to put a little bit by for a bad period such as the one through which they were passing, but those who had spent all their money, and had been encouraged to do so.

I have repeatedly heard people say that money is made round to go round, but it is very handy to have a little banking account when it is needed. It is of no use thinking we can demand money from the public in unlimited amounts without its having to come through our economy. We found a lot of it by inflating our currency. I point out to Mr. Barker that the real basic wage at present is £9 9s. 11d., and the balance of the £12 6s. 6d. is made up of a prosperity loading.

Hon. C. W. D. Barker: I understand that.

Hon. Sir CHARLES LATHAM: I am glad the hon. member does, because a great many people do not. After the war, particularly, there was a great deal of prosperity in industry, and the Arbitration Court felt it was advisable, to give some of the benefits of that prosperity to the worker. At present it is worth £2 16s. 7d. to him. That is, he receives £2 16s. 7d. over the basic wage he would receive if it were calculated on the Harvester judgment as originally laid down. Let us not persuade ourselves that the workers are so hard-up today. Let us examine what will happen. Mr. Jones pointed out the position. I am fearful about the mining industry. I remind members that Western Australia's progress was started by the men who went into the mining country in the early days.

Hon. C. W. D. Barker: I am just as apprehensive of these things as you are.

Hon. Sir CHARLES LATHAM: If the Bill provided for another 20 per cent., the hon. member would still support it.

Hon. C. W. D. Barker: Because I maintain the worker should not bear the burden of bringing things back to a stable position.

Hon. Sir CHARLES LATHAM: The worker has to bear the burden of some of it. He tosses his money away in other directions. The mining industry started the development of Western Australia, and when it commenced to decline, agriculture —the primary producers—came forward and helped. The men went on the land. Up till that time the land had been despised by the people of Western Australia, except for a few. When agriculture failed in the depression period, mining came back again.

We owe something to the mining industry and those engaged in it, whether they be shareholders, managers, or workers. But we cannot take more out of the industry than is put into it, and that position is close to being reached now. If it were not for skilful management, many more mines would be closed in Western Australia than are closed today. It was not very long ago when the Big Bell mine was in a very difficult financial position. A large sum of money had to be guaranteed by the State in order that it could carry on. That money was not provided just to obtain gold from the mine, but because we believed we would be able to obtain sulphur ore from it, and that this would assist our primary industries because it could be used in the making of superphosphate. At a time when all hard-thinking people are trying to do something to stabilise our financial position, it is heart-breaking to know that legislation such as this can pass another place, which represents the workers, or is supposed to. This House is supposed to represent the land-owners—the property owners. Yet it becomes our responsibility to try to protect those people.

Hon. F. R. H. Lavery: To throw it out.

Hon. Sir CHARLES LATHAM: Of course the hon. member is one of the property owners.

Hon. F. R. H. Lavery: I object to the hon. member saying I am a property owner. I do not own any property, and never have.

Hon. Sir CHARLES LATHAM: I do not know that to say the hon. member is a property owner is an insult. I should think it was a compliment.

The PRESIDENT: Order! Mr. Lavery objects, so I ask the hon. member to withdraw his remark.

Hon. Sir CHARLES LATHAM: I apologise. I did not know that the hon. member was so sensitive, or I would not have looked in his direction. Nevertheless, it is no disgrace to be a property owner.

The Chief Secretary: What clause is that in?

Hon. Sir CHARLES LATHAM: The Chief Secretary will know before long. I am proud to be a property owner; but at the same time I do not want my property to be loaded with such high costs as are suggested here. In a short while we will have very little property left that we can call our own.

Hon. C. W. D. Barker: Surely you do not believe that we should stabilise our economy by taking a little off the worker every now and again! I know that you do not.

Hon. Sir CHARLES LATHAM: I have never said that we should take anything from him; as a matter of fact, I told the hon. member that I was supporting the Bill. But I do not like members of this House, or anybody, misleading the public of the State and telling them that we will prosper if we increase taxation and charges in every direction. We are not a little world living to ourselves.

Hon. C. W. D. Barker: I agree with you.

Hon. Sir CHARLES LATHAM: There is no market for gold in Western Australia. Every bit we mine has to be exported, and we will not make any money if we hoard our gold in caves. It must be circulated. The only way we can purchase goods from overseas is by sending our gold away, or by exporting our surplus primary produce, such as wheat, oats, barley, wool, meat, and what little surplus butter we have. If we

keep loading these extra costs on to industry, the spiral will go higher and higher, until we reach a peak where £1 will be worth only 1d.

Hon. H. Hearn: And we shall all be taking in each other's washing.

Hon. Sir CHARLES LATHAM: The two main industries that will carry this additional burden will be primary industry and the mining industry, and they will be able to do little about it. They have to take the prices offered to them for the commodities they produce. There is a fixed price for gold; and, although that price is increased every now and again by a very small amount, it is nothing to what should be paid.

Hon. C. W. D. Barker: Do you think it would be a good idea to freeze wages and prices?

Hon. L. Craig: You can't freeze prices.

Hon. Sir CHARLES LATHAM: How is it possible to freeze prices when all these concessions are being increased? I know that this measure will provide some additional compensation to workers who are injured in industry, but we cannot continue to load these industries, as we are doing now, with all these additional burdens. The position will become hopeless.

Now I want to have something to say about the contents of the Bill. Its main provision is to enable an increase to be made in all compensation payments to workers injured in industry. It goes even further, and one clause provides that if a new Australian arrives in this country —it does not matter from where he comes —and is killed during the course of his employment, his dependants will be provided for, irrespective of where they reside. Up to date, that type of compensation has been very limited, but this measure proposes to remove that limitation. If the Bill is passed in its entirety, it will cover dependants who reside behind the Iron Curtain.

Hon. E. M. Davies: It is not possible to penetrate the Iron Curtain.

Hon. H. Hearn: But our money can.

Hon. Sir CHARLES LATHAM: We already have a reciprocal arrangement with some other countries, even though it might be to their advantage and not to ours; but the value of money varies in many European countries, and we have been generous enough to let them reap the benefit of our legislation. The next provision is a hardy annual that has been before Parliament on many occasions.

Hon. H. Hearn: Three times.

Hon. Sir CHARLES LATHAM: It provides that a man shall be covered from his home to his work and back again. If a man cannot carry some responsibility at some stage of his life, he is a rather hopeless individual. I certainly will not support that clause, even though a similar provision exists in three other States of Australia. Surely to goodness, these people can carry some responsibility for themselves! For a small sum of money, a man could take out an accident policy which would cover him to and from his place of employment. It would mean only two glasses of beer less a week, or maybe 2s. less on the Saturday and Wednesday events. Why should we ask industry to meet the cost of covering a man travelling to and from his work?

Hon. E. M. Davies: You assume that all workers are consumers of alcohol.

Hon. Sir CHARLES LATHAM: I did not say that they were.

Hon. E. M. Davies: You seem to be blaming them for it.

Hon. Sir CHARLES LATHAM: I did not say that. All I said was that an insurance policy to cover a man travelling to and from work would mean only two glasses of beer less each week. I have known the hon. member long enough to realise that even if I bought him a glass of beer, he would not drink it.

Hon. H. Hearn: Call it two glasses of food.

Hon. Sir CHARLES LATHAM: There are many people who do drink beer. The next amendment will compel employers to take out all their insurance business with only one company. I cannot understand why the Government wants to introduce a provision such as that.

Hon. H. Hearn: Surely you can understand why.

Hon. Sir CHARLES LATHAM: Perhaps I would like to pretend I am a little innocent, even at my age.

Hon. L. Craig: But you suspect!

Hon. Sir CHARLES LATHAM: Of course, in my view, the idea behind it is to ensure that the State Insurance Office will carry all workers' compensation business. The Government apparently wants to force that business into its hands.

Hon. L. Craig: Surely not!

Hon. Sir CHARLES LATHAM: I believe that is the intention.

Hon. C. W. D. Barker: Do you not want the State to be in competition with the other companies?

Hon. H. Hearn: In competition, yes.

Hon. Sir CHARLES LATHAM: Surely the people are just as wise as some members of Parliament, and they know what they are doing. If they thought they could get a better deal with the State Insurance Office, they would place all their business with that institution. But these other private companies, with their careful management and their knowledge of the work, seem to be thriving.

Hon. A. R. Jones: And they pay income tax, too.

Hon. Sir CHARLES LATHAM: That is so. If employers do not comply with that provision, there is a penalty of a £100 fine and there are several other penalties provided throughout the measure. I wanted to point out my fears regarding the goldmining industry.

Hon. G. Bennetts: I have not heard so much about the Goldfields before.

Hon. Sir CHARLES LATHAM: Then I hope the hon. member will support me in my efforts to do something for the goldmining industry. I have seen our primary industries decline on two or three occasions during my lifetime, and we want to ensure that the milch cow is there to fall back on when things go wrong.

Hon. C. W. D. Barker: I have said that in this House before.

Hon. Sir CHARLES LATHAM: Then the hon. member ought to do something to help.

Hon. C. W. D. Barker: I do not want to do everything on my own.

Hon. Sir CHARLES LATHAM: The hon. member does not want to do anything. If we pass this Bill in its present form, the increased compensation payments will cost the mining industry about £500,000 a year.

Hon. H. K. Watson: Why not vote against the Bill?

Hon. Sir CHARLES LATHAM: I am still soft-hearted enough to think that we might be able to find some little good in it. I will not give it too much encouragement, but I will vote for the second reading. I am not going to let anybody say that the Bill came to this House and I would not give any consideration to it. I think there are some members who hold views similar to my own, and when the Bill is considered in Committee we will point out to the Government, clause by clause, where we think mistakes are being made. Where we think that workers are entitled to some further compensation, we will tell the Government so. But let us make men of our men.

Do not let us adopt a system of running for help every time we are in trouble. I know that I am glad I did not miss all the little struggles I had through my lifetime, because I am a better man for it. We ought to make our youths and men self-reliant and self-supporting, and we should not encourage them to run for help whenever they are in trouble. The only way the Government can give relief is by passing on the cost to somebody else with a consequent waste between the collection and disposal of the money.

I hate these taxation measures especially at a time when industry cannot afford to carry them. I think our £ today is worth about 7s. 9d. When I was in Germany in 1928, I had to find 1,000,000 marks to buy a postage stamp. Yet when I was there during the war the mark was worth 1s. 0½d. sterling. Do not let us forget that Germany reached the stage where a man had to take to the baker a wheelbarrow full of notes to buy a loaf of bread. So I think we ought to face up to the present situation. This is a great country and we have great people in it; but they want leaders. We should go into the highways and byways and teach our people to be a little more self-reliant; let them know that they have a responsibility to themselves, and that they should carry that responsibility.

Hon. C. W. D. Barker: That applies to people in all walks of life.

Hon. Sir CHARLES LATHAM: I mean all the people, and I have already said that. We do mislead the people, who are easily mislead; but occasionally we find that a person will stand up against us and say that we are talking a lot of drivel. I am fearful of the views of some members, and I hope that Mr. Lavery does not take exception to that remark. I think that some people listen too much to the stories told by some of our leaders who, as leaders, ought to be giving our workers a lead, instead of allowing them to follow others who want to lead them downhill. Members of Parliament should endeavour to lift up the people and make them self-reliant. At the moment industry is in the unfortunate position of being caught in a vicious circle; and, in the process, we are losing the value of our currency.

HON. J. M. A. CUNNINGHAM (South-East) [9.30]: Although it has been said by some members that the Bill is essentially a Committee measure, there are one or two points that I would like to bring to the notice of the House during the second reading before a final decision is made on the measure, which we, who represent the Goldfields and goldmining interests consider to be of the utmost importance. Firstly, I would like to point out that in 1948 the Government of the day proved that it realised the need to bring compensation payments up to a reasonable standard in order to overcome the difficulties that confronted the workers at that time as a result of the increase in the cost of living and following what we could probably call neglect during the war years.

In 1948 the McLarty-Watts Government introduced a Bill which altered the definition of "worker" to the extent that it raised the permissible income from £500 to £750. That measure also increased the maximum amount of compensation that could be paid from £750 to £1,000, with a payment of £25 for each child or dependant. Among many of the other advantages granted by the measure was one that increased the payments to a sick worker from 50 per cent., of his weekly earnings to 66⅔ per cent. Later another amending Bill was introduced by the McLarty-Watts Government because it was conscious of the change in the monetary values of the day.

The Chief Secretary: You do not agree that the present Government is doing the same.

Hon. J. M. A. CUNNINGHAM: I do not think I have indicated that that is my opinion. I think the Chief Secretary will find that members of the Liberal Party and the Country Party will support him in regard to the measure in so far as what they consider a fair thing. I am sure the Chief Secretary will not ask for more than that. There are some people who believe that what is being requested in the Bill is being asked for without a full awareness of what the provisions could mean to the goldmining industry.

Prior to the introduction of legislation which granted compensation payments to workers, a voluntary fund was built up on the Goldfields to assist those workers who were injured in industry, or who fell sick, and thereby lost the source of their income. On the Goldfields today that voluntary fund still exists and it was contributed to by workers and others in order that money might be drawn from it to assist workers who became silicotic. Those who are injured to such an extent that they cannot return to their occupations can make application to receive assistance from that fund. However, to obtain any relief from that source is difficult to accomplish compared with the willingness, and almost eagerness in some cases of those in authority to ensure that an injured workers obtains his dues from the workers' compensation payments.

What Goldfields members are worried about is that everything that is paid out by way of compensation by those in the mining industry is drawn from the original capital, or becomes a charge against it; because, as everybody knows, the goldmining industry is a wasting industry. It cannot be compared with the agricultural industry; because a farmer who settles on a property worth £10 an acre can build its value up, by his labour over the years, to perhaps £100 per acre, and still obtain a comfortable income from it every year. A goldmine, however, is being continually developed, and every ounce of gold taken from it represents value that cannot be replaced. Ultimately it will be worked out and abandoned. At all times, therefore, those engaged in the goldmining industry have to be careful to ensure that unwarranted outgoings do not shorten the life of a mine. If that occurs, the source of the workers' employment is also in danger.

I am an advocate for increased compensation payments today because this is the right time for increases to be made; but they must be reasonable. When the time comes, I am sure that members will vote according to their consciences, and make a reasonable decision in regard to compensation payments which are considered to be fair in the light of present-day conditions. On the Eastern Goldfields at present the total amount paid out in wages approximates £5,000,000 or £6,000,000 yearly. Many families are being maintained by the distribution of that money. However, that sum does not represent basic wage payments. In fact, a large proportion of it is made up of incentive payments.

Hon. F. R. H. Lavery: The employer does not growl about that, because he is getting a good return from the worker.

Hon. J. M. A. CUNNINGHAM: No; he is pleased to pay it. It is not an uncommon thing on the Goldfields today for a man working in a stope, or in a drive, to be drawing £10 or £12 per shift.

Hon. F. R. H. Lavery: That is under the contract system.

Hon. J. M. A. CUNNINGHAM: Yes, and the employer is quite willing to pay that amount to contract workers. However, in the event of one of those workers becoming injured, is it just that whilst he is incapacitated he should still receive those incentive payments while not contributing incentive effort? Let us be reasonable and fair. Is it reasonable or fair to say that during his period of incapacity he should receive his share of the incentive payments? I certainly do not think it is reasonable, and I do not think the worker would either. One cannot blame him for accepting it, but I do not think there would be a strike if it were not paid to him. Although we advocate today that the working man is entitled to receive his golden egg from the goose, do not let us kill the goose. That is what could happen. Tonight Sir Charles referred to one company that was driven very close to the borderline a few years ago.

Hon. L. A. Logan: It is still on the borderline.

Hon. J. M. A. CUNNINGHAM: I want to sound a note of warning. This measure could mean the loss of employment to many workers, and I am not drawing the long bow when I say that. It is an aspect that must be carefully considered.

One of the points which was raised during the second reading of the Bill, and which has been raised previously, is that relating to the payment of compensation to the dependants of a worker who are domiciled in other countries. Although there may be arguments in favour of such payments being made, I am doubtful whether dependants who are in countries outside Australia, either behind the Iron Curtain, or in the shadow of it, have much chance of receiving the full value of the money that is sent to them, or even a portion of it.

Members know that a few years ago many foreigners who were resident in this State packed up their goods and chattels and returned to their homeland. Since their return, many letters have been sent

by them to their friends and relations still residing in this State advising them not to be caught in the way that they were.

Hon. F. R. H. Lavery: Some of them have since returned to this State.

Hon. J. M. A. CUNNINGHAM: Yes; I believe that is so. Those people lost all their savings and possessions. In view of the experience of those individuals, is it unreasonable to say that compensation payments to widows or dependants residing outside the State would not be received by them? I have the greatest doubt whether they would receive even a portion of such money. However, if a migrant comes to this State, obtains employment, and shows that he is anxious to bring his family out to join him, it would be a different matter. If his widow and dependants come to this State even after his death as a result of an accident in industry, they should be entitled to receive full compensation benefits. However, if a migrant is not showing any interest in his future life in this State, or any desire to bring his family out to join him, the position is entirely different. It is the children we want here. I certainly cannot agree to payment of compensation to dependants who are not likely to receive the money when domiciled in other countries, because such a proposition is not reasonable.

Another amendment to the definition of "worker" is proposed which will lift the maximum amount of income that could be earned by a worker entitled to compensation from £500 to £2,000 in four years. If we agree to that provision, even members of Parliament can be classed as workers, despite many suggestions to the contrary. While it would be very nice to receive the £2,000, it would mean that the State would have to guarantee payment to members of Parliament under the scheme. The Bill would give no benefit to the worker by increasing the amount to £2,000. In the mining industry the practice today is to ensure that, irrespective of income, the sum of £1,250 is the base on which to calculate premiums. Even the staff is covered. The net result of increasing the amount is to burden industry with added premiums. That does not seem reasonable. The scheme has worked smoothly to date, so why saddle industry with extra premiums when not one more penny will go into the pockets of the workers?

I have opposed the journey clause in the past, and I still do so because I cannot see any justice in imposing responsibility on the employer when he has no control over an employee at the time of an accident covered by this clause. Mention was made about hotels and drinking, but they are isolated cases. The important point is that on a job the employer has the right to impose on the worker adherence to rules or devices which are designed to protect the worker. In many cases an employer has spent much money in installing safety devices, and he should have some say in the control of the worker inside the job.

But when a worker steps outside a mining lease or factory, he can indulge in any foolish practice and be safeguarded. If an employer were to tell him to wear boots outside of the lease because they were a protection, one can imagine what the worker's reply would be. Is it fair to saddle an employer with the responsibility for acts of carelessness or foolishness on the part of a worker on his way home?

Far greater benefits would be given to the worker if borderline cases were treated more generously. In almost every case covered by this clause litigation could result, because liability would be challenged. I have in mind several cases where widows were left without a protector and got no compensation. If the cases had been fought in court, the dependants could conceivably have won, but most of them could not afford litigation in court and accepted the circumstances. If a committee or board could show generosity and leniency in such cases, far greater benefit would be conferred on the worker.

Regarding the increase for total incapacity from £1,750 to £2,800, or a 60 per cent. increase, it was said that this would bring the payments into line with the cost of living; that is, if we accepted £1,750 as being reasonable for the cost of living at the time.

The Chief Secretary: Which it was not.

Hon. J. M. A. CUNNINGHAM: That is the point. Was it or was it not? When it was increased from £750 to £1,750, in a short space of time, it is debatable to say that it was not a reasonable increase. The increase was not debated at the time to any extent. It was considered reasonable and just. I agree with a small increase; probably the State can better bear a small increase in shorter periods than such a big increase as that provided in the Bill. Large increases tend to bring about opposition and bad publicity. In my opinion the increase is too great for the period we are going through; and particularly in the case of mining companies which had to shoulder recent large freight increases and two substantial basic wage increases. I support an increase of at least 20 per cent.

I do not intend to go through the whole Bill clause by clause. I would refer to the clause dealing with silicosis coverage. I would like more information on that. In 1951 the State Insurance Office received in premiums, on account of industrial disease coverage, a sum of £168,000; but up to date it has paid out only £40,000. That is a rather surprising contrast between income and outgoing. There is a sum of £750,000 held in reserve by the State Insurance Office. That is rather staggering

and is open to question. I would ask for information on that from the Chief Secretary.

Hon. F. R. H. Lavery: What do you mean by "open to question"?

Hon. J. M. A. CUNNINGHAM: The £750,000 held in reserve.

Hon. C. H. Simpson: That is a reserve to cover accruing liabilities.

Hon. J. M. A. CUNNINGHAM: Where do the accruing liabilities come from?

Hon. C. H. Simpson: They are reserves to meet future cases of silicosis which might have to be paid out of the fund.

Hon. J. M. A. CUNNINGHAM: I understand that silicosis today is decreasing because of the advent of aluminium therapy. Provided a worker carries out treatment regularly, there is no doubt that liability from this source will decrease in the future. If the reserves are held to meet such liabilities, then I suggest that coverage for industrial diseases could be lowered considerably.

Another part of the Bill gives the industry great concern. In effect, it means that an injured worker or his dependants can recover double the amount that is shown in Clause 12 (c). This could result in an increase of £250,000 in premiums from mining companies, over and above the £250,000 already being paid, or an increase of over 90 per cent. A worker can contract silicosis—and while he is off he can receive compensation up to £2,800, either in weekly payments or in a lump sum. If he receives weekly payments, and after a number of years cuts out the compensation of £2,800, and then dies, his widow will under ordinary circumstances receive full compensation again. That is because the death certificate would show that his death was caused by, say, pneumonia plus silicosis. Immediately the wife is entitled under that provision to another £2,800. No one can say that is a reasonable proposition. This appears to me to be a legal point, and I would like to hear more on it. I would not like to be instrumental in depriving a worker of his entitlement, but I do not think that the architects of this Bill intended that a double payment should be made. Yet it is a fact that in almost every case of silicosis, such double payment could result.

Hon. C. W. D. Barker: You agree that a man affected with silicosis is entitled to compensation during his lifetime. Surely, then, you must agree that when he dies his widow should be provided for?

Hon. J. M. A. CUNNINGHAM: Why should industry provide for the widow when the worker has already received compensation for the injury? Why should the companies have to support the widow? It would mean that industry would be paying out what is really the liability or responsibility of the Commonwealth.

Hon. C. W. D. Barker: The widow could receive a certain amount a week and still be entitled to a pension payable by the Commonwealth.

Hon. J. M. A. CUNNINGHAM: That is begging the question. The fact remains that compensation has been received for the injury, and the hon. member indicates that he intends double compensation to be paid.

Hon. C. W. D. Barker: I do, to provide for the widow.

Hon. J. M. A. CUNNINGHAM: After compensation has already been paid for the injury? The man would have received his ordinary wages, which would put him in a bracket far above that of a lot of professional workers who have to insure themselves. Then he is insured and receives full compensation. He might subsequently die from some other complaint.

Hon. C. W. D. Barker: It might be from natural causes.

Hon. J. M. A. CUNNINGHAM: Quite so. The death certificate would show the cause as being some trouble plus silicosis. That is the point. For the silicosis, he would have been compensated. Is it intended that his dependants also should be compensated? I may be wrong in my impression and I hope that I am, but I should like to hear more debate upon the point.

I trust that members will give fair consideration to the Bill, bearing in mind that the time is ripe to grant an increase because the cost of living has changed somewhat and we must keep abreast of the times, but the increase must be reasonable. Otherwise, it could be the cause of considerable concern and embarrassment to the sources of employment. The mining industry is able to absorb only a certain amount. Despite the fact that the mines paid dividends last year, considering the amount of money invested in the industry to earn those dividends, they represent only a drop in the bucket when spread over the large number of shareholders including many working people.

Hon. C. W. D. Barker: It does not alter the fact that they have made decent profits.

Hon. J. M. A. CUNNINGHAM: The hon. member should take into consideration the amount of money invested and required to earn those profits.

Hon. C. W. D. Barker: Ten per cent.

Hon. J. M. A. CUNNINGHAM: Mining is a wasting asset and a gamble. The hon. member has heard about the developments at Bullfinch which were made possible only by the so-called big profits obtained from mining, but mining is a gamble at all times, and when people invest their money in it, we must be prepared to allow a good margin of profit.

Hon. C. W. D. Barker: I am not objecting to that.

Hon. J. M. A. CUNNINGHAM: But the hon. member would deprive them of the profit. If there is to be grabbing and paying out all the time, the profits will not be available to keep the industry alive. No Government would ever undertake the opening of a mine such as that at Bullfinch; it would not indulge in the gamble as private enterprise is prepared to do. Neither would any Government have undertaken the mining at Norseman. Those are thriving towns, and they have been built up on profits obtained from mining and put back into the industry. No Government could do that. The companies must be allowed to make profits in order that they might be able to carry on. Lancefield was a thriving town at one time because money was available to invest and showed a likelihood of giving a reasonable profit. Remove that chance of receiving a good reward for the gamble, and there will not be investment in the future.

Hon. C. W. D. Barker: The only thing we disagree on is the responsibility of the mining industry, or the manufacturer, to the workers generally.

Hon. J. M. A. CUNNINGHAM: I trust that the hon. member will not show such a lack of knowledge of the subject as to imply that the mining companies do not show a responsibility to the workers. I doubt whether any other industry or group of employers shows such a great sense of responsibility to its employees as does the mining industry.

Hon. C. W. D. Barker: You are saying, in effect, that we should not grant the workers this compensation.

Hon. J. M. A. CUNNINGHAM: On the contrary, I am advocating the provision of a reasonable increase. The only thing I am challenging is something which I believe might be unreasonable, which the industry cannot bear, and which will have a detrimental effect on the advancement of the industry. If the hon. member could assure me that the price of gold on the open market would jump from 56 to 60 dollars an ounce tomorrow, I would be with him all the way.

Hon. C. W. D. Barker: I think it will.

Hon. J. M. A. CUNNINGHAM: But I would not be prepared to invest what little money I have on that assurance. I repeat that I hope members will give very serious consideration to the Bill and treat it reasonably, bearing in mind that we who are interested in the goldmining industry feel gravely concerned. We realise the responsibility of the industry to cover the worker and give him reasonable compensation, but it must be reasonable to both sides. I support the second reading.

On motion by Hon. J. McI. Thomson, debate adjourned.

House adjourned at 10.7 p.m.

Legislative Assembly

Wednesday, 11th November, 1953.

CONTENTS.

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

QUESTIONS.

WATER SUPPLIES.

As to Rate Concession to Pensioners.

Mr. BOVELL asked the Treasurer:

As recent increases in water rates in the metropolitan area and country districts have caused old-age, invalid and war pensioners who reside in and own their homes, considerable financial embarrassment, will he grant special rebate concessions to those pensioners?