

native children, although in accordance with previous policy, was now all right.

The Minister for Railways: No.

Hon. J. T. TONKIN: Then there is a possibility of change if the Minister becomes sufficiently vocal. I do not think so as it would be against the best interests of the State if that change were made. It is far better to endeavour to educate these children, regardless of the fact that their faces are black. If members have any doubt about that they should go to the Children's Hospital and see whether the nurses have any desire to treat the children whose faces are black differently from those whose faces are white. Some of the most lovable children in the hospital are those whose faces are black. It is only a matter of attending to their cleanliness to remove any objection there can possibly be to having them educated along with white children. My experience was that, so far as the children themselves were concerned, they had no objection whatever. I frequently found them going around the playgrounds with their arms around each other; white and black children linked together, indicating that they had a far better appreciation of what is right than some adults who complain about the non-segregation of these children in our educational institutions.

The department is functioning very well. The Director, who has been away for several months, will, I understand, be away for the rest of this year, but he should come back to the State with renewed vigour and a wealth of ideas which would not have come to him if he had been obliged to remain within the confines of Australia. He will have an opportunity of seeing educational institutions in other parts of the world, and although he will have but a limited time left to him as Director in this State, because he is approaching retiring age, nevertheless the State should derive distinct benefit from the fact that he has been away. There has been, in one or two isolated instances, some complaint that a man of his age was permitted to leave the State when he had such a short time left in which to give the State the advantage of his knowledge. I do not share that criticism. It would have been of greater advantage if the Director had been a younger man, but at the same time he has rendered this State very useful service, first as a teacher, then

as an inspector and later as Director. He was entitled to have the advantage of this journey when it was offering, and I am glad the Government permitted him to go, even though there will be but a comparatively short time left to him to make much use of the ideas that he has no doubt obtained. However, he is bright enough to be able to communicate to those under him what it has been his good fortune to obtain.

The Minister for Education: His report will be of value for years.

Hon. J. T. TONKIN: That is so and, as far as I am concerned, I say to those who have been disposed to criticise the action taken by the Government that I think, in this connection, it was thoroughly justified.

Progress reported.

House adjourned at 10.45 p.m.

Legislative Council.

Tuesday, 16th November, 1948.

CONTENTS.

	Page
Assent to Bills	2402
Questions : Government employees, as to number	2402
Superphosphate, as to transport by rail	2402
Fisheries, as to netting at Nornalup Inlet	2403
Personal explanation, Hon. C. H. Simpson and Government Railways Act Amendment Bill	2403
Bills : Western Australian Marine, 3r.	2403
Government Railways Act Amendment, 2r.	2403
Land Act Amendment, 1r.	2412
Workers' Compensation Act Amendment, recom.	2412
Legal Practitioners Act Amendment, 1r.	2427
Fairbridge Farm School, 1r.	2427
Foundation Day Observance (1949 Royal Visit), returned	2427

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

- 1, Building Operations and Building Materials Control Act Amendment (Continuance).
- 2, Land Alienation Restriction Act Amendment (Continuance).
- 3, Interpretation Act Amendment.
- 4, Hospitals Act Amendment.
- 5, Fisheries Act Amendment (Continuance).
- 6, Railway (Brown Hill Loop Kalgoorlie-Gnumballa Lake) Discontinuance.
- 7, Constitution Acts Amendment (No. 1).

QUESTIONS.

GOVERNMENT EMPLOYEES.

As to Number.

Hon. C. H. SIMPSON asked the Chief Secretary:

How many persons were employed by the Western Australian State Government in all departments, boards and commissions, including the Rural and Industries Bank on the 30th June, 1946; the 30th June, 1947, and the 30th June, 1948?

The CHIEF SECRETARY replied:

	As at 30th June,		
	1946. Persons.	1947. Persons.	1948. Persons.
I. Government Departments and Commissions	24,483	27,764	29,322
II. Semi-Government Boards and Similar Bodies—			
Bunbury Harbour Board	37	82	45
Fremantle Harbour Trust	339	362	343
University	271	302	291
Public Library and Museum	17	19	22
Metropolitan Market Trust	15	15	17
W.A. Fire Brigades Board	210	222	210
Metropolitan Milk Board	15	20	19
Transport Board	4	4	9
State Gardens Board	38	38	38
Lotteries Commission....	41	46	48
State Subsidised Hospitals (Royal Perth Hospital, Fremantle Public, etc.)	1,345	1,377	1,581
Total, Part II.	2,338	2,487	2,632
GRAND TOTAL (I. and II.)	26,821	30,251	31,954

SUPERPHOSPHATE.

As to Transport by Rail.

Hon. A. L. LOTON asked the Honorary Minister for Agriculture:

(1) Is the Honorary Minister for Agriculture of the opinion that the required

amount of superphosphate for the 1948-49 season is likely to be transported by the Railway Department in time for the coming seeding, e.g., not later than May, 1949?

(2) What has been the tonnage forwarded per week since the 31st August, 1948?

(3) What is the estimated tonnage required to be delivered by the Railway Department for the season 1948-49?

(4) What tonnage has the Railway Department stated it can transport per month until the 31st May, 1949?

(5) Will not the haulage of water interfere with the above estimate?

(6) What steps are being taken to have the deficiency by railway haulage delivered by the 31st May, 1949, or by what date is it estimated that all superphosphate will be delivered?

The HONORARY MINISTER replied:

(1) No. Some special road haulage, about 28,000 tons, will be necessary.

(2) Week ended 4/9/48, 1,624 tons; week ended 11/9/48, 2,249 tons; week ended 18/9/48, 3,450 tons; week ended 25/9/48, 1,412 tons (dispute at super works); week ended 2/10/48, 3,556 tons; week ended 9/10/48, 3,715 tons; week ended 16/10/48, 4,302 tons; week ended 23/10/48, 4,872 tons; week ended 30/10/48, 4,918 tons; week ended 6/11/48, 5,087 tons; week ended 13/11/48, 7,539 tons.

Geraldton did not commence until November. Super. works only operate five days per week.

(3) 320,000 tons.

(4) July, 3,500 tons; August, 4,000 tons; September, 4,500 tons; October, 20,000 tons; November, 24,000 tons; December, 24,000 tons; January, 40,000 tons; February, 40,000 tons; March, 40,000 tons; April, 40,000 tons; May, 40,000 tons; June, 12,000 tons; total, 292,000 tons.

(5) Water haulage was provided for in the estimate.

(6) (a) Monthly meeting between Commissioner and Super. Works Manager will determine.

(b) End of May or early June, 1949.

FISHERIES.*As to Netting at Nornalup Inlet.*

Hon. W. J. MANN asked the Chief Secretary:

(1) Is it the intention of the Government to have the existing ban on net fishing in Nornalup Inlet lifted at the end of the present year?

(2) If so, is the Government aware that similar action on previous occasions resulted in so depleting the inlet of fish as to render it useless for angling?

(3) In the event of the reply to Question No. (1) being in the affirmative, will the Government, in the interests of hundreds of tourists and campers who visit the locality each year, give further consideration to the matter?

The CHIEF SECRETARY replied:

There is no intention of permitting net fishing in Nornalup Inlet after the end of this year. Action is proceeding to issue a fresh proclamation in line with that which expires on the 31st December, 1948.

PERSONAL EXPLANATION.

Hon. C. H. Simpson and Government Railways Act Amendment Bill.

HON. C. H. SIMPSON (Central) [4.37]: I desire to ask the permission of the House to make a correction of an amount I quoted in my speech on Thursday last. I stated that 1.95 pence per ton mile was correct on the latest figures available. Unfortunately, I had based my workings on the 1946 figures, but the 1947 figures show the amended figure to be 2.09d. per ton mile. I have checked this point with the Railway Department and have ascertained that the latter figure is the correct one. I now ask the permission of the House to have the "Hansard" record altered accordingly.

BILL—WESTERN AUSTRALIAN MARINE.

Read a third time and returned to the Assembly with an amendment.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th November.

HON. E. M. DAVIES (West) [4.42]:

This Bill seeks to make certain amendments to the Government Railways Act. First of all there is a proposal for the appointment of a chief commissioner and two assistant commissioners; another for the appointment of an advisory board; a third providing for control by the Minister and a fourth proposing the creation of a railway fund and the bringing of the accounts under the control of the Auditor General.

Since certain departments previously controlled by the Commissioner of Railways are to be or have been taken away, namely, the tramways and ferries and the electricity supply, I feel that there is no reason at all why the practice of one-commissioner control should not be continued. The Bill stipulates that the person to be appointed to the office of commissioner shall have a comprehensive knowledge and experience in the management, maintenance and control of railways. Of the two persons to be appointed as assistant commissioners one shall have a comprehensive knowledge and experience in the conduct of the commercial, traffic and accounting aspects of the business of the management, maintenance and control of railways, and one shall be a qualified engineer and have a comprehensive knowledge and experience of engineering in relation to the management, maintenance and control of railways.

Under the present set-up, we have a Commissioner of Railways who is recognised as a man possessing a general knowledge of railway affairs. Under him we have the Chief Traffic Manager, who is in control of the traffic section, the Chief Mechanical Engineer who is in control of the mechanical section, the Controller of Accounts and Audit who looks after the financial side, and the Chief Civil Engineer who is in charge of the construction and permanent way section. With those officers controlling various departments, I fail to see the necessity for appointing a board of three commissioners.

If it were possible, I should prefer to see the employees in the industrial section, who are called upon to perform the work under the direction of the various heads of departments, represented on a board of commissioners. The Government, however, does not propose to make provision of that sort, and as an offset has provided for the appointment of an advisory board. This

advisory board will be chosen from certain sections of the community, one of the appointees to be selected from a panel submitted of those engaged on the industrial side of railway operations. While I am not in accord with the proposed appointment of three commissioners and am not greatly enamoured of the suggestion to have an advisory board because, all said and done, its only power would be to advise the Minister on certain questions, I feel that as provision has been made for the representation of those employed in railway working on the practical side, I should support the creation of the advisory board.

As to the control to be vested in the Minister, quite a lot of people contend that this is unnecessary, but I venture to say that in more than 90 per cent. of cases to-day, the Minister has control over the Commissioner of Railways. He has control, firstly, by virtue of the fact that he recommends to Parliament the appointment of a Commissioner; secondly, that through Cabinet he has the right to dismiss the Commissioner and, thirdly, that the Commissioner must have the consent of the Minister before he may lease lands not required for railway purposes. So far as my knowledge goes, any proposed lease, before tenders are called, must lie on the Table of the House for at least 30 days. Further, regulations governing the transport of goods and passengers, as well as other by-laws for the control of the railways, must be submitted to both Houses of Parliament. Therefore I contend that a considerable amount of control over the railways is already vested in the Minister and, consequently, I do not propose to raise any objection to the proposal in the Bill to give the Minister full control over the commissioners and the department.

The proposed creation of a railway fund is something that, in my opinion, should have been done long since. Finance is one of the main factors having a bearing on the present-day condition of the railways, and by creating a railway fund for dealing with revenue and expenditure and making it subject to the scrutiny of the Auditor General, we may, in time, bring about improved conditions in the department. In the past there has been much criticism of the Railway Department. I do not think due consideration has been given to the many factors which have led to the condition in which we

find our railways today. It is necessary first of all to go back as far as 1922 when the Stead Royal Commission made its report, which had a very disastrous effect on the railways of this State. Orders for locomotives had to be cancelled as a result of the Commission's findings, track maintenance forces were reduced considerably, and many other economies were forced upon the department.

If the Railway Department is deprived of the necessary tools of trade and the necessary staff and materials, we cannot expect the system to be brought to the standard that is desirable. After 1922, the Railway Department was subjected to further drastic economies as a result of the depression that hit not only this State but the world as a whole. Then, Australia in particular had hardly emerged from the throes of the depression when, in 1939, war broke out. Notwithstanding the condition of the locomotives, the rollingstock and the permanent way, the railways played a very important part in the defence of this country. They were called upon to carry a great burden of traffic and, in spite of the shortages of material and limited manpower, no transport system did a better job than did the railways during the war.

Since then, further difficulties have presented themselves. There have been shortages of materials, and labour has not been available to the required extent. An amount of £27,000,000 is invested in the railways; and since they belong to the people, it is only wise that finance should be made available to them from time to time so that the department may be in a position to keep them in a proper condition. But we find that interest charges have to be met amounting to £1,035,000 per year.

Many lines were laid down throughout the State for development purposes and are non-paying. As a matter of fact, they do not even meet interest charges, let alone working expenses. In many instances the department had no say in the construction of those lines. It expressed the opinion that certain lines would be non-payable; but with a view to developing the State, those lines were considered essential by the Governments of the day and the department has been called upon to operate them although knowing from their inception that they would not be payable propositions. In

some cases railways have been laid down and found to be of such little use that they have been pulled up again; but the interest on the capital cost has still been debited against the Railway Department.

I regard the railways as some of the main arteries of Western Australia. They are comparable with the human anatomy. In order that the body may be kept alive, the life-blood of a human being has to pass through various arteries and through a very important organ known as the aorta. If the aorta is severed or somewhat constricted, it prevents the natural flow of the blood through the body, with the result that the man dies. In the same way the railways are the arteries traversing this State. They provide the life-blood—that is, the necessary transport to the outer districts. I regard the Treasury as the aorta which, in the past, in some cases has restricted and in other severed the flow of finance to the railways which, as a result, have had to cease operations in certain directions. Consequently, the main reason the railways are in their present condition is that the necessary finance has not been available in the past.

The provision of railways in Western Australia has been the means of appreciating land values. I think that will be generally conceded. As a result of that appreciation in value, taxation on that land has also increased. So far as I can ascertain, the land tax collected in this State is £111,920 or, in round figures, £112,000. One would imagine that as the railways had to some extent been responsible for the increase in taxation receipts from the land adjacent to the railways, some ways and means would have been found to make some of that revenue available to the department to compensate it for the loss on some of the lines in the outer areas. If the powers that he had made available some of that land tax, it would have assisted to provide the railways with a little more finance than they have had in the past.

We have to take into consideration that this is a very large State. If I remember correctly, it has something like 975,000 square miles of territory, or 32.8 per cent. of the Commonwealth. The population is in the vicinity of 502,700, or approximately 6.6 per cent. of the population of Australia. The reason I mention those figures is that one of the recent Royal Commissioners who

was a party to the report made to Parliament, came from South Africa, the area of which is comparable with that of Western Australia. But when we look at the statistics we find that there are over 11,000,000 persons in South Africa—Europeans, Asiatics and natives—who use the railways. South Africa decided some time ago that as the State transport system was nationally owned, it should receive a certain amount of protection, because the Government also controls shipping, harbours, road transport, airways and grain elevators, which we term silos.

In this State we have not made any attempt to protect our railways. Rather do we permit unfair competition with our railways, as regards both passenger and goods traffic. I would not mind so much were it not for the great amount of criticism directed at the railways for having, in the past, lost considerable sums of money. Unfortunately, however, those responsible for that criticism are prepared to allow unfair competition with the railways to continue. If we are to place the railway system on a proper footing it is necessary that it be given protection from competition of the kind I have mentioned. Our railways are called upon to carry goods at concessional rates. I do not object to that, because it is essential for the welfare of those who live in the outback parts of the State, but to offset that loss of revenue the Treasury should compensate the railways in order that the department might have available funds with which to keep the system in a proper state of repair.

The creation of the railway fund proposed in this legislation would give the Government opportunity to make certain funds available to the Railway Department. The Government should take the opportunity of providing the necessary money, in view of the fact that the railways have been responsible for the creation of a lot of revenue through the extension of lines into outback areas of the State. The railway system should not be expected to bear the full financial burden of lines which, from the outset, could not possibly have been expected to be payable propositions.

During the war years the management and staff of the Railway Department did a fine job on behalf of the State. They were called upon to bear the brunt of the work involved in a great deal of extra traffic.

Much of the transport had to be diverted or utilised in ways different from the usual trend of railway working. The management and staff had to accept the exigencies of war, which made it necessary for many extra trains to be run. Those men did a great job and contributed materially to the defence of this State and of the Commonwealth. In the past our railways have been deprived of funds with which to put the system into a proper state of repair and provide the necessary locomotives and rollingstock. The staff, also, have been neglected owing to lack of funds with which to provide suitable amenities. From that aspect the system has been allowed to drift into a deplorable condition.

I trust that an endeavour will be made from now on to provide railway men with all the necessary amenities. I would mention particularly the men who live in the outer portions of the State—particularly those engaged on the permanent way—whose conditions are anything but good. The fact that even in the railway barracks few amenities are provided, has created some discontent among the men. I trust that following the passing of this legislation, attention will be given to those matters, because, if we have a contented staff we will in turn have a better railway system. With one or two reservations I support the Bill, but I retain the right after hearing the debate and the discussion in Committee, to vote in accordance with my conscience.

HON. H. A. C. DAFFEN (Central) [5.5]: When speaking to the Address-in-reply, I said that we would have to bring our railway system up to a state of efficiency before we could hope successfully to change over to the broad gauge. I said that even then I would be prepared to accept the broad gauge only from Kalgoorlie to Perth, as part of a general change-over. If that course is not followed, we will find that we have to run a parallel line between those two centres in order to keep alive and service the line running north to Leonora and that running south to Esperance. If the defence aspect is to be sustained, the next extension will be from Northam, or in that vicinity, north to Meekatharra and even beyond, because the same considerations would apply in that case. If that were not done we would still be troubled with the mixed gauges.

I do not think any attempt should be made to introduce the broad gauge to this State until our present narrow gauge system has been brought to a state of efficiency. One reason for that is that the work will occupy a long time, and the other is that a sum of about £30,000,000 will be required to bring it about. I therefore believe that for the present we should concentrate on the reconstruction of our railways, leaving the major change to the broad gauge to be dealt with later. As one who frequently uses our railways, I am keenly interested in the efforts now being made to bring about the rehabilitation of the system. To that end I am convinced that the first step necessary is the overhaul of the Midland Junction Workshops, as well as an overhaul of the organisation and personnel. Those workshops are the key to the whole position.

In view of the shortage of the essential materials and labour, no spectacular progress can be expected in our struggle to regain efficiency. The course to be followed is rather one of steady progress. To enable that to be achieved, the Midland Junction Workshops must be altered and re-organised so that better repair and construction methods may be adopted. I will not enlarge on the subject of better workshops or of the supply of much needed equipment to outlying repair depots, for fear of clouding the one clear conception that should be kept before us, which is that the Midland Junction Workshops are the key to the successful running of our trains. If that course is followed, by the time the first of our new engines arrives we should be in a position to effect speedy and efficient overhauls to the older engines thus relieved from traffic. We should aim at building up the number of our engines with a view eventually to eliminating the A.S.G. locomotives. They played an important part by enabling our railway system to continue to operate in the last few years but they have been, and still are, a constant source of trouble.

Hon. G. Bennetts: They cost a terrific sum to keep on the road.

Hon. H. A. C. DAFFEN: In reply to a question I asked on the 9th November, the answer given was that out of a total of 25 A.S.G. engines so recently converted, 13 were in service and 12 were laid up for repairs. Bearing in mind that the A.S.G.

engines were a war-time product, I believe there is something in the contention of the enginedrivers that much time is spent in constantly repairing A.S.G. locomotives, when that time could more profitably be spent on older engines of other types that are still capable of doing good work.

The overhauling of our rollingstock and the building of new and improved units is most necessary, but it is only by reconstructing and reorganising the workshops that we will be able effectively to deal with the problem. I also asked a question with relation to diesel-electric locomotives, feeling that they may be able to relieve the pressure on the steam locomotives that are at present so hard to acquire, besides being useful for special jobs. I felt that they could be used to advantage in the drier parts of the State, where it is necessary to haul water for long distances for use in steam locomotives, as well as in places like the Perth shunting yards, where a diesel-electric engine could be available for the whole of the time, which is not at present the case with the steam unit.

I understand that starting hours and meal times do not coincide and every day the engine has to leave the goods yard and make its way through the network of lines at the Perth station, among the busy traffic, in order to get to the East Perth yards to pick up coal and undergo general servicing, all of which involves a considerable waste of time. As this is a matter of considerable interest I will give the source of my information regarding diesel-electric locomotives. It is taken from a London publication called "Modern Transport" and is dated the 31st July, 1948. Under the heading "Diesel-electric versus Steam," appears the following:—

Evidence of the trend towards the use of diesel-electric in place of steam locomotives on the American railways is to hand in a statement issued by the American Locomotive Company. Originally specialising in steam locomotives, it later pioneered, in partnership with the General Electric Company, the diesel-electric locomotive. In 1947 it switched from 75 per cent. steam locomotive production and 25 per cent. diesel, to 85 per cent. diesel and 15 per cent. steam; this year it is further converting its works to 92 per cent. diesel production. At the moment only 8 per cent. of its orders are for steam locomotives, and most of these are for foreign delivery. Last year its Schenectady works produced 634 diesel units and only 37 steam locomotives. Indeed, the potential market for main line diesels is

deemed to comprise the replacement in the next ten years of the 85,000 steam locomotives now in service on American railroads by some 20,000 diesels. Speaking before the Railroad Executives Conference, Mr. Robert B. McCall, President of the company, stated:—"The locomotive of the foreseeable future is the diesel-electric. To be realistic, there has been a span of 24 years from the time the American Locomotive Company and the General Electric Company built the first successful diesel-electric locomotive until the first major railroad becomes completely dieselised this year." Undoubtedly there is a trend towards diesel-electric operation in the U.S.A.

It is worth while noticing the statement made there that the intention was to replace 35,000 steam locomotives with 20,000 diesel engines, indicating that a fewer number of the latter can do the work of the greater number of the former. That is most illuminating as indicating modern trends. It also occurs to me that it might be possible to secure some of the more modern but discarded steam engines if their conversion for use on our gauge is a practical proposition. If that idea could be entertained, we might possibly have the conversion effected in America and so save time.

Hon. E. M. Davies: But what about the dollar exchange difficulty?

Hon. H. A. C. DAFFEN: That, of course, would have to be arranged. I put this suggestion forward because of the difficulty we are experiencing in getting new engines and the time that must elapse before we can secure enough of them. With regard to the proposal embodied in the Bill for the setting up of an advisory board, I agree with Mr. Simpson's very able summing up of the position. There is one further paramount reason why the reference to the advisory board should be eliminated from the measure. It is that if the Minister is to have control of the commissioners and insists on over-ruling them on a vital issue on the advice of the advisory board, the Minister can escape blame by casting the responsibility for his action on to the board. Not only could the Minister escape responsibility in that respect but, in effect, it would mean that the advisory board would be running the railways.

There can be no doubt whatever that the Minister is in a position to secure advice whenever required without requiring the help of what would undoubtedly be a highly contentious body, each member of which

would be pressing for all he was worth the interests of the body he was chosen to represent. The working of the commissioners would be adversely affected and the railways would suffer. In my opinion, those who will be appointed as commissioners should be carefully chosen and, subject to policy, should be left almost entirely free to run the railways as they think best. The present Commissioner has been labouring under very great difficulties in this regard, for he has been hamstrung for the want of sufficient finance and has been leg-roped by unsympathetic ministerial outlook.

Hon. H. L. Roche: Would you give him an open cheque?

Hon. H. A. C. DAFFEN: I think that what I said previously indicated my attitude in that regard. Furthermore, the present Commissioner has been hobbled by the method of promotion that has prevented him from selecting and appointing his best men, and he has been haltered and neck-roped by the unions' attitude when he has tried to discipline refractory employees. Altogether, he has been struggling in the hog-net of outside control, and I certainly advise members to eliminate the provision for an advisory board from the Bill. I regard it as a further undesirable brake to the progress we wish to make. If that were done, the Bill could, if necessary, be recommitted and tidied up with regard to such matters as the Title and so forth. However, I strongly advocate the elimination of the advisory board.

Finally, I cannot too strongly advance my opinion that the chief commissioner to be appointed should have had experience as a traffic manager. After all, the successful conduct of the railways depends on how they are handled. It is not of much use having the best engineering facilities available if the traffic department is not alive enough to make the best use of them. Though there are other vital aspects, the expert management of traffic is the life of the railways, and I hope special attention will be given to that view when the next commissioner is appointed. In the main, I intend to support the second reading of the Bill.

HON. SIR CHARLES LATHAM (East) [5.20]: When the Government Railways Act Amendment Bill was before the House last year, I strongly opposed it on the

ground that the Royal Commission was sitting at the time and that we should await its report. We have the report before us, and now we have the present Bill which, I think, will commend itself, for the most part, to the House. I have one or two objections to some of its provisions, but they are not of great significance. I am not sure that, with an asset worth £27,000,000, it is not advisable to share its control among three commissioners, because it is too much to expect one man to shoulder all that responsibility. True, he is able to call upon his expert staff for advice, but members are surely aware that most big business concerns are controlled by boards of management, and in each case the responsibility is not left to one individual. In the circumstances, I have no objection to the proposal to appoint two assistant commissioners to help the chief commissioner.

As for the advisory board, I cannot see what good purpose it would serve. As a matter of fact, I think the Minister does less than justice to himself when he embodies such a suggestion in the Bill. Evidently I have a great deal more confidence in the Minister than he has in himself, because I consider that, with co-operation between the commissioners and the Minister, any tangle that might arise could easily be straightened out. With all the alterations we propose to effect by this legislation, the ills from which our railways suffer will not be corrected. The only way in which that end can be achieved is to provide the necessary money, men, equipment and materials. Therein lies the remedy of the position of the railways. When those requirements are met, the railways will revert to the stage they were at formerly when they served this State well, and not until then can that be done.

We still seem to harp upon railway losses. I assure the House that in this State we have probably the most cheaply-constructed railways in the world. When we consider our costs, mileage and rolling-stock, I think it will be agreed that we secure reasonably good value for what has been spent. It is true that the rollingstock has deteriorated badly during the last few years, but that has not been the fault of the Commissioner of Railways. The Minister for Railways and the Treasurer must accept full responsibility for the deterioration that has taken place. I do not know

that I altogether agree with the view expressed that the Royal Commission appointed in 1922 was responsible for the present situation. At that stage, the railways were commencing to suffer from wear and tear, and demands were being made upon the Treasurer for the expenditure of money on maintenance. At that time, the Premier thought it advisable to appoint someone to investigate the situation. The then manager of the Midland Railway Company was a man who had formerly been Chief Traffic Manager of the Government railways, and he must have known a great deal about the system. Quite possibly he had been responsible for some of the deterioration that was then becoming apparent. He should have known enough about it to have been aware that the railways represented a wasting asset. At that time, I was a new member of another place and I recollect that I was by no means satisfied with all the findings of the Royal Commission.

One mistake we made in the past was that we loaded the railways with a heavy burden by using them to implement our land policy. We failed to realise that the railways gave the Crown lands an increased value and enabled the State to dispose of blocks that otherwise were unsaleable. In the early days we could not give Crown land away, any more than today we can sell land that is situated 40 or 50 miles from the nearest railway. What should have been done in those days was to have allocated at least 50 per cent. of the money resulting from the sale of Crown lands to the credit of the railway accounts. The railways certainly created the value of the land. We did not adopt that course. We made the mistake when we sold that Crown land of paying the money into Consolidated Revenue and using it for ordinary purposes instead of setting it aside for the redemption of Loan funds expended on railway construction. By adopting that course we converted our assets into liabilities, which was unfortunate for the State.

I would disagree with any proposal for the land tax returns to be made available to the railways. Such a course would not be sound seeing that the bulk of that tax in this State is derived from city and country town blocks. Some is derived from big estates but that would not amount to a great deal. It is remarkable that Governments will not face up to facts. Over a

long period, railway fares and freights have not been increased despite the fact that the value of the £ has depreciated very considerably. This has been due to the fact that those in charge of the affairs of State were in terror of what the customers would think of any such increases. Railway fares and freights have now been increased—and there has been no consequent fuss.

Hon. G. Bennetts: Not so many people are travelling by rail and more are going by air.

Hon. Sir CHARLES LATHAM: That means that people are prepared to pay even more than ever in order to travel! They can go more cheaply by rail than by air.

Hon. G. Bennetts: They get service by air.

Hon. Sir CHARLES LATHAM: They enjoy a faster trip, but they have to pay more for it. As a matter of fact, more people are anxious to travel by rail than can be catered for. We cannot get away from that fact. Even with three trains on the eastward run, it is difficult to secure a berth.

Hon. G. Bennetts: But look at our local trains.

Hon. Sir CHARLES LATHAM: The Bunbury train is always full.

Hon. G. Bennetts: Last Tuesday it left with 70 passengers. I was there and saw it leave.

Hon. Sir CHARLES LATHAM: With that number of passengers, it probably paid.

Hon. H. Tuckey: At any rate, that would not happen often.

Hon. Sir CHARLES LATHAM: Every time I have been on the train, it has been overcrowded.

Hon. G. Bennetts: But not on the return journey.

Hon. Sir CHARLES LATHAM: Evidently Mr. Bennetts is one of those individuals who fail to realise that the value of money has gone down very considerably and today the £ is worth only about 12s. 6d.

Hon. H. Hearn: That is over-stating the position.

Hon. Sir CHARLES LATHAM: It may be.

Hon. H. Hearn: The value has decreased 48 per cent.

Hon. Sir CHARLES LATHAM: I will not engage upon an argument on that point. What I want to impress upon Parliament is that we are too fearful of what the people will think. There is the right thing to be done, and we should do it. We have no right to run a service such as the railways and allow it to drift into a state of disrepair because of neglect to provide the necessary funds for its upkeep.

Hon. H. L. Roche: Would you allow the people to have an alternative service?

Hon. Sir CHARLES LATHAM: I have never objected to their having it. I saw something of that in the early stages of road transport, when men were working not the ordinary hours but 16 and 18 per day and breaking their trucks.

The Chief Secretary: And damaging the roads.

Hon. Sir CHARLES LATHAM: Yes. Businessmen were not very keen after a while on providing a man with a truck, unless he could pay cash for it or had someone to back him. Competition of that kind continued for a time, but only a limited time. It could not last very long. We have two services to Bunbury. One is conducted by the railways, and the men work 40 hours a week; the other is conducted by a private individual who does not care how long he works. On the one hand we have fair competition; on the other, unfair competition. Of course, the carriage of passengers on the railways will be limited, as the rate of travelling is 40 miles per hour; in the other case, the man travels 60 miles an hour, or as fast as his vehicle will permit him, notwithstanding that he will wear it out twice as fast as he otherwise would, but his earning capacity is great.

The cartage of wheat last year by road cost much more than it would have involved had the grain been transported by rail. I heard Mr. Davis remark that there was unfair competition. It is not a question of unfair competition today, but a question of getting our goods transported. That is the most important point. The Railway Department is doing its best and I am pleased to say an improvement has taken place. More goods were carried last year than during the previous year. By a very gradual process the Government is building

up our railway service and we should give it every encouragement to do so. I was talking about the advisory board. What actually can such a board do for the Minister? The Minister has power at any time, if he so desires, to obtain advice on an industrial matter. If he wanted to talk things over with the union secretary, I venture to say the secretary would be only too pleased to do so.

Hon. H. Hearn: It is a sop to both sides.

Hon. Sir CHARLES LATHAM: Then we come to the commercial side. It would not be much trouble to secure advice from a commercial man. But how can the board help? What I am fearful of is that when the Government advertises for three commissioners we may not get competent men. We must pay them well in order to secure suitable men, as they will have to control extremely valuable assets. But will a person offer his services if he is to be subject to a Minister of the Crown, especially when there may be different Ministers from time to time? In addition, the commissioners will be subject to the whim and fancy of a board that has no responsibility at all.

The Chief Secretary: Definitely not.

Hon. Sir CHARLES LATHAM: The Minister does not think so?

The Chief Secretary: The Bill says so definitely.

Hon. Sir CHARLES LATHAM: The board will not be responsible?

The Chief Secretary: I will explain.

Hon. Sir CHARLES LATHAM: I shall be glad to have the Chief Secretary's explanation. I do not think the board could be helpful to anyone. The Chief Secretary said the board would advise the Minister. I cannot understand the Royal Commission saying that the board should determine the policy for the Minister. The policy of the Minister is the policy of the Government of the day. The Minister is responsible for two things: The policy of his Government, and to watch the finances and see that conditions are fair and decent.

The Chief Secretary: The board will have nothing to do with that.

Hon. Sir CHARLES LATHAM: Not now, but I am speaking of the Royal Commissioners' recommendation.

The Chief Secretary: We did not accept it.

Hon. Sir CHARLES LATHAM: The gentleman from South Africa, who is a railwayman, said that he would be pleased to be advised on Government policy. But this board might not have any idea of policy and its members might not be in agreement even if it did have. I point out that when the board meets, one of the commissioners is to be present. I cannot quite follow it. This is one of the parts of the Bill with which I disagree. In a general way, I think the idea is a good one and I believe it might be helpful, but it will not provide the remedy that is required. The remedy is money, men and materials.

The Bill is certainly a great improvement on the previous one and it is certainly fair. However, we should not be unfair to the present Commissioner of Railways. I hold no brief for him, as I hardly know him; but we must remember that he did war work, which the State Government enabled him to do, and that during most of the war period he was absent. Rollingstock was also removed from this State.

The Chief Secretary: I have not said anything about the present Commissioner.

Hon. Sir CHARLES LATHAM: I am not talking about what the Chief Secretary said, but about the Government of the day. A suggestion has been made that the railways have been badly managed, but that is not so. As I said, the present Commissioner was in the Eastern States during most of the war period, and much of our rollingstock was sent away from the State in order to help the war effort. We have not been able to replenish that stock. During the war period many complaints were made about the wear and tear of engines, but the Government took no notice. The railwaymen themselves complained and had their complaints voiced in Parliament, but no action was taken.

Hon. G. Fraser: Where could they get the rollingstock?

Hon. Sir CHARLES LATHAM: Repairs could have been effected, notwithstanding that barely enough men were left to meet the requirements of industry. I believe the condition of the rollingstock had an adverse effect upon the workmen themselves. They

found they were not getting the relief which they should have got. I am not blaming the present Commissioner, who on many occasions appealed for money to carry out repairs, but was unable to get it. Had engines been ordered at the proper time, no doubt our railway equipment would be in a far better condition today. As I pointed out, there is an improvement and we ought to give credit to the Commissioner and the Government for it. During the past 12 months the railways have carried considerably more passengers and goods.

Hon. G. Fraser: The war has been over for three years now, so the position should have improved.

Hon. Sir CHARLES LATHAM: I like that interjection. Consider how much money was spent on the railways between 1933 and 1939, and who were in charge of the affairs of the State during that period! There was no war then; ample labour was available and opportunity should have been taken to see that the rollingstock was put in good condition. I was a member of another place at the time. Day after day members of the Labour Party stood up and complained about the deterioration of the rollingstock during the depression period, but did the Labour Government take any steps to improve matters? Of course it did not.

The Chief Secretary: It set aside £500,000 for repairs.

Hon. Sir CHARLES LATHAM: We set aside £30,000 which, of course, was insufficient, but it was all the money we could get at the time. Gradually things improved, until, in 1939, they were much better. During that period, what did the Labour Government do? Absolutely nothing.

Several members interjected.

Hon. Sir CHARLES LATHAM: It is no use making these interjections.

Hon. G. Fraser: That is why the Labour Government put in £1,000,000 in 1934.

Hon. Sir CHARLES LATHAM: That Government did not put anything into the railways. The hon. member ought to acquaint himself with what actually took place. The railways were allowed to go from bad to worse. Mr. Boyle, then member for Avon in another place,

made many complaints in Parliament in 1938 and 1939. He pointed out the deterioration that was taking place. At least we should give credit where it is due. At that time there was a possibility of getting money and the labour was available. Members should go to the Midland Junction Workshops and see for themselves the deterioration that has taken place. I remember inspecting them in 1930, when they were in an infinitely better condition.

Hon. E. M. Heenan: What we want now is some constructive suggestions.

Hon. Sir CHARLES LATHAM: Yes, instead of interjections. I am pleased that at last we have a Government that is prepared to do something for the men and their wives and children in the outback. They have been forced to live in hovels, constructed of sleepers and pieces of tin, that are an absolute disgrace. Yet the Labour leaders stand up and say the worker should have a fair deal. These workers have not had one all these years. I was a member of another place for 21 years and during 15 of those years Labour was in power. What provision did that Labour Government make for the fettlers and their wives and children in the way of homes? At last some alteration is to be made in their conditions and they will have decent homes in which to live. If for no other reason, I support the Bill.

On motion by Hon. G. Bennetts, debate adjourned.

BILL—LAND ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Order of the Day read for the consideration of the Committee's report.

Recommittal.

Hon. C. F. BAXTER: I move—

That the Bill be recommitted for the further consideration of Clauses 9, 11 and 12.

The HONORARY MINISTER FOR AGRICULTURE: I must oppose this move. It is time we made progress. Only three minutes ago I was handed a list of amendments and Mr. Baxter proposes to recommit the Bill for the further consideration of Clause 9 and others. I enter a strong

protest against this move. What hope have I, members, the Chairman of Committees or the clerks of dealing with amendments of which only three minutes' notice is given? I hope the motion will not be carried. I have no objection to dealing with amendments appearing on the notice paper.

Hon. G. FRASER: I endorse the Honorary Minister's protest. It is not becoming of members to adopt this win, tie or wrangle attitude. For the past fortnight we have debated amendments of this Bill, and I think every possible point has been thrashed out. Now we find that Mr. Baxter is seizing the opportunity to bring forward something that was dealt with last week. I know it is the usual thing that if a Bill is to be recommitted, it is so that any clause can be reconsidered. But here the matter has already been dealt with, so why resurrect it? I have no knowledge of amendments to be moved other than those on the notice paper.

Hon. G. W. Miles: All Mr. Baxter's amendments are on the notice paper.

Hon. G. FRASER: That is not what the Honorary Minister said. The only amendments appearing on the notice paper are two short ones which refer to Clauses 11 and 12. The Honorary Minister told us that he had been handed a sheet of amendments. Is that fair?

Hon. J. A. DIMMITT: I do not think we can deny the right of any member to recommit a Bill for the consideration of clauses, and I do not think the Honorary Minister denies Mr. Baxter that right.

The Honorary Minister for Agriculture: Not at all.

Hon. J. A. DIMMITT: The point at issue is that it is not fair to Mr. Baxter himself, to members, to the clerks or to me as Chairman of Committees to submit a number of amendments two or three minutes before we go back into Committee. I suggest that we recommit the Bill for the purpose of considering the amendments appearing on the notice paper, and Mr. Baxter could tomorrow recommit the Bill again for the consideration of his amendments which would then be on the notice paper. That is a simple way of dealing with the matter, and it would allow Mr. Baxter to exercise his undoubted right. No member can understand amendments submitted a few moments

before the Bill is recommitted, because they have not a copy of them. The only copies in existence are one in the hands of the Honorary Minister and one on the clerks' table. Each of the Clerks requires a copy, and so do the Chairman of Committees and the Minister in charge of the Bill, because they want time to look into them, and members do, too. The proper course is to place the amendments on the notice paper and recommit the Bill again tomorrow to consider them.

Hon. C. F. BAXTER: I have sat for many years in Parliament, and this is the first time I have heard any objection to a motion for recommitment.

The Honorary Minister for Agriculture: We are not objecting.

Hon. C. F. BAXTER: The Honorary Minister is. This is one of the most important Bills that have come before Parliament, and I had difficulty in arriving at these amendments in time to have them put on the notice paper. Before the House assembled this afternoon I gave copies of them to the clerks, to the Chairman of Committees and to the Honorary Minister. The amendments have previously been on the notice paper. Surely in an important and far-reaching matter of this kind, a member is entitled to use the ordinary procedure! Had the Bill been recommitted on Wednesday night, we would have had to go ahead with amendments not on the notice paper.

Hon. E. H. Gray: You have had plenty of time to put these on the notice paper.

Hon. C. F. BAXTER: The Honorary Minister can leave my amendments until tomorrow.

Hon. E. H. Gray: You had time to put them on last week.

Hon. C. F. BAXTER: Yes, if I could have got them ready.

Hon. E. H. Gray: Where do you say they have previously appeared on the notice paper?

Hon. C. F. BAXTER: The new ones have not been on the notice paper, and members have already heard arguments in reference to the others. If the Minister wants time to consider my amendments, he can easily deal with them tomorrow. I do not know why there is undue haste in regard to this Bill.

The Honorary Minister for Agriculture: There is not.

Hon. C. F. BAXTER: It has been before us for days and weeks.

Hon. E. H. Gray: Be fair to the Minister.

Hon. C. F. BAXTER: Let him be fair to himself.

Question put and passed.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Honorary Minister for Agriculture in charge of the Bill.

Clause 9—Section 8A added. Compensation for hernia:

Hon. C. F. BAXTER: I move an amendment—

That Subsection (4) of proposed new Section 8A be struck out.

If this subsection is allowed to remain, workers' compensation will be burdened with something that it should not have to carry. A comprehensive investigation into hernia cases in New Zealand revealed that few, if any, were brought about by accidents at work. The intention of the proposed new Section 8A is to ensure as far as possible that workers' compensation cases are not loaded by claims for hernia which are not caused by accidents in the course of employment. This is a worthy intention, but it will be defeated to a large extent if this subsection is allowed to remain. A study of Subsection (1) shows it is intended that hernia shall not be regarded as compensable under the Act unless the onset of the hernia is immediately preceded by an accident, and unless the accident is reported as soon as practicable.

Discretion is given to the board in cases where immediate notification is not possible. There is, therefore, no reason for the insertion of this subsection which, if left in the Bill, can only bring about an unsatisfactory position by which practically every hernia, no matter what the cause, will be compensable. This will be a costly subsection, because many hernia cases are not due to accidents. Every possible provision is made to protect men suffering from hernia as the result of an accident. This goes too far. I hope members will see the wisdom of deleting it. Do we want industry to progress

in Western Australia, or do we want unemployment by overloading industry? I have no objection to the increased payments being made to workers for compensation but this goes further than that. We should look to the future and think what we are doing. It was a very sparse Committee that dealt with this particular provision the other evening and I think there are a number of members here who were not present on that occasion.

Hon. G. FRASER: You want a run again because you were beaten?

Hon. C. F. BAXTER: The hon. member is always talking and interjecting but he should use cold reasoning and study the Bill. If he did so, he would do more good for the people whom he represents.

The HONORARY MINISTER FOR AGRICULTURE: Mr. Baxter's statement that the Committee was a sparse one which dealt with this particular part of the Bill is a very poor excuse for its recommittal. We had a very good Committee during the passage of the Bill, which was considered on Tuesdays and Wednesdays only because some members could not be present on Thursdays. However, I have no objection to the Bill being recommitted but what I do object to is having amendments sprung upon me at three minutes' notice. I do not see how Mr. Baxter can reason that this particular part of the Bill will create a greater impost on industry. It has nothing to do with that phase as it deals entirely with reporting. If a worker reports that he has a certain ailment and it is afterwards discovered that he has something else he can be protected and not penalised because he made a mistake.

Hon. E. H. GRAY: I hope the Committee will not agree to the amendment because if accepted, it will take away protection from a bona fide worker. The important thing to remember is that the last few words of the proposed subsection cover the position by saying, "If the board considers that the failure was excusable." The Honorary Minister has already made a full explanation and all the subsection will do will be to give the board the right to say yea or nay to any application. We will not be opening the door at all but merely giving the workers a fair deal.

Hon. G. FRASER: Mr. Baxter suggested that I should, with cold reasoning, study

the Bill. It is because I have done that that I intend to vote against the amendment. If the amendment is agreed to it will not make any difference to the man whom we referred to as the "Compo King," but it will do an injustice to the genuine worker.

Hon. C. F. BAXTER: No.

Hon. G. FRASER: There are many men who will do anything to get off compensation, but where a man meets with an accident which later develops into hernia, he will be covered. I would remind Mr. Baxter that the workers have to do more than just report to the insurance companies when claims for hernia are made. Workers must submit proof and all the details in the world must be supplied.

Hon. C. F. BAXTER: Do you think I do not know that?

Hon. G. FRASER: It does not appear that the hon. member does.

Hon. C. F. BAXTER: You cannot read English.

Hon. G. FRASER: The hon. member does not speak it apparently because he said that the board would have to pay—

Hon. C. F. BAXTER: I said nothing about the board having to pay.

Hon. G. FRASER:— or the board would have to accept any case. The board does not have to accept the case merely because the man reports. The worker must give an excuse or a reason as to why he had not reported before. The man who would be late reporting would be the genuine man trying to get off compensation. If we bind workers down to 48 hours in which to report, we will probably increase the amount of expenditure under the Act, because if there is no discretion men will report straight away whereas if they are protected they will endeavour to work on until they are quite certain that it is a hernia. I think if the hon. member will look up the minutes, he will find that there were something like 26 members in the Chamber when this particular part of the Bill was being discussed as well as the Chairman of Committees and the President, making 28 in all.

Hon. E. M. HEENAN: We must be very careful to avoid prejudice in dealing with this Bill, but when Mr. Baxter uses phrases such as "Give the worker everything and overload industry," he should realise that

they have very little application to his case. I agree with the principle that if a worker meets with an accident he should be fair to his employer and give notice of his accident at the first opportunity so that the employer can check up on his story and get him proper medical attention. Hernia cases are unusual and a man might trip or strain himself and yet the result might not be apparent for some time.

We all know that some men need only injure a finger and they will run and get it attended to but others who are built of sterner stuff will take no notice of such an injury. It would be a great injustice to a worker if he meets with an accident at work which causes a hernia and through being ignorant, or through the hernia not making itself apparent, he does not notify anybody until after 48 hours and is therefore penalised. A worker must satisfy the board that his failure to report was excusable and I do not think that adds up to Mr. Baxter's allegation that it is giving the worker everything and overloading industry. We should stand up to the decision we made on this particular proposed subsection.

Amendment put and negatived.

Clause put and passed.

Sitting suspended from 6.15 to 7.30 p.m.

Clause 11—Repeal of Sections 17, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32 and Sections 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 added:

Hon. C. F. BAXTER: I move an amendment—

That Subsection (15) of proposed new Section 33 be deleted.

This subsection refers to the board. The number of claims that have been lodged through the years do not indicate the necessity for a permanent board and, according to the amendments already made to the Bill, members also consider there is no necessity for a board of that type. However, if a permanent board should be desired, by striking out Subsection (15) we will leave it optional. In Victoria they have a full-time board and the result is that it sets out to make a lot of work for itself. The board's activities should be confined to those claims that would be contested in a court. I have offered no

objection to the establishment of a board, but I do not think it should be a full-time one.

I also consider that better men would be available to serve as members of a part-time board because, although the salaries might not induce business men to participate, there may be persons who would be pleased to serve on such a board. In the workers' compensation insurance administration in Victoria no less than 58 forms have to be filled in, which is only delaying the business and also necessitates a tremendous increase in staff. A full-time board is not required in a small community like ours. I therefore hope the Committee will agree to the amendment.

The HONORARY MINISTER FOR AGRICULTURE: If we are to have a board, let us have a full one and not half a board. Members have agreed by a substantial majority that a board shall be established and now this amendment seeks to cut the board more or less in two. There is a safeguard in that no member of the board shall engage in any business or occupation for remuneration apart from his office on the board without the consent of the Minister.

Hon. G. Bennetts: I do not think a member would have time to do anything else.

The HONORARY MINISTER FOR AGRICULTURE: Neither do I. When are members of a part-time board to meet? After five o'clock when they have completed their normal work? The amendment is ridiculous! A full-time board will not cost industry a great deal. I hope the amendment will be defeated.

Hon. C. F. BAXTER: There is no necessity for members to meet after five o'clock. It is not compulsory that it shall be a part-time board. It will be optional. At present, when the approval of the Minister is required, it means a full-time board will be necessary, and that will mean imposing all sorts of costs to enable it to keep functioning.

The HONORARY MINISTER FOR AGRICULTURE: A lot of wild statements have been made about this huge organisation and extra costs. The whole purpose of the Bill is to reduce costs and a properly constituted full-time board will

do that. Members must agree that a full-time board will introduce uniformity and avoid cases being tried by different courts throughout the country. The Royal Commission strongly recommended the creation of a full-time board in the interests of uniformity and Dr. Hislop four years ago said, "There must be a central authority or a monopoly by the State Insurance Office." Members are playing a dangerous game.

Hon. C. F. Baxter: This does not hamstring the powers of the board whatsoever.

The HONORARY MINISTER FOR AGRICULTURE: It will hamstring the board if we make it a part-time one.

Hon. L. CRAIG: Mr. Baxter's amendment does not prevent a full-time board being appointed. It allows the Governor to determine whether it shall be a full-time one or not. Personally, I do not think there will be sufficient work for a full-time board, but I would leave it so that one may be appointed if necessary. Subsection (14) says—

No member of the Board shall engage in any business or occupation for remuneration other than that of his office on the board without the consent of the Minister.

If the Minister wished to appoint a part-time board, he could do so under that subsection by allowing a member leave of absence from his duties on the board. The board will probably deal only with claims that are in dispute. Most claims are met because they are just and come under the provisions of the Act.

Hon. H. Hearn: The number of disputed claims would be infinitesimal in comparison with the total number of claims lodged.

Hon. L. CRAIG: I cannot imagine a highly paid board filling in all its time on these claims unless it interferes with the duties of, say, an inspector of machinery.

Hon. E. M. HEENAN: I think Mr. Baxter and Mr. Craig are losing sight of the point that it is most essential that the members of this board should not be connected with an occupation or an industry that would jeopardise their standing in the eyes of the people with whose claims they would be dealing.

Hon. H. Hearn: Why?

Hon. E. M. HEENAN: For instance, I should think that the manager of a factory

or a person who held an important position in a big warehouse would jeopardise his position on the board if he retained his full-time occupation whilst he was still a member of the board.

Hon. H. Hearn: Why?

Hon. E. M. HEENAN: For the same reason that a member of Parliament may not enter into a contract with the Crown, or that a member of a local authority may not make a contract with his board. It would be entirely wrong, if a union secretary were appointed to the board, to allow him to retain his position with the union. If that were permitted, confidence in the board would be destroyed, and it is essential that there should be confidence in the board.

Hon. H. HEARN: I support the amendment, which will not deprive the Government of any power. In fact, it will give the Government the choice, in the light of experience, of employing the board for part time only. I cannot understand the Minister's opposition because, if a full-time board is found to be necessary, the facilities will be there to employ the board full time.

The CHIEF SECRETARY: Some members seem to be under the impression that when this measure becomes law, there will be no compensation work in the courts. In a sense, that might be right, but magistrates have the duty of ensuring that a settlement filed in the court is reasonable and proper. A question may arise whether a worker was killed in the course of his employment, and the widow might be so impressed by the arguments of the insurance representative as to accept £450 as an ex gratia payment. The magistrate would inquire whether that was a reasonable sum in the circumstances. A lump-sum payment might be made to a widow and her children, and a magistrate would decide whether it would be wise to grant the whole of the money or to provide for its payment in instalments. Such matters occupy a considerable amount of time in the various courts. In future, they will be determined by the board.

The HONORARY MINISTER FOR AGRICULTURE: The Royal Commission envisaged a lot of work for the board. At page 14, the following appears:—

Your Commission feels that if a board is set up, decisions will be consistent, statistics and returns from insurers will be on a uniform

basis, minors can be dealt with more expertly, lump sums paid on a basis that will be more beneficial to all parties, and disputes settled with a minimum of delay and cost.

We believe there will be ample work to keep a board fully occupied. In the initial stages there will be a lot of foundation and administrative work, and this will require close attention. The creation of the board will relieve local courts of a large volume of work.

Hon. C. F. BAXTER: The opinions expressed by the Royal Commission are merely guesswork. The amendment would enable the Government, if necessary, to reduce the board to a part-time basis.

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

Ayes	..	..	..	15
Noes	..	..	..	10
				—
Majority for	..	..	..	5
				—

AYES.

Hon. C. F. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. W. J. Mann
Hon. H. A. C. Daffen	Hon. H. L. Roche
Hon. R. M. Forrest	Hon. O. H. Simpson
Hon. Sir Frank Gibson	Hon. H. Tuckey
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. G. W. Miles
Hon. Sir Chas. Latham	(Teller.)

NOES.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. E. M. Davies	Hon. L. A. Logan
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. E. H. Gray	Hon. G. B. Wood
Hon. W. R. Hall	Hon. R. J. Boylen
	(Teller.)

PAIR.

AYE.	No.
Hon. F. R. Welsh	Hon. J. M. Cunningham

Amendment thus passed.

Hon. H. HEARN: I move an amendment—

That at the end of paragraph (c) of the proposed new Section 35 (1) the following words be added:—“provided the recovery of such costs from the person or persons prosecuted is not possible.”

The paragraph provides for the payment from the fund of costs of prosecutions instituted by the board. There is no objection to industry paying the costs of a prosecution when they are irrecoverable, but it is only fair that costs should be recovered, if possible, without resort to the fund of the board.

The Chief Secretary: Who would pay when a prosecution failed?

Hon. H. HEARN: A call would be made on the fund.

The HONORARY MINISTER FOR AGRICULTURE: I have no objection to the amendment, but it is quite redundant. The board would naturally endeavour to recover costs.

Hon. E. M. HEENAN: The amendment is redundant. It assumes that if costs are given against someone or some organisation, the board will not bother to collect. I do not think there is justification for that assumption.

Hon. Sir CHARLES LATHAM: The Bill provides that every action taken by the board shall be paid for from the fund. The amendment provides that the fund need not pay if the money can be obtained from the person prosecuted. Surely there is a distinct difference. In one case it is mandatory for money to be taken from the fund, and in the other case it is to come from the person prosecuted.

The CHIEF SECRETARY: I am afraid members do not appreciate how legal practitioners work.

Hon. Sir Charles Latham: You are right! We certainly do not know.

The CHIEF SECRETARY: They do not work on spec.

Hon. Sir Charles Latham: Some of them do if there is a chance.

The CHIEF SECRETARY: If the board employs a legal practitioner to prosecute, it will have to pay. If the court awards costs against a defendant who is found guilty, obviously those costs go by the board. It does not affect the solicitor. These words really mean nothing.

Hon. H. Hearn: Let us put them in if they mean nothing!

The CHIEF SECRETARY: The police or the Government are not going to bear the costs of any prosecution, but the board will bear the costs under this measure. That is all the provision means. If costs are recovered, they always go to the complainant.

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

Ayes	..	..	..	12
Noes	..	..	..	13
				—
Majority against	..	..	..	1
				—

AYES.

Hon. G. F. Baxter
Hon. H. A. C. Daffen
Hon. H. Hoern
Hon. J. G. Hislop
Hon. Sir Chas. Latham
Hon. A. L. Loton

Hon. W. J. Mann
Hon. G. W. Miles
Hon. H. L. Roche
Hon. H. Tuckey
Hon. H. K. Watson
Hon. R. M. Forrest
(Teller.)

NOES.

Hon. R. J. Boylen
Hon. L. Craig
Hon. J. M. Cunningham
Hon. E. M. Davies
Hon. G. Fraser
Hon. Sir Frank Gibson
Hon. E. H. Gray

Hon. W. R. Hall
Hon. E. M. Heenan
Hon. H. S. W. Parker
Hon. C. H. Simpson
Hon. G. B. Wood
Hon. G. Bennetts
(Teller.)

PAIR.

AYE.
Hon. A. Thomson

No.
Hon. L. A. Logan

Amendment thus negatived.

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

That in line 5 of paragraph (a) of Subsection (2) of proposed new Section 35 the word "January" be struck out and the word "July" inserted in lieu.

This is a drafting amendment which I believe the Minister agrees is necessary to make the section workable. One or two other consequential drafting amendments will be required.

The HONORARY MINISTER FOR AGRICULTURE: I have no objection to the amendment.

Amendment put and passed.

Hon. C. F. BAXTER: I move an amendment—

That in line 1 of Subsection (3) of proposed new Section 35, after the words "insurer," the words "including the State Government Insurance Office" be inserted.

There is no definition of the word "insurer" in the Act or in the Bill, and I cannot see where the State Insurance Office contributes anything to the fund.

The HONORARY MINISTER FOR AGRICULTURE: I do not know the object of the amendment but if anything is redundant this is! The provision sets out that each insurer shall contribute annually a certain sum to the fund. Mr. Baxter wants to include the State Insurance Office. Why should that be done when the office is an approved insurance office? There is no objection to the words being inserted, but why include them since the State office automatically becomes an insurer? Mr. Baxter has not explained why it should be included.

Hon. C. F. BAXTER: The Honorary Minister has not grasped the position. The point is that there would be no authority for

the State Insurance Office to contribute to the fund. There must be provision made before any Government department can disburse funds.

The Honorary Minister for Agriculture: The wording of the Bill is "each insurer shall contribute," and the State Insurance Office is an insurer, within the meaning of the measure.

Hon. C. F. BAXTER: There is no definition of "insurer" included.

Amendment put and negatived.

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

That in lines 4 and 5 of Subsection (3) of proposed new Section 35 the words "premiums received by and owing to" be struck out and the words and parenthesis "premium income (whether received by or owing to the insurer) of" inserted in lieu.

This is purely a drafting matter.

The HONORARY MINISTER FOR AGRICULTURE: The amendment has my approval, as it improves the Bill.

Amendment put and passed.

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

That in line 4 of Subsection (3) of proposed new Section 35 the word "during" be struck out and the words "in respect of" inserted in lieu.

The HONORARY MINISTER FOR AGRICULTURE: I approve of this amendment also.

Amendment put and passed.

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

That in line 5 of Subsection (3) of proposed new Section 35 the words "thirty-first of December" be struck out and the words "thirtieth day of June" inserted in lieu.

The HONORARY MINISTER FOR AGRICULTURE: This is a consequential amendment, to which I agree.

Amendment put and passed.

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

That in line 6 of Subsection (5) of proposed new Section 35 the words "received by or due to him or it" be struck out and the words and parenthesis "(whether received by or owing to the insurer)" inserted in lieu.

The HONORARY MINISTER FOR AGRICULTURE: I have no objection to the amendment.

Amendment put and passed.

Hon. H. HEARN: I move an amendment—

That after paragraph (c) of Subsection (5) of proposed new Section 35 a new paragraph be inserted as follows:—(d) "The board shall not levy contributions to the fund in excess of £8,000 in any one year unless authorised by both Houses of Parliament."

Both during the second reading debate and when the Bill was in Committee, the Honorary Minister for Agriculture and others supporting the Bill emphasised that the board would not cost very much. I am alarmed at the growth of governmental expenditure and the increase in the number of Government servants. I think we should retain a measure of control in order to have some say as to how much is to be spent in different directions. Instead of costing £8,000 per annum, it may be found that the board costs £20,000 and in that case I think we should have the right from time to time to review the expenditure.

The HONORARY MINISTER FOR AGRICULTURE: I cannot agree to the amendment. It would be extraordinary if, when the board put up its estimate each year, that estimate had to be the subject of debate in Parliament. The safeguard is contained in the words, "So soon as possible after the preparation of every estimate the board shall submit it to the Minister and no estimate shall have any force or effect until approved by the Minister."

Hon. E. H. GRAY: I do not think this is a business proposition at all.

The Honorary Minister for Agriculture: It certainly is not.

Hon. E. H. GRAY: There is no possibility of another place agreeing to such a proposal and we should not endorse a proposition that business men know will not be acceptable. The amendment is not fair to the Government or to Parliament.

Hon. G. FRASER: We have provided certain powers for the board and we should not limit it to the expenditure of a specified amount. The effect of that would be to hamstring its operations. Some members have been unsuccessful with their amendments, and this is a roundabout endeavour to get their way. It is better to leave the provision without any stipulation regarding the amount that may be expended. The Honorary Minister merely gave an estimate,

and surely it will be recognised that no business man setting up a new department could say with any certainty what its operations would cost. This board is starting off with good intentions.

Hon. H. Hearn: That is what we fear.

Hon. G. FRASER: It will make its investigations.

Hon. H. Hearn: And spend money.

Hon. G. FRASER: The object of those investigations will be to reduce the cost to industry. It would not be fair to fix a limit beyond which the board could not go in its expenditure. Let us give it a trial. Let it become established and improve matters under the Act. Later, if we find it is extravagant we can review the position.

The Honorary Minister for Agriculture: That would be the proper time to do it.

Hon. G. FRASER: There is nothing to prevent Mr. Hearn from introducing amending legislation because any he brought forward would be for the purpose of reducing expenditure. Let us finalise the Bill and not confine the board to any specific maximum amount of expenditure. We can then review the position in future in the light of experience.

Hon. L. CRAIG: The proposition is to give the board, which is to be appointed by the Government, unlimited powers of finance. It can drag its funds from the comparatively few people who insure their employees under the Workers' Compensation Act. The board will be able to draw to an unlimited extent upon insurers, possibly upsetting the whole of their financial calculations for the year.

The Chief Secretary: There is the premiums committee.

Hon. L. CRAIG: Of course there is, but why not treat this matter in the same way as we do all Government expenditure? We have the Estimates, the Supply Bills and the Appropriation Bill, defining what each department shall spend during the year. The amendment under discussion seeks to achieve the same end and to limit the board's drawings from people in legitimate business. Why should they not be limited? Why should the board be in a position to demand double contributions from industry? The Bill contains nothing that would pre-

vent that from being done, apart from the Minister's supervision. There is nothing to prevent the board drawing an extra £20,000 from insurers for the purpose of establishing a clinic. Of course, I agree that that is not likely to happen.

Hon. L. A. Logan: Do you not think there is any commonsense about?

Hon. L. CRAIG: If we allowed for commonsense, we would not require half the Acts on the statute book. We pass Acts to safeguard against foolish actions. We have been assured that the board will not cost more than £8,000 a year, and if it does what we think it should, it should operate easily within the limit that is suggested. I do not think any Government instrumentality should be in a position, apart from the safeguard of ministerial control, to make a levy on industry, and industry must have some protection.

Hon. E. H. Gray: Can you imagine the board making a demand for a double contribution on industry?

Hon. L. CRAIG: No, but the time might come when a socialistic Government would be returned to power, half of its members being Communists. In that event the Minister might urge the board to raise more money in order to build a new hospital or a clinic. I am suggesting extraordinary conditions, but Acts of Parliament are passed only to safeguard against foolish actions. I think the proposition before the Committee is sensible.

Hon. E. M. HEENAN: The main purpose of the Bill is to effect a more efficient system of workers' compensation from the point of view of both worker and industry. The Minister, who has introduced the Bill, will be responsible for controlling the activities of the board and for the administration of the Act.

Hon. H. Hearn: Not for all time.

Hon. E. M. HEENAN: Surely we can accept the Minister's assurance that the cost of the board will be in the vicinity of £8,000 a year. Any reasonable calculation will indicate that that estimate is very near the mark. The set-up suggested is entirely new, and we would be unwise to restrict the expenditure of the board, which will be composed of the three best men we can get in

the State to carry out the intentions of the Act. They will be out to do the best possible for industry and for those employed in it.

Hon. H. K. Watson: Regardless of cost.

Hon. E. M. HEENAN: The Minister made no idle statement when he referred to the cost of the board as in the vicinity of £8,000. Even if it cost £9,000 or £10,000 and did a good job, let us consider the size of the State, the increase in the population and the industries that we hope will be established in the future. To arbitrarily fix the maximum amount of expenditure by the board would impede its work before it started on its task. If it should prove extravagant, Mr. Hearn could take action later on.

Hon. H. Hearn: Prevention is better than cure.

Hon. E. M. HEENAN: I am convinced that the Honorary Minister would not mislead the Committee with regard to the estimated cost of the board.

The HONORARY MINISTER FOR AGRICULTURE: I have not at any time said that the cost of the board would be £8,000. I said it had been computed at that figure by people who know more about it than I do and the estimate was based on the anticipated premiums likely to be received. I cannot say whether the cost will be £8,000, £10,000 or £12,000. I venture the opinion that no-one knows what it will be, but I do not think that the Minister would allow the expenditure to get out of hand. I urge the Committee to give the provision a trial for a year, after which it could be reviewed, if thought advisable.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	11
Majority for					3

AYES.

Hon. O. F. Baxter
Hon. L. Craig
Hon. H. A. O. Daffen
Hon. R. M. Forrest
Hon. Sir Frank Gibson
Hon. H. Hearn
Hon. J. G. Hislop

Hon. Sir Chas. Latham
Hon. W. J. Mann
Hon. G. W. Miles
Hon. H. L. Roche
Hon. C. H. Simpson
Hon. H. K. Watson
Hon. H. Tuckey
(Teller.)

NOES.

Hon. G. Bennetts
Hon. R. J. Boylen
Hon. G. Fraser
Hon. E. H. Gray
Hon. W. R. Hall
Hon. E. M. Heenan

Hon. L. A. Logan
Hon. A. L. Loton
Hon. H. S. W. Parker
Hon. G. B. Wood
Hon. E. M. Davies
(Teller.)

PAIR.

AYE.

Hon. F. R. Welsh

NO.

Hon. J. M. Cunningham

Amendment thus passed.

Hon. C. F. BAXTER: I move an amendment—

That paragraph (b) of Subsection (3) of proposed new Section 37 be struck out.

The phrasing of this paragraph is such that it is bound to raise much confusion and agitation. It will encourage claimants to appeal to the board hoping for something extra, thus adding to its duties and therefore to the cost of maintenance. It is contrary to the intention of the Act, which sets out clearly the rights and liabilities of worker and employer. It is also contrary to the intention of the establishment of the board, which is to simplify and accelerate the administration of the Act. An elementary principle of justice is that a definite charge or claim must be formulated by a prosecutor or a claimant, and that no defendant or respondent shall be called upon to submit himself to meeting, out of hand, issues of which he has not had prior notice or warning, or with which he has not been charged.

Any departure from this principle blinds justice in very truth, and is a travesty of the historical blindfolding of her figure as a symbol of impartiality. The tribunal would become prosecutor, advocate for the complainant and also judge, not a tribunal of justice, but a slavish imitation of the notorious "People's Courts" of which certain extremists are now so fond. If a worker or a dependant considers he or she has an equitable claim, that claim can be precisely formulated and presented. If a claim is not so formulated and presented, it is safe to say that at best it is a fishing expedition or a speculation, and at worst a "try-on" and an abuse of the processes of the court. The Bill follows slavishly the workers' compensation legislation in the Eastern States, but reference to that legislation will not disclose a paragraph such as that which I am moving should be deleted.

The HONORARY MINISTER FOR AGRICULTURE: I cannot follow Mr. Baxter's reasoning. This paragraph deals en-

tirely with the granting of relief or redress should a worker make a mistake in describing the nature of his complaint, or if a doctor wrongly diagnose it. A worker may state that he has rheumatism, whereas in actual fact he is suffering from arthritis. He should not be penalised because of such a mistake.

Hon. G. FRASER: The provision is designed to obviate legal technicalities. A person who makes a claim for compensation should not be put out of court because of some technicality. This provision gives the board power to put right a mistake of the description mentioned by the Honorary Minister. It will work both ways. It will simplify the hearing of cases, and will eventually mean a saving on premiums rather than an increase.

Hon. L. CRAIG: I support the Honorary Minister. A man may have an accident in which he breaks an arm or a leg, and then claim compensation accordingly. At a subsequent date it may be found that he is suffering from shock or has been injured internally. It would be most unfair to cease his compensation when the arm had healed if he were still suffering from shock.

The HONORARY MINISTER FOR AGRICULTURE: If a person made a claim in connection with a broken arm and it was found afterwards that he had a broken collarbone or rib, he would not get compensation for the other injury, discovered at a later date, if the amendment were agreed to. Surely we do not desire to penalise a worker for a wrong diagnosis, or because of an injury that he did not at once become aware of.

Amendment put and negatived.

Hon. H. HEARN: I move an amendment—

That paragraph (b) of Subsection (10) of proposed new Section 37 be struck out.

It is undesirable that the normal rights of appeal to higher tribunals should be denied to either the workers or the employers. Very few cases go beyond the Full Court except where it is desired to obtain a ruling on some particularly contentious matter; and most of such matters are treated as test cases. I am also given to believe that this paragraph is ultra vires the Constitution.

The HONORARY MINISTER FOR AGRICULTURE: The last reason advanced by Mr. Hearn is the best. I believe this paragraph is unconstitutional and therefore do not oppose the amendment.

Hon. C. F. Baxter: It is unconstitutional.

Amendment put and passed.

Hon. H. K. WATSON: Subparagraphs (ii), (iii), and (iv) of paragraph (g) were deleted the other evening. I now suggest that subparagraph (i) should be struck out. My reasons are much the same as I advanced in favour of the deletion of subparagraphs (ii), (iii) and (iv). The objective contemplated here should not be the responsibility of the board. The cost of the work that would have to be done would be beyond the ability of the board to meet. This should be undertaken by the Commonwealth Government. I understand that in the Eastern States when employers have suggested further medical examinations for candidates for employment, organised Labour has suggested that they have been victimised or unfairly treated. Again, it may be claimed on their behalf that they cannot earn higher wages in the form of dust money, dirt money, and so on. So far as occupational guidance is concerned, we already have adequate occupational guidance provided by the Commonwealth employment service. I move an amendment—

That paragraph (g) be struck out.

The HONORARY MINISTER FOR AGRICULTURE: I am surprised at Mr. Watson moving this amendment. Throughout the debate, he has talked of the cost to industry. If anything is going to save cost to industry, it is this paragraph. Up to date, he has been the champion of one industry, the employers, and now he becomes the champion of the worker. On many occasions, young fellows have gone into some industry for which they were totally unfitted. If we stop an anaemic, narrow-chested young man from going into the sleeper-cutting industry—

Hon. H. Hearn: Is not that a job for the Government?

The HONORARY MINISTER FOR AGRICULTURE: No, for the board, because it is dealing with workers' compensation and its job is to save money for industry. I can see no harm in this, but rather a

tremendous amount of good. The amendment is an amazing piece of inconsistency on the part of Mr. Watson. I have seen men go into the sleeper-cutting industry who were not fit to cut firewood, let alone sleepers.

Hon. L. Craig: You did not have to pay to make them strong.

The HONORARY MINISTER FOR AGRICULTURE: No. There is work for everybody, but not necessarily in a particularly hard industry. There should be some discrimination as to what industry a person should go into. A man might be efficient in one industry but not in another. I hope the amendment will not be agreed to.

Hon. E. H. GRAY: At a previous meeting of the Committee we had a long discussion on the deletion of subparagraphs (ii), (iii) and (iv). In this instance Mr. Watson is taking the part of the workers and I intend to take the part of the employers.

Hon. L. Craig: That is generous of you.

Hon. E. H. GRAY: The board will be able to deal, better than any employer or any other section of the community, with workers who have received minor injuries and determine whether they could be more suitably placed in some other form of employment. From the experience of the board, its records and knowledge, it will be able to advise those workers to go to some other form of industry and will be in a position to help them. It will save the employer's money and will enable workers to engage in work which will be helpful and profitable to them as well as to the employers and industry.

Hon. H. HEARN: I support the amendment. I have been deeply touched by the words of the Honorary Minister and other members of the Committee during the debate. These members have stated that they are saving the employer's money. I am wondering how low insurance premiums will be before we have finished with the Bill. If we go on long enough we might be able to get a credit without any payment at all! If the paragraph said something about using existing facilities, I would have had some sympathy with it but the framers of the Bill, and the Minister responsible for it in another place, must know that facilities already exist for occupational guidance. This will give the board power to build additional facilities.

The Honorary Minister for Agriculture: You cannot build too much with an £8,000 limit.

Hon. H. HEARN: I know it has been limited but I still think that it would enable the board to spend unnecessary money.

The HONORARY MINISTER FOR AGRICULTURE: Would any board set up a huge building to examine a few workers as envisaged by Mr. Hearn? It would need a small room only and Mr. Hearn must realise that. There have been some very extravagant statements made about what the board will do, such as erecting buildings, hospitals and goodness knows what. It may be necessary to hire a room but the cost of this work will be very small.

Hon. Sir CHARLES LATHAM: I would like to support the Minister, but when I read the marginal note and the subject matter, I find it very difficult. When discussing the paragraph concerning hernia a few days ago, I suggested that it would be necessary to have a pre-employment medical examination and the point was raised that it would be far too costly. I believe that is the only way we will save industry from being exploited. I do not think it should be the board's function to give occupational guidance to workers. In what way could it do that? The Minister suggested that he had some sleeper-cutters on his property. How would they come into contact with a board until they were injured? What we want to do is to prevent people who are unsuitable and provide a greater risk than is necessary being employed in industry. I would like Dr. Hislop to tell us what he thinks the cost of a pre-employment medical examination would be. It might be necessary to have an x-ray of the chest and so on.

The Honorary Minister for Agriculture: It would be a good thing.

Hon. Sir CHARLES LATHAM: It might be very necessary.

The Honorary Minister for Agriculture: They do it with nurses before they are trained and it is most desirable.

Hon. Sir CHARLES LATHAM: Yes, I know that, but I am not qualified to say how much it would cost for a pre-employment medical examination.

The Honorary Minister for Agriculture: What does it matter what it would cost?

Hon. Sir CHARLES LATHAM: Matter like this should be carried out under the social services scheme for which we are heavily taxed. I think facilities are already available for the occupational guidance of these weak people, and it should not be a charge against industry and the people paying the insurance premiums.

Hon. L. CRAIG: We have already deleted subparagraphs (ii), (iii) and (iv) but this subparagraph gives the board power to provide occupational guidance.

Hon. Sir Charles Latham: How can it do that?

Hon. L. CRAIG: It means training. It cannot mean anything else.

The Honorary Minister for Agriculture: Not necessarily.

Hon. L. CRAIG: That should be a function of the Social Services Department and not the function of the insurers who do like to know that, having paid out £1,250, they are finished with the matter and are not involved in supplying training for perhaps another 12 months. I know of an authentic case of a lad—not a Western Australian boy—who had served in the Royal Navy and whose parents, when the war was over, came out to this State. The lad came from England about a year ago and decided that he did not like his job here after he had been employed for a short time. He had had a good education and a Government department asked him if he would like to carry out training. He said that he wanted to be an architect and the department is paying that lad £3 a week for about the next five or six years. I told him that he might not be a very good architect when he finished his training and that we had reached the stage in this State where we are building small houses only. He told me that when he had finished he probably would not stay in this State but might go back to England. That lad was not an Australian and he had not served in the Australian Forces and yet he is being paid for the next five or six years; then if he feels like it he can go back to England.

Hon. G. Bennetts: The same thing would apply in England.

Hon. L. CRAIG: No, I know of another case almost as bad. I do not think it is the function of this board to take over services already available, or that the insurer should

be called upon to contribute to a fund to provide occupational guidance.

Hon. Sir Charles Latham: He already contributes to another fund.

Hon. L. CRAIG: I think the best thing is to eliminate subparagraph (i) in the same generous way as we have eliminated the other subparagraphs.

Hon. E. M. HEENAN: I am not greatly concerned as to what happens to this amendment because I think the people who will suffer will be the employers.

The Honorary Minister for Agriculture: Of course, they will.

Hon. E. M. HEENAN: I take it that one of the main functions of the board will be to minimise accidents. Accidents are no good to the persons who sustain them and are certainly no good to industry.

Hon. L. Craig: We are not disputing that.

Hon. E. M. HEENAN: If we can minimise accidents, we will be doing the employees a good turn and we will be saving industry a lot of money. I have a rough idea of what the mining industry is saved by pre-employment examination. If a man is allowed to enter a mine suffering from the early stages of T.B., it will be realised what industry would have to pay him and perhaps dozens of others whom he would infect. It would be difficult to try what that pre-examination is saving industry in pounds, shillings and pence, quite apart from the lives of innocent people. A sh canning factory is to be started as Esperance shortly. I do not know what work will be involved, but I presume that tins will have to be cut and soldered, and fish will have to be opened up with sharp instruments. If the employees engaged in that industry can obtain some occupational guidance to save them chopping their fingers off, it will be a good thing for industry. If we were employing a lot of men—

Hon. H. Hearn: You would have a headache.

Hon. E. M. HEENAN: —I would welcome anything that would tend to minimise accidents and the money I would have to pay out. If the paragraph is struck out, the employers are the ones who will chiefly suffer.

Hon. G. FRASER: A lot of stress is being laid on this particular paragraph that is not justified. There is nothing to indicate that it will be compulsory for every worker to be examined. However, there are certain industries that could be regarded as dangerous, such as the furniture industry where men who work on a saw bench would be affected by the sawdust. I think the board would classify industries and suggest that certain men should be examined before entering some. Most members are interpreting occupational guidance as occupational training. My interpretation is that after a man was medically examined, he would be told that he must avoid certain occupations for his own sake. That is occupational guidance. It would be preferable for the men to have such an examination.

Hon. L. Craig: And training in another industry.

Hon. G. FRASER: There is nothing mentioned about that.

Hon. L. Craig: Yes, there is.

Hon. H. Hearn: What about the interpretation the board will put on it?

Hon. G. FRASER: The board can only interpret it according to the provisions in the Bill. I hope the amendment will not be carried.

Hon. J. G. HISLOP: I do not know whether it is wise for me to say anything about this paragraph because the further I go, the more bewildered I become. If occupational guidance means that they can take a man and train him for a job in a canning factory, then that will cost a considerable amount of money because every worker who desires to change his occupation can go to the board and say, "I want to train in something else." We have an example of the enormous cost involved in the Commonwealth occupational guidance scheme. Occupational guidance to me means that a person can go to an occupational officer and be told whether he is mentally or physically fit to perform a particular job. That is all the paragraph means. It has nothing to do with training. Pre-employment is a different matter.

What I presume is meant by a pre-employment examination is that a worker can go and find out whether he is suited to a particular industry which he may

consider would be harmful to him. It has its drawbacks. If an individual is told he is unfit for an occupation, he is again limited in his ability to apply for that particular job, but for how long? Are all these records of pre-employment examinations to be kept? And how are the men to be transferred to employers within that industry? Will the next employer require a further examination? Unless the paragraph is tightened up, it might lead to considerable difficulties. I am bewildered by Mr. Fraser's suggestion that a man can be warned about a hazardous industry, such as the furniture industry; but if that is accepted, it will be found before long that there will be an increase in the insurance premiums relating to the furniture trade. Today any man can be examined for T.B. by visiting the clinic in Murray-street.

Hon. Sir Charles Latham: And it is not a charge against industry.

Hon. J. G. HISLOP: That is so. I shall vote for this paragraph to be retained.

Hon. H. K. WATSON: I should imagine that the powers given to the board the other evening are no less laudable than the power which we are now dealing with. There is the question of medical treatment for workers and also their rehabilitation if they sustain a permanent or temporary injury. The point is not whether or not that power should exist, because we all agree it should. The question is that it should not be a charge on this particular board, but a charge either upon the Government or upon the Commonwealth Social Services Department. I think we would make ourselves look ridiculous if we did not eliminate the paragraph.

The HONORARY MINISTER FOR AGRICULTURE: Mr. Craig and Mr. Watson have put up an extraordinary argument. Subparagraphs (ii) (iii) and (iv) might impose a charge on industry, but subparagraph (i) deals with an entirely different matter and will definitely mean a saving to industry. Often farm hands have been sent to the country and have been found to be quite useless for the work, but if a board such as this had examined the men, the farmer could have been advised whether to take them or not. If an employer in industry required six men, he could obtain the opinion of the board. A medical examina-

tion would be made and perhaps three would be rejected. The provision is desirable in the interests of both the worker and the employer. It is unwise for a worker to enter an industry for which he is unsuitable. Girls are not accepted for training as nurses without undergoing a medical examination. I have never before heard that occupational guidance meant occupational training.

Hon. L. A. LOGAN: I take it that, if a man has been working in industry and has been compensated for injury received, he would be subject to medical examination before returning to work, and from that examination would receive his guidance. If the provision, however, refers to men who have not received compensation for injury, it is a different matter. I should like a clear interpretation of the meaning.

Hon. H. HEARN: I agree with Mr. Logan that it is a matter of interpretation but the Honorary Minister conveyed a different idea. The Commonwealth Employment Agency operates in every State and industry is drawing on that department for its labour. Mr. Chifley and his Government are up to date in providing social services but have not included vocational guidance in the employment scheme. On the statement of the Honorary Minister, I suggest that action along these lines by the Commonwealth is long overdue. If a man sought to work in my factory, I take it from the Honorary Minister's remarks that he must receive vocational guidance before being engaged. With so many different interpretations, the position has not been clarified, and it would be easy for the State to find itself undertaking a job for which industry is already being taxed. That is what I object to.

Hon. G. BENNETTS: The provision deals only with workers who have been off on compensation.

Hon. H. Hearn: Who said so?

Hon. G. BENNETTS: That is undoubtedly the meaning. A person who has been injured would, on the expiration of his compensation, be re-examined and sent to whatever work he was suitable for. Otherwise, a man who had received a lump sum would be able to return to the same industry and perhaps later claim another lump sum. I was rather surprised to hear Mr. Watson's solicitude for the interests of the worker.

because generally he seems more inclined to look after the interests of the big employers. An employer would not engage a "mug" worker because 100 per cent. of work would be expected of him.

Hon. E. M. HEENAN: I agree with the Honorary Minister's interpretation. Obviously this is something quite different from occupational training. A few years ago when the Wiluna mine was working, the ore being treated contained a lot of arsenic. Certain people allergic to arsenic were poisoned. One man contracted blood poisoning in bad form and cost the industry £700. It seems too silly for words that that should occur. A pre-employment medical examination would surely have indicated that the man should not have been employed in the mill. If representatives of the employing interests wish to delete the provision, those interests are the ones that will suffer most.

Hon. J. M. A. CUNNINGHAM: Occupational or vocational guidance as defined during the war is something entirely different from occupational training. Occupational guidance officers can deal with 40 or 50 men in a couple of days and determine the class of work for which they are suitable. It is not a costly procedure. I direct attention to the first part of the provision reading, "providing facilities for pre-employment medical examination." It does not say "re-employment." No mention is made of the workers having sustained injury or of their return to industry after having been hurt.

The HONORARY MINISTER FOR AGRICULTURE: I do not think Mr. Bennetts and Mr. Craig quite understand this provision. Subparagraph (i) deals with facilities for pre-employment. Subparagraph (iii), which we threw out the other night, provided for facilities for rehabilitation and re-employment. Surely it is better to have a person fitted for industry rather than allow the employment of a poor chap who cannot stand up to it!

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

Ayes	..	..	..	11
Noes	..	..	..	15
				—
Majority against			..	4
				—

AYES.	
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. Craig	Hon. C. H. Simpson
Hon. R. M. Forrest	Hon. H. Tuckey
Hon. H. Hearn	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. H. A. C. Duffen
Hon. W. J. Mann	(Teller.)
NOES.	
Hon. G. Bennetts	Hon. J. G. Hislop
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. E. M. Davies	Hon. A. L. Loton
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. E. H. Gray	Hon. G. B. Wood
Hon. W. R. Hall	Hon. J. M. Cunningham
Hon. E. M. Heenan	(Teller.)

Amendment thus negatived.
Clause, as previously amended, agreed to.
Clause 12—Amendment of the First Schedule:

Hon. C. F. BAXTER: I move an amendment—

That in line 5 of subparagraph (vi) of paragraph (c) after the word "pounds" the words "or four pounds ten shillings in the case of a worker without dependants" be inserted.

In the Bill the minimum wage to be paid to an injured worker is increased from £1 10s. to £2 per week and the maximum from £4 to £6. The Act provides that a worker is entitled to receive half wages with a maximum of £4 10s. The maximum was increased to this figure in 1944 when the basic wage was £5 1s. 1d. and the average tradesman's wage was about £6 10s. Therefore, at that time, the worker with no dependants received compensation of between £2 10s. and £3 5s. per week. The position will be vastly different if this Bill comes into force.

It is proposed to give the worker compensation at the rate of two-thirds wages with a maximum of £6. With the basic wage now at £6 1s. 7d. and tradesmen's wages averaging about £8 10s., the worker with no dependants will receive compensation of between £4 and £5 13s. per week. This amendment will therefore not react to the detriment of the basic wage earner but will have the effect of limiting men with no dependants to compensation which will be a reasonable proportion of the basic wage and yet will not prove so generous as to encourage the malingerer. In Victoria a Labour Government fixed the maximum for a worker with no dependants at £4 per week. Under my amendment the figure here will be 10s. more. In New South Wales the amount is only £3 10s. so workers here, if the amendment is agreed to, will receive £1 more. Surely in this Bill we should follow

the principle established in many Acts, that the worker with no dependants should not receive the same amount as one who had dependants.

The HONORARY MINISTER FOR AGRICULTURE: I fail to see why a single worker should be deprived of the same compensation as is granted to a married worker in respect of a similar accident. A single man may meet with an accident and receive the lower compensation suggested by Mr. Baxter. In two or three weeks' time he may be married and in time will have more dependants. But he will still be subject to the lower rate of compensation. Again, what confusion will be created in trying to prove whether a man has dependants or not! An individual could quite easily ring in some dependants. The amendment should be vigorously opposed.

Hon. G. FRASER: I hope the Committee will not agree to the amendment which, if carried, would create a dangerous precedent. All payments have been the same up till now, and I do not consider that the position should be altered.

Hon. C. F. BAXTER: We will encourage malingerers by this Bill. The Minister's argument was weak. If men get married, they have dependants.

The Honorary Minister for Agriculture: But are subject to the same compensation as when they were single.

Hon. C. F. BAXTER: I cannot follow the logic that a single man should get the same as a man with dependants.

Hon. E. H. GRAY: The amendment, if carried, would encourage the unscrupulous to sign false declarations and would be of decided detriment to the honest worker who might be saving up to get married, or who might have other commitments. It would be a dangerous precedent, and I feel that we should stick to the principle that has obtained for many years, that there should be no differentiation between married and single men in this regard. I hope the amendment will be defeated.

Amendment put and negatived.

Hon. L. CRAIG: I move an amendment—

That at the end of subparagraph (ii) of paragraph (e) the following words be added: "but not exceeding fifty pounds."

It will be remembered that last week an amendment dealing with the limitation of compensation was made to paragraph (e). Dr. Hislop's amendment added the words "except when the board is of the opinion having regard to the circumstances of the case, that such amount is inadequate, in which event the board may allow such additional amount as it deems necessary or expedient." That would give the board power to say that something over and above £100 was necessary and expedient, and I think a limit should be placed on that.

The HONORARY MINISTER FOR AGRICULTURE: I agree to the amendment as the lesser of two evils. I have no wish to offend doctors, but we know that in the past some of them have prolonged the agony. I think even Dr. Hislop must admit that some of his brothers in the profession have done that, though such instances have been few and far between.

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

Bill again reported with further amendments.

BILLS (2)—FIRST READING.

1, Legal Practitioners Act Amendment.

2, Fairbridge Farm School.

Received from the Assembly.

BILL—FOUNDATION DAY OBSERVANCE (1949 ROYAL VISIT).

Returned from the Assembly without amendment.

House adjourned at 10.25 p.m.