

Hon. G. FRASER: Yes, to save exchange for the time being. The exchange position may have improved by the date on which the debentures become redeemable. If there is any further information hon. members require, I shall be glad to furnish it in Committee. I move—

That the Bill be now read a second time.

HON. J. J. HOLMES (North) [5.55]: Perhaps the House is entitled to know a little more about this Bill. I think the Fremantle Municipal Council borrow money on behalf of the Fremantle Tramways Board. I was a member of another place when the original Act was passed, 30 years ago; and that is my recollection.

Hon. G. Fraser: It was so originally.

Hon. J. J. HOLMES: I quite understand the position as regards paying in English currency. The English firm's demand is due, I believe, to the fact that a similar position arose in Auckland, New Zealand, recently. Debenture moneys had to be paid, and the Auckland Municipality claimed that under their Act they were entitled to pay in New Zealand currency, and not in English currency. There was immediately trouble on the London Stock Exchange, and the Auckland authorities had to come down off their perch and agree to pay in English currency.

Hon. G. Fraser: There is a Privy Council ruling to that effect, too.

Hon. J. J. HOLMES: The Auckland case has re-acted on the Fremantle Municipal Council, through the Tramways Board. I am not objecting to the Bill in any way, but I think that before it goes into Committee Mr. Fraser should furnish additional information as to the life of the debentures and on a good many other points. However, I am not opposing the Bill.

HON. G. FRASER (West—in reply) [5.57]: The chief reason for the introduction of the Bill is the need for getting over the ruling of the Privy Council in the case of the Broken Hill Proprietary Company.

Hon. J. J. Holmes: You do not propose to take the Bill into Committee to-day, do you?

Hon. G. FRASER: No. In the Broken Hill Proprietary case a similar set of circumstances obtained, and the Privy Council decided that the company must pay in Australian currency. Because of that decision

the legal advisers of the English firm here concerned were not prepared to recommend the acceptance of debentures unless such a Bill as this was enacted.

Question put and passed

Bill read a second time.

House adjourned at 5.59 p.m.

Legislative Assembly,

Thursday, 24th August, 1933.

	PAGE
Questions: Local authorities, use of crude oil	552
Public latrines	553
Bills: Mining Act Amendment, 2R.	553
Municipal Corporations Act Amendment, 2R.,	
Comm. report	554
Mine Workers' Relief Act Amendment, 2R.	557
Land, referred to select committee	561

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

QUESTION—LOCAL AUTHORITIES.

Use of Crude Oil.

Mr. LAMBERT asked the Minister for Works,—Will he have a statement prepared showing the number of road boards and municipalities throughout the State using crude oil in the generation of electric current, and the quantity and value of crude oil purchased by these local authorities during the past three years?

The MINISTER FOR WORKS replied: The number of municipalities using crude oil is 3; those using crude oil and suction gas—3. The number of road boards using crude oil only is 43, and the boards using crude oil and suction gas—8. No information is available as to the quantity and value of crude oil purchased by the respective local authorities mentioned.

QUESTION—PUBLIC LATRINES.

Mr. SAMPSON asked the Minister for Health: 1, Is he aware that public nuisances, injurious to public health, are being encouraged, if not enforced, by the early closing of public latrines (before the theatres close)? 2, Will he, in the interests of both the health of the public and of the sanitation of the city, endeavour to remedy this state of affairs?

The MINISTER FOR HEALTH replied: 1, No. The City Council closes the latrines at 11.30 p.m. 2, This is a matter for the City Council.

BILL—MINING ACT AMENDMENT.*Second Reading.*

THE MINISTER FOR MINES (Hon. S. W. Munsie—Hannans) [4.36] in moving the second reading said: Although the Bill has five clauses, there is really but one amendment of the Act. The position is that when the amending Mining Act passed this Parliament last session, two provisions were made for tributing. One was where the lessee could charge the tributer on the royalty basis on a sliding scale, and the other was where the tributer and the lessee took each 50 per cent. of the actual gross gold won, the tributer to deliver the ore at the shaft, and the lessee to pull it. Unfortunately, when the Bill was going through, an amendment was made inserting a schedule of charges, which, of course, was intended to apply to where a tribute was let on the royalty basis. However, by an error it was inserted in Section 145 of the Act. Section 145 gives definite instructions to the Warden in connection with the registration of tributes. The result was that, irrespective of where the ore came from, the Warden was compelled, in registering the tribute, to put in the scale of charges, and so they could not charge more.

Mr. Stubbs: He was the arbitrator if a dispute arose.

The MINISTER FOR MINES: Yes, but that having been inserted in Section 145, he was compelled to take into consideration the scale of charges, which was never intended. The Bill removes the scale of charges from Section 145 to Section 145 B, which is the section dealing with tributes on the royalty basis, and so we want this scale of charges there if any tribute is let

on the royalty basis. Then we discovered that at none of the mines, unless it had its own treatment plant and the company was prepared to let a tribute on the fifty-fifty basis, could any man, either the lessee or the tributer, get his ore treated, because the treatment plant owners refused to treat outside ore on that scale unless they could collect royalty from it; and naturally the lessee of an outside lease was not prepared to let the treatment plant owner take royalty. So there was a hold-up affecting a number of shows, for the Warden could not register the tribute unless that scale was in it. I have had a conference, indeed three conferences, with the Chamber of Mines, the treatment plant owners, the lessees and the tributers combined, and eventually we have come to a definite understanding. With the removal of the three provisos from Section 145 to Section 145 B, the Warden will not be compelled to take notice of the scale of charges where a tribute is on the fifty-fifty basis. The only amendment we are putting in is contained in the last clause of the Bill, which provides that instead of the tributer having to land his ore at the shaft and the lessee to pull it, the tributer on an outside lease must land the ore on the surface, instead of at the shaft. The tributer has to go to that expense, and from the surface he gets 50 per cent. of the extraction value of the ore, and the lessee makes his own arrangements with the treatment plant owners. From the surface the lessee takes charge of the ore, and the tributer is entitled to 50 per cent. of the extraction value. That is all the Bill contains, and I hope members will let it pass as soon as possible, for in the meantime several tributes are held up because of the fact that the Warden must take into account the scale of charges. I want also to point out that the wording of the three provisos contained in the Bill is not exactly the same as that in the Act. Nevertheless, no principle has been at all altered in the Bill. All that it does is to make absolutely clear the intention of the three provisos: there is no alteration in principle, and it is simply clarifying the position in regard to the three provisos and the scale of charges, making the transfer from the one section to the other, and inserting the one small amendment making the tributer responsible for landing the ore at the surface instead of at the shaft. All the parties have agreed to that amendment. The only

objection raised was raised by one of the lessees, who said that under the Bill a lessee might stand to lose money. But if ever the House passes legislation which will guarantee that no man speculating in mining shall make a loss, it will stop all mining immediately, for mining is purely a speculative industry. However, it is agreed there will be no difficulty in regard to the treatment or to the registration of tribute outside of where the lessee owns the treatment plant. I move—

That the Bill be now read a second time.

On motion by Mr. Stubbs, debate adjourned.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd August.

MR. LATHAM (York) [4.43]: I am not going to weary the House with a long speech because the sole principle contained in the Bill was thrashed out a few evenings ago on the Road Districts Act Amendment Bill, which contained a similar provision. But it is extraordinary that we should have before us a Bill to amend the Municipal Corporations Act in only one particular. That Act has not been amended since 1909, and one would have thought that while the House had the Bill under discussion, opportunity would have been afforded to amend other sections sadly requiring amendment. No other Act of Parliament used as much as is the Municipal Corporations Act is so obsolete as is that Act. I protest against legislation being introduced in this partial manner. The only object of the Bill is to abolish plural voting. There is no other principle involved. There are more important questions which might be introduced in an amendment to the Municipal Corporations Act. I rise to make my protest against the Government bringing down a Bill like this when we ought to be bringing up to date the whole Act. Year after year municipal conferences have asked that the legislation should be brought up to date. That would have been done last year, but as usual too many Bills were introduced, and there was not sufficient time in which to attend to that matter. I hoped when notice was given by the Minister to amend the Municipal Corporations Act

he intended to carry out the wishes of those who were administering it. Every member who represents a municipality ought to protest against the Bill being introduced in its present form.

THE MINISTER FOR WORKS (Hon.

A. McCallum—South Fremantle—in reply) [4.46]: I agree with the Leader of the Opposition that the parent Act is obsolete. Probably it is the most obsolete of the active laws on our Statute-book. Requests have been made to different Governments for the last 12 years or more to modernise this legislation. About 15 years ago a Bill of big dimensions was drafted when Mr. Angwin was Minister for Works, but it was not proceeded with. Before this Government can make up their minds about any amendment they must know how representative these bodies are to be. On that basis the amending legislation will be framed. We cannot ask Parliament to do certain things unless we know that the bodies concerned are to be representative bodies. Our view is that at the moment municipal councils are not representative of the ratepayers. We cannot bring down any Bill of this kind until the basis is broadened so as to define the lines upon which these councils shall be created. When we know how representative these local authorities will be, we shall decide upon a policy as to what powers and influence are to be given to them. That must be the basis upon which any legislation is built. It would be wasting the time of the department and of Parliament if we brought down a comprehensive amending Bill when it would not be acceptable to the Government so long as plural voting existed. Why waste on a big Bill the time of the House, the time of the Parliamentary draftsman, the time of the Minister and of Cabinet, only to find that it all goes for naught? It can be taken as definite by this House and the country that the Government will not extend the powers of local authorities so long as plural voting remains; that is the clear and definite pronouncement of Cabinet. So long as we are in office we will stick to that policy.

Mr. Latham: Then you do not mean to bring down any amendment to the Act?

THE MINISTER FOR WORKS: I did not say that. No move will be made by Cabinet to extend the powers of local authorities or bring the Act up to date so long as plural voting exists.

Mr Hawke: Hear, hear!

The MINISTER FOR WORKS: Parliament has been told what the Government stand for, and the people should know it. The Government stand on that policy. Parliament should know where it is. That is why these two Bills have been brought down. We shall then know the basis of the franchise, the representative nature of the bodies which are to operate for the future. On that basis we can frame new legislation. So long as the basis remains as it is the Act can remain obsolete. The local authorities themselves are obsolete. They were created under an obsolete franchise, and it is only fitting that they should have an obsolete Act around their necks. Of what use is it to bring down an up to date measure in the case of bodies elected on a franchise that was described the other night in language which it is not necessary for me to repeat this afternoon. I like to be frank with the House on all these matters. It is well that the country should know the position. A deputation from the executive of the local governing authorities came to me a week or two after we took office, and was informed regarding the policy of the Government. I told them they had no hope of getting the powers they sought so long as plural voting lasted. This is the definite and unalterable decision of Cabinet.

Mr. Stubbs: I know; I was there.

Mr. Thorn: You are determined to stand or fall by that.

The MINISTER FOR WORKS: There will be no fall. This has been approved by representative bodies over the last 25 years. It is nearly 30 years ago that the matter was debated at a local authorities' conference in Bunbury. The resolution was in fact moved by the President of the Federal Senate.

Mr. Marshall: Who asked for the Financial Emergency Bill which members opposite supported?

Mr. Stubbs: Will it go through another place?

The MINISTER FOR WORKS: I am positive the Bill will go through this House. As to the other place, that is their funeral. If local authorities want the existing legislation widened, their powers increased, and the Act brought up to date, I wish them to know they cannot get these things so long as this provision for the franchise remains.

Mr. Doney: As they do not want it, they will not be disappointed.

The MINISTER FOR WORKS: I do not think they should count. Why should they count?

Mr. Doney: Why should they not count?

The MINISTER FOR WORKS: That is no argument. They are only a handful of people.

Mr. Doney: I know it is no argument.

The MINISTER FOR WORKS: It is no argument to say that those who have seats on municipal councils and road boards must have their views taken, and that the ratepayers themselves, who are penalised and suffering under the existing law, are not to have their views counted. I am listening to the ratepayers, not to members of local governing bodies.

Mr. Sampson: The public are unconscious of any suffering.

The MINISTER FOR WORKS: I do not want to reflect on the manner in which these people have done their work. They have done exceptionally good work for Western Australia. I do not think any local authority will lay at my door the charge that I have not been sympathetic on their behalf. I have received tributes from numerous local authorities. I will continue to do my best for them, and encourage them in their good work. I have frequently said to them that I have wondered, when I am travelling around the State, what the position of the Public Works Department would be if we had no local authorities. How could we possibly do the work that the local authorities are carrying out from one end of the State to the other?

Mr. Stubbs: The Minister has not told us what injury any section of the community has suffered under the present franchise.

The MINISTER FOR WORKS: Although I lived for 19 years in one municipality, and during that time occupied the position of a Minister of the Crown, I had no vote for the municipality.

Mr. Doney: That is not an answer to the hon. member's question.

The MINISTER FOR WORKS: No injury was done to me.

Mr. Latham: You could not get on the roll.

The MINISTER FOR WORKS: I could not get on it.

Mr. Stubbs: Did it stop you from getting rich?

The MINISTER FOR WORKS: I do not know what stopped me from getting

rich, but I have never attained riches. It was not because of my birth or nationality. We believe in the power being given to the people. We are not going to take the authority out of the hands of the people and place it in the hands of those who represent only a handful.

Mr. Sampson: If this Bill passes, will the Minister be able to get on the roll?

The MINISTER FOR WORKS: I am on the roll now. I am only telling the House what happened over 20 years ago.

Mr. Stubbs: You have four votes now.

The MINISTER FOR WORKS: Yes, and I am quite an important man. Because it suited my domestic arrangements, I could live as a boarder, and so long as I lived as a boarder I had not sufficient intelligence or sufficient standing as a citizen to vote at municipal elections. I was a Minister of the Crown, and had power to represent the Government, but was not deemed to be competent to have a vote for the municipality. The moment I bought a block of land, my status improved enormously. That block of land brought me all the capacity, ability, and knowledge necessary to exercise an intelligent vote for a municipality. In fact, it brought me four votes. It does not appear to us that a body elected on the present basis is more fitted to carry out its duties on behalf of the people than this House is. We are taking no steps to bring about local government reform until the other reform has been effected. The basis of representation is not as broad as I should like it to be, but it is a step towards that end. For us to say that we were going to give local authorities powers which affect every man, woman and child in the community, and place those powers in the hands of a few who are elected upon a restricted franchise and upon a system of duplication of votes, would be altogether foreign to our political ideas, or our ideas of what is right and proper in public affairs. Nothing is to be gained by deceiving the House or local authorities. We want our views known throughout the community. The Government stand firm upon this. So long as we are here, there will be no alteration of that policy. Plural voting must go before there is any reform in local government, so far as we are concerned.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair: the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 49:

Mr. SAMPSON: On the second reading I made some references to the extension of municipal boundaries and the amalgamation of various districts under one control, but the Minister has not referred to the subject. I spoke also of the difficulty which, under this Bill, would arise in Greater Perth, where there are so many wards embracing so large a territory; and I suggested that it would surely be unfair to allow a man owning property in both Victoria Park and Leederville only one vote, though he would be permitted to exercise that vote in respect of either property. The passing of the clause would not remove the disability to which the Minister referred.

Clause put and passed.

Clause 3—Amendment of Section 50:

Mr. LATHAM: Under this clause two joint owners of a property may each have a vote for it. The Minister should go the whole hog and declare that where there are two owners of a property, only one shall have a vote. For the sake of consistency, therefore, I move an amendment—

That in proposed Subsection 2 the word "each," line 2, be struck out, and "one" inserted in lieu.

Mr. SAMPSON: If the proposed subsection passes as printed, there will be much duplication of voting, husband and wife, for example, each voting for the same property. The provision is dangerous. Two persons should not be permitted to vote in respect of the same property. The need for the amendment is obvious and transparent.

The MINISTER FOR WORKS: The amendment is transparent inasmuch as it gives representation to bricks and mortar or acreage and denies it to persons. Members opposite are consistent in fighting for representation according to land and bricks and mortar or structure, and not according to people. Our idea is different. If two persons are interested in one property, both those persons are entitled to a vote if one of them is. Our position is perfectly consistent, and the amendment is utterly contrary to our ideas.

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

Ayes	..	..	..	..	16
Noes	..	..	..	..	20
					--
Majority against	..	..	..	..	4
					--

AYES.	
Mr. Brockman	Mr. Piesse
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Seward
Mr. Keenan	Mr. J. H. Smith
Mr. Latham	Mr. Stubbs
Mr. McDonald	Mr. Thorn
Mr. J. I. Mann	Mr. Welsh
Mr. North	Mr. Doney

(Teller.)

NOES.	
Mr. Clothier	Mr. Moloney
Mr. Collier	Mr. Munzie
Mr. Coverley	Mr. Needham
Mr. Cross	Mr. Nelson
Mr. Hawke	Mr. Rodereda
Mr. Kenneally	Mr. Tonkin
Mr. Lambert	Mr. Wanbrough
Mr. McCallum	Mr. Wise
Mr. Marshall	Mr. Withers
Mr. Millington	Mr. Wilson

(Teller.)

PAIRS.	
AYES.	NOES.
Mr. Patrick	Mr. Willcock
Mr. Warner	Miss Holman
Mr. McLarty	Mr. Johnson

Amendment thus negatived.

Clause put and passed.

Clauses 4, 5, 6—agreed to.

Clause 7—Amendment of Section 84:

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

Ayes	..	..	..	..	18
Noes	..	..	..	..	14
					--
Majority for	..	..	..	..	4
					--

AYES.	
Mr. Clothier	Mr. Millington
Mr. Collier	Mr. Moloney
Mr. Coverley	Mr. Munzie
Mr. Cross	Mr. Nelson
Mr. Hawke	Mr. Rodereda
Mr. Kenneally	Mr. Tonkin
Mr. Lambert	Mr. Wise
Mr. McCallum	Mr. Withers
Mr. Marshall	Mr. Wilson

(Teller.)

NOES.	
Mr. Brockman	Mr. North
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Seward
Mr. Keenan	Mr. J. H. Smith
Mr. Latham	Mr. Thorn
Mr. McDonald	Mr. Welsh
Mr. J. I. Mann	Mr. Doney

(Teller.)

PAIRS.	
AYES.	NOES.
Mr. Willcock	Mr. Patrick
Miss Holman	Mr. Warner
Mr. Johnson	Mr. McLarty

Clause thus passed.

Clauses 8 to 16, Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—MINE WORKERS' RELIEF ACT AMENDMENT.

Second Reading.

THE MINISTER FOR MINES (Hon. S. W. Munsie—Hannans) [5.15] in moving the second reading said: A memorandum has been attached to the Bill, which is nearly as long as the Bill itself. The reason for the memorandum is that it will enable members who are not acquainted with mining terms, more readily to appreciate the nature of the amendments and, in fact, they will find the memorandum of more interest from that point of view than the clauses of the Bill themselves. It will enable them to appreciate what is intended by the amendments.

Mr. Mann: That is quite correct.

The Minister for Mines: That was the object I had in view in providing the memorandum. Although there are 11 clauses in the Bill, they deal with five matters only. In one instance the same amendment is required in three sections of the Act, which deals with workers in three different sections. In one instance, men suffering from silicosis plus tuberculosis are dealt with; in another instance, men suffering from silicosis in the advanced stage are referred to and in the other, men suffering from tuberculosis only are affected. In the sections of the Act dealing with those three classes of sufferers, the same amendment is required. Perhaps the most important amendment in the Bill is that which affects Section 2 of the principal Act. When that measure was agreed to in this House, there was not the slightest doubt in my mind, nor do I think there was any doubt in the mind of any other member, that any mine worker who had been certified by the laboratory as suffering from tuberculosis in any form, with or without silicosis, prior to the proclamation of the Act, would come under the provisions of the Miners' Phthisis Act. Sections 2 and 3 of the Act attempted to set out definitely and clearly the right of such men to have their interests safeguarded. Subsequently, 15 men had been certified to be suffering from tuberculo-

with silicosis. The doctor also certified that the tuberculosis was not active. Ordinarily, they were in normal health and were anxious to continue their work. Of course, they were not working underground, but were occupied on the surface at various jobs on the mine. The ex-Minister for Mines, when he received the notification that they were suffering from tuberculosis, and ascertained from the doctor that they constituted no source of danger to their fellow workers, decided that instead of serving a prohibition notice on those 15 men, he would permit them to continue at work. By that means the Government were saved from the necessity to pay compensation. The men were receiving wages and therefore cost the Government nothing. They continued to work and many of them are still working. Immediately the Mine Workers' Relief Act was proclaimed, however, the Miners' Phthisis Act ceased to apply. One of the 15 men I referred to became so ill that he was unable to work at all. When an attempt was made to prohibit him from working on the mine under the provisions of the Miners' Phthisis Act, the Crown Law Department ruled that it could not be done. When the Act was before this House at the second reading stage, I drew attention to the wording of the provision and I was assured that it meant what it said. I believed that it did. The words I referred to were the following:

... in relation to whom the question has arisen and is in course of being determined at the commencement of this Act. . . .

I thought those words covered all men who had been certified, but the Crown Law Department ruled that when the Minister for Mines considered the position of those men and permitted them to continue working, he had determined their cases and they could not, therefore, be prohibited under the provisions of the Miners' Phthisis Act. The first amendment will deal with that position and afford those men justice, as though they had been found to be suffering from tuberculosis prior to the proclamation of the Mine Workers' Relief Act. When the time comes for such men to be prohibited from employment on the mines, they come under the provisions of the Miners' Phthisis Act because they were found to be suffering from tuberculosis while that Act was in operation. That is only fair and reasonable, and it to achieve that objective that the first and most important amend-

ment is included in the Bill. The second amendment will deal with three men of whom we are aware to-day, although I do not think that any more will be placed in a similar position. Those three men are in a worse position than the 15 to whom I have already referred. It is essential to extend justice to those men, and the amendment will have that effect. I will give one specific instance to show what has happened. One of the men was found, on examination at the laboratory, to be suffering from silicosis advanced. Under the Mine Workers' Relief Act he would be immediately entitled to £750, but that Act was not in operation when the second examination of that man was held. Unfortunately for him he became ill in December of last year and was forced to go to hospital. After leaving that institution, he considered himself well enough to return to work. When he consulted his employers he was reminded that he had not secured his certificate for that year and he was advised to go to the laboratory for examination. He went there on the 6th February in order to get his ticket to enable him to resume work. As the result of the examination, the doctor certified that the man was suffering from silicosis advanced, plus tuberculosis. In those circumstances the man could not get his ticket and, of course, could not return to work. It was then discovered that as the Act stands to-day, we could not prohibit him from working under the Miners' Phthisis Act, because it has ceased to apply, nor could we prohibit him under the Mine Workers' Relief Act because he was not a worker within the meaning of the Act when it was proclaimed.

Mr. Latham: Then you could not compensate him at all?

THE MINISTER FOR MINES: No, he is not entitled to compensation under either Act.

Mr. Stubbs: That is very unfair.

THE MINISTER FOR MINES: Of course it is, and it was never intended that it should be so. Yet that is the position. A man must have been an employee at the date of the proclamation of the Act. At that time this unfortunate man was in hospital. There are three men who are in a similar position and the second amendment will overcome that disability. That again is merely a fair and reasonable request to make to Parliament. The next amendment will rectify

an omission from the Mine Workers' Relief Act. The Mine Workers' Relief Fund Board have asked that it be reinserted in the Act, and I regard the request as reasonable. It will make provision that no beneficiary under the Act can be a member of the board appointed to administer the relief fund. That is but fair. The board consists of two employees nominated or elected by the workers, two representatives of the employers and a chairman appointed by the Government. For some reason, the prohibition of beneficiaries from participation in the administration of the relief fund was omitted from the Act and the members of the board desire its inclusion.

Mr. Latham: In fairness to such an individual himself, he should not be a member of the board.

The MINISTER FOR MINES: That is so; hence the amendment. The next amendment is rather complicated but its sets out clearly which men are entitled to compensation. I shall explain briefly the position as it is at present. A mine worker is compelled to be examined once a year and oftener if the laboratory officials deem it necessary. A man may go up for examination and be certified to be suffering from silicosis advanced. That does not prohibit him from continuing at work. Immediately information reaches the Mines Department regarding the result of the examination of that man, inquiries are made to ascertain whether the worker would have to cease work to be entitled to compensation. Such an inquiry takes anything from three to five weeks. If the man is working, there is no difficulty, because he simply works on. The day after he leaves his work, he is entitled to compensation under the Act as it stands. There is no difficulty there. The same applies to a man found to be suffering from tuberculosis. Sometimes, however, the man is out of employment because the prohibition notice has been served on him. It may take anything up to six weeks before the necessary information can be secured to enable the man to be declared under the Act. During the whole of that time he is deprived of compensation. The amendment will provide that the compensation shall be payable as from the date of his examination, and that, I also consider, is a fair proposition.

Mr. Latham: That is, if he ceased to work on that date.

The MINISTER FOR MINES: Yes, he would have to cease work because he could not get his ticket.

Mr. Stubbs: Is there much difference between the effects of silicosis and tuberculosis from the standpoint of a man's ability to work?

The MINISTER FOR MINES: There is a great difference between the two forms of disease. Tuberculosis is not a disease for which compensation is payable under the Workers' Compensation Act. Even if a man were covered by the amendment, and were certified to be suffering from tuberculosis only, he would not draw £750 from the Workers' Compensation Fund. He would draw it from the funds of the board under the same conditions as if he were eligible for workers' compensation. We have to provide for the man suffering from T.B. only. A man undergoing examination may be found to be free from dust or miners' phthisis, but he may have contracted T.B., and immediately that is discovered he is prohibited from working in or on a mine.

Mr. Latham: Because he would be a danger to his fellow workers.

The MINISTER FOR MINES: Yes. As we compel him to leave the mine out of consideration for his fellow workers, it is only fair to compensate him. The Mine Workers' Relief Act gives such a man the same right to compensation as if he were eligible for compensation under the Workers' Compensation Act. Provision is made for the date from which the payment of compensation shall start. It is set out in three ways. A man may get his compensation from the date of ceasing work. If he was absent from work through sickness and went up for examination and was found to be suffering from T.B., the compensation would be payable from the date of the examination. Otherwise, it would be payable from the date on which the notice of prohibition was served on him. That will clear up the misunderstandings that have arisen. There have been cases of real hardship. Men with fairly large families, and hard up against things, have been prohibited from working on a mine and have gone as long as six or seven weeks without being able to get compensation while, of course, they could not earn a

shilling. The board have even granted some of them temporary assistance with the intention of recouping the amount when the man was paid his compensation. A man ought to know that it is possible for him to get compensation and he ought to know the date from which it will start. That amendment should make the Act more satisfactory to the men and to the insurance company, which, in this instance, is the State office. The next amendment deals with a man receiving compensation. He is entitled to half wages and 7s. 6d. for each child, with a maximum of £3 10s. a week. When the Bill of last year was under consideration, I said that if a man had dependants that would bring the amount over £3 10s. a week, and if the board were satisfied he was suffering hardship in consequence, the board should be permitted to extend the payment at the rate of 7s. 6d. a week for each dependant until the amount reached the basic wage. That was agreed to. The Act, as printed, states that a man is entitled to draw up to the amount of the wage he was actually receiving. He may have been getting £15 or £16 a week, and it was never intended to pay him up to that sum. It was intended to pay him up to the basic wage only, and I am making it clear that he is to be paid up to the basic wage in the district where he was living when prohibited from working. Three amendments are again involved because each section has to be amended. The next amendment is also important. When the Bill was before us, I questioned the words that appear in Section 53 of the Act, "otherwise than with the consent of the mine owner." I was assured that the words were inserted for the protection of the men. The "Hansard" reports show that when the then Minister stated his opinion of the meaning of the words, I replied, "If that is what they mean, I am perfectly satisfied and will accept your assurance." Experience has shown that the words carry the meaning I anticipated. If a man elects to take a lump sum settlement after six months, or makes an agreement with the employer to accept a lump sum settlement, he cannot, at the end of that period, come on the Mine Workers' Relief Fund at all. He has finished if he elects to take a lump sum settlement. Under the Workers' Compensation Act the employer has the right, after six months, to take a man to court and compel him to accept a lump sum settlement. Immediately a man has drawn the amount allotted, not exceed-

ing £3 10s. a week, he is entitled to go on the Mine Workers' Relief Fund. I am not altering that arrangement, but for a man who elects to take a lump sum settlement, I am providing a small penalty. He cannot go on to the funds of the board until he has drawn, at a rate not exceeding £3 10s. a week, the full £750, irrespective of the amount he received under the lump sum settlement. That should prove a deterrent to accepting a lump sum settlement, and I think it is a sufficient penalty. Under the Workers' Compensation Act a man cannot be taken to the court until six months have expired. If he has received half wages for the six months, the amount paid in weekly payments is included in the full amount of £750. Under no circumstances can a man go on the funds of the board until he has exhausted, at a rate not exceeding £3 10s. a week, the compensation paid him.

Mr. Stubbs: Notwithstanding the state of his health?

The MINISTER FOR MINES: Notwithstanding his financial state. We want to give a man a reasonable chance. It was not so bad when the Act applied only to T.B. men, but this measure applies to men suffering from silicosis advanced. I know four men who, on the first examination in Kalgoolie in 1925, were certified by the laboratory authorities to be suffering from silicosis advanced. Those four men are still working in the mines and on each occasion have been certified to be suffering from silicosis advanced. They look hale and hearty, though they are a little short-winded. When men of that kind are entitled to compensation, we should give them the right to take a lump sum if they so desire. They might consider that with the lump sum they could start a business and make a competence. It is only fair to give them a chance. But, if a man elects to take the lump sum, he cannot come on the fund until he has exhausted, not the amount of compensation he received, but the full £750. The amendment to Section 57 is designed to bring it into conformity with previous amendments. That section deals with prospectors only. The same explanation applies to the amendment to Section 49, which deals with T.B. men only. The Act has not been in operation very long, but I wish to compliment the secretary and members of the board on their work. There is not the slightest doubt that they have set themselves out to study the Act thoroughly.

and to do their best to administer it in accordance with its provisions. I congratulate them on their good work. In their administration they have experienced difficulties, and it is only right to rectify the anomalies and give them an opportunity to administer the Act as they believe it should be administered in the interests not only of the men but of the State. I move—

That the Bill be now read a second time.

On motion of Mr. Stubbs, debate adjourned.

BILL—LAND.

Referred to Select Committee.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [5.43]: I move—

That the Bill be referred to a select committee consisting of five members.

Question put and passed.

Ballot taken and a select committee appointed consisting of Messrs. Hawke, Latham, McDonald, Troy, and Withers with power to sit on days when the House stands adjourned, and to report on the 14th September.

House adjourned at 5.54 p.m.

Legislative Council,

Tuesday, 29th August, 1933.

	PAGE
Ministerial statement, Supply Bill (No. 1) ...	561
Bill: Municipal Corporations Act Amendment, 1b. ...	565
Road Districts Act Amendment (No. 1), 3b. ...	565
Financial Emergency Tax Assessment Act Amendment, 2b. ...	568
Fremantle Municipal Tramways and Electric Lighting Act Amendment, Com. report ...	579
Government Tramways Act Amendment, Com., Recom. ...	580
Yuna-Dartmouth Railway, 2b. ...	581
Resolution: Session, Assembly's Message ...	579

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

MINISTERIAL STATEMENT—SUPPLY BILL (No. 1).

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [+35]: When the Supply Bill was under discussion, certain information was sought by members, and I promised that after consultation with the different departments concerned, I would make a statement to the House. I have now the necessary information, and I desire, with your permission, Mr. President, to place it before members.

The PRESIDENT: The Minister may proceed.

The CHIEF SECRETARY: During the second reading debate, Mr. Hamersley drew attention to the financial hardship experienced by many country road boards. The Minister in charge advises me that this condition of affairs has been duly noted, and it is hoped that the Government may be able to help them in a practical way. The previous Government endeavoured to alleviate the position and, as a result, road boards have been allowed to retain, without deduction, all traffic license fees collected by them as licensing authorities. Previously such collections were liable to deductions amounting in some cases to 22½ per cent. Instances have occurred wherein the revenue from this source has exceeded the ordinary revenue received by the board from rates, etc. Mr. Hamersley also hoped that the Government would not put any obstacle in the way of the provision of the bulk handling scheme. The hon. member will no doubt have seen the Press announcement stating that the Government have appointed a strong advisory committee to report on the effect of the present partial bulk handling scheme now in operation. A report has been received from this committee and the matter is under consideration by the Government. A Press announcement from the Premier appeared in the "West Australian" of Friday last.

Mr. Mann was anxious to know what action is being taken in regard to rebuilding Cave House. The Minister in control is now giving earnest attention to the rebuilding of the destroyed portion, and proposes to approach the Treasurer in reference to this matter within the next week or so. Mr. Mann's suggestion in reference to the Collie-Dardanup railway line was referred to the Minister for Railways who states that the question of utilising Millars' old line for the