

Item, Royal Mint, additional grant, £12,000.

Mr. RODOREDA: What is the reason for the increase of £6,561 in this item? Already £25,000 annually is granted to the Mint under a special Act.

The PREMIER: There has been a great shortage of pennies and half-pennies in Australia, and the Commonwealth Government has made arrangements for copper coinage to be minted in the Perth Mint, a thing never done previously. The necessary preparations have cost a considerable amount. The money received from the Commonwealth for the work results in a profit to the State.

Mr. Rodoreda: This is reproductive expenditure?

The PREMIER: Yes. The Mint is conducted differently from other governmental activities. The Master of the Mint is in London—really the Imperial Government. All the accounts are kept in London. We make a grant in order that the Perth Mint may operate. Usually the operations of the Mint are such that it gets round; occasionally it makes a profit of £400 or £500 in a year. The Master of the Mint in London is in charge of British mints all over the world.

Vote put and passed.

Vote—Forests, £31,655—agreed to.

Progress reported.

House adjourned at 11.18 p.m.

Legislative Council,

Wednesday, 15th October, 1941.

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

PAPERS—LIQUID FRUIT COMPANY.

HON. C. F. BAXTER (East) [4.34]: I move—

That all papers in connection with the financial assistance given by the Government to the Liquid Fruit Company be laid on the Table of the House.

There should be no necessity for a motion of this nature, as Parliament is entitled to know how Government funds are being expended. Why all the secrecy? It is difficult for me to understand. On a previous occasion similar information has not been refused. On the 9th September last, a little over a month ago, I asked the Chief Secretary the following question:—

1, Has the Government made any monetary advances to the Manjimup Dairy Produce Co. Ltd.? 2, Has the Government made any promises to assist that company financially? 3, If any advance, guarantee or financial assistance has been given, what is (a) the value thereof; (b) the reasons for such assistance?

I received the following reply:—

1, No. 2, A guarantee was given for a portion of the overdraft of this company. 3, (a) A maximum guaranteed overdraft £3,000; (b) a guarantee was given in order to safeguard the interests of suppliers by securing for them payments for milk and cream supplied.

The question I asked the Chief Secretary on the 7th October was on all fours with that particular question, as to which the desired information was furnished, yet there was a refusal to supply the information regarding the Liquid Fruit Company. The question regarding the company was as follows:—

1, Has the Government made any monetary advances to the Liquid Fruit Company? 2, Has the Government made any promise to assist the company financially? 3, If any ad-

vance, guarantee, or financial assistance has been given, what is—(a) the value of such; (b) the reason for assistance; (c) what protection has the Government got for any assistance rendered?

The reply given was—

1, Yes. 2, See answer to No. 1. 3, (a) It is the policy of the Government to treat such matters as confidential;—

What a remarkable reply to give to Parliament! I take it that the Government is sitting on a pedestal and refusing to give information on matters of this kind to Parliament. The reply continues—

(b) It is the policy of the Department of Industrial Development to encourage secondary industries that provide an outlet for primary products. There are definite indications that if fruit juices are not produced locally, growing demand for them will be met by imports. Fruit juices from America are already being sold locally; (c) Security over land, buildings and plant.

Whatever they may be worth! One would think that nothing was being done in the way of producing fruit juices in Western Australia. There should be no objection to letting Parliament know how much money has been advanced by the Government to the Liquid Fruit Coy. There can be no secrecy about the manufacture of fruit juice because, apart from the Liquid Fruit Coy., four other companies are carrying on the business in this State and were doing so long before the Liquid Fruit Coy. was established. Those companies were Plaimars, Faulding & Co., McKimm, of Gosnells, and the Fresh Fruit Co. The last-mentioned is a small company that started with a capital of £500, and I understand that is its capital today. It commenced operations in 1929 and is still carrying on business. It must be paying its way, otherwise it would not still be in existence. On the three different occasions when that company approached the Department of Industrial Development, the Minister (Hon. A. R. G. Hawke) refused to assist it. At the most, any advance to it would have to be on a pound for pound basis. Yet another company has, I understand, obtained an advance of £1,800. I want to know if that amount is correct. For what purpose did it receive the advance? We had already companies in the State manufacturing fruit juices.

As regards opposition, that would not come from America. It would come from

the Eastern States and that is what we have to fear. The O.T. Company is in a privileged position, as it has not the burdens to carry that the manufacturers in this State must bear because of our industrial legislation adding to the cost of production. That is a great advantage, and worthy of some consideration. Why pick one concern out, and not another which has a genuine claim for assistance? Probably it is because the manager is a very close friend of the particular person in authority. That is the only conclusion at which I can arrive. An advance of £1,800 is a fair amount, and the security in the Charles-street undertaking would have to be a pretty good building.

I would like to contrast two cases. I have been told what occurred with the Manjimup company, and that was bad enough. It was operating in opposition to the South-West Butter Co. in Manjimup. There was no need to assist that company, because the co-operative concern had facilities to deal with the whole of the butterfat from that district. Further, the South-West butter fat people were prepared, and were negotiating to that end, to take the Manjimup factory over and pay the butterfat suppliers, who were then waiting for their money owing to a shortage of cash in the company. In the meantime, however, the Government stepped in and assisted the man, who began to break up the butterfat scheme of this State. That was one of the measures the Government was proud of, and which was regarded as a godsend to this State. This company, through its operations, owed £1,100 for butterfat levies, and not one penny piece has been paid today.

Hon. J. M. Macfarlane: Nor will it ever be paid.

Hon. J. J. Holmes: Are these the people who were guaranteed?

Hon. C. F. BAXTER: Yes, to the extent of £3,000. They are in opposition to the other concern. They have not attempted to pay one penny, but have evaded payment right through. It is true that an arbitrator was appointed, but upon what terms? I will not weary the House, but I can give full details to any member who is interested. It suffices to say that the instructions given to the arbitrator were such that he was hamstrung in arriving at a definite decision.

Hon. J. J. Holmes: Who appointed the arbitrator?

Hon. C. F. BAXTER: The Minister for Agriculture. Where is the business acumen of this new and costly department in making advances to two concerns such as these? The department has been created, to my mind, to lighten the load of the Minister for Labour. Where is its value? This department costs many thousands of pounds a year and I ask the Minister, when he is replying, to tell me of any industrial concern that the Department of Industrial Development could claim the credit of establishing. He can cover the point I have made in my speech with a lot of ridicule which will probably come back on his shoulders later, but there is not one reference to the information I desire and which members should have. This House should know whether a new department such as this, created under the conditions I have suggested, has been of any benefit to the progress of industry in this State. Goodness knows, it never had a better opportunity than at present, under war conditions, when we are separated from the other States in the matter of freights and supplies. It is a wonderful opportunity to further our industries. All I have ever seen in the Press is where the members of this department have inspected such places as Pearse's boot factory, and jam factories which have been going for years and years. Pearse Bros. do not want financial assistance, which they apparently would not get, but only advice.

If the Minister for Industrial Development is desirous of establishing industries in this State, he will have to alter his methods respecting fostering legislation. Some 29 Bills have been introduced by the Minister since he has held office, from 1936 onwards, and half of them have been rejected because they would have imposed further burdens on industry, and in other cases sought to interfere with the rights of the people. Is that the way to foster industries?

What led me to make this inquiry is this: The writ list contained mention of a writ against the Liquid Fruit Company, for £150 or £130, I am not sure which. That shows how unstable is the concern, to which money has been advanced. Later, I understand, all the shareholders had writs issued against them to force them to pay their subscriptions. My information is that this concern produces grapejuice and grapefruit juice.

It has then gone on to producing carrot and turnip juices, and other such lines. I do not know how it is going to create a taste for these products in Western Australia. It may be all right in America, but it requires a bigger population than we have in this State. The whole thing seems to me to be futile.

Without thrashing the question, I submit that this House has a right to the information requested while money is expended and obligations are entered into by a Government department with outside trading concerns. This policy has been disastrous in the past. An enormous amount of money has been lost not only by this Government but by other Governments, simply because they cannot successfully enter into such classes of business. It is outside the realm of departmental ways of working. Irrespective of any party considerations, members of this Chamber, in carrying out their duty, must realise we should not be thwarted in a matter like this. That is what the Government is attempting to do, and it is withholding information on the plea that it is confidential. How can it be confidential when it deals with assistance to industries? I hope the House will support me and demand that the papers in this case be laid on the table.

On motion by the Chief Secretary, debate adjourned.

BILL—FIRE BRIGADES ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—TRAFFIC ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

MOTION—FORESTS ACT.

To Disallow Regulation.

Debate resumed from the previous day on the following motion by Hon. A. Thomson (South-East):—

That the amendment of the Second Schedule to the Forest Regulations, 1935, paragraph 3 (d), made under the Forests Act, 1918, as published in the "Government Gazette" on the 24th April, 1941, and laid of the Table of the House on the 12th August, 1941, be and is hereby disallowed.

HON. W. J. MANN (South-West) [4.53]: I agree with the contentions of Mr. Thomson and I listened with a good deal of interest to the Minister's reply. I do not think the Minister made out a very good case. Those of us who are familiar with the timber areas know that, excepting in the portions that are heavily timbered, the provision of fencing material has become quite a problem. There are not very many settlers, particularly the progressive ones, who have much timber upon their holdings. Most of them, perhaps under misguided policy early in the piece, destroyed a lot of excellent timber. I recollect when it was the custom for a settler, on taking up an area of land, to set to work and ringbark the whole of the timber. That was a very foolish policy. Thousands of acres of excellent country in the South-West were denuded of very valuable timber under that policy. The idea, of course, was to get the timber off and put the land under pasture.

The settlers are paying for that mistake, and the difficulty of procuring suitable fencing material is involving the newer settlers and those who have bought unimproved areas and desire to set about improving them in quite heavy expense for fence posts, strainers and other requisite timber for their farms. The charging of a royalty of 1d. on each fence post may not seem much, but on a mile of fencing, with posts 10ft. apart, it represents a sum of £2 4s. Some farmers consider that fence posts should be put 8ft. apart and others 9ft. With strong jarrah posts and good wire, the posts may be spaced 10ft. apart, but beyond that I think one would be unwise to go. On a farm, too, a mile of fencing goes hardly anywhere. To fence 640 acres, a farmer needs at least four miles of fencing, and the royalty on the posts would be nearly £9, which is a lot of money.

In addition, the cost of procuring fencing timber nowadays is higher, even though the farmer utilises his own labour to get it, because the trees that the departmental officials mark for cutting will not easily split, and whereas under good conditions a man would cut a certain quantity of timber for a day's work, under existing conditions he may get only 50 per cent. of that quantity. Although this new idea of the department may have some advantage, I must confess that I cannot see what it is. The Minister said it would result in saving con-

siderable time for the forestry officials. I presume the forestry officials would have to go out in any event to mark the timber to be cut and again to tally the timber taken. How the regulation will save a good deal of time from the officials' point of view, I cannot understand. I shall support the motion.

HON. L. CRAIG (South West) [4.58]: I regret that the department has thought fit to impose this royalty on inferior timber for fencing purposes. For many years areas of one sort or another have been reserved in various districts, partly as grazing reserves and partly—those originally intended as timber reserves—for farmers' fencing requirements. Anybody with a knowledge of the conditions is aware that farmers may not cut a tree that has any commercial value. Any tree of milling or sleeper value may not be cut, and the trees that the forestry officials do mark for cutting by farmers are of very inferior quality. The cost of splitting such trees is high. Part of the blame for the undue cost of marking these trees falls upon the Forests Department. If one wants a number of trees for fencing purposes, a written application has to be made to a forestry officer, who in most cases lives many miles away. He, in due course, when he can spare the time, comes and marks sufficient trees—two or three as a rule suffice for the ordinary couple of hundred posts. The trip probably costs the department a couple of pounds, say, from Collie or Kirup. The work occupies the officer for more than a day.

We have had this same trouble before. I then saw the Conservator of that period, Mr. Kessell, who agreed that the forestry officer should make a periodical visit, perhaps twice a year, and mark a considerable number of trees, and place those trees under the control of the secretary of the local road board. Then any settler wanting posts for fencing would apply to the secretary, who would give him written authority to cut his requirements from trees already marked. The purpose of this arrangement was, of course, to save the forestry officer from travelling many miles to mark a few trees, when a fortnight later another settler in the same locality might also want trees marked. Until Mr. Thomson moved his motion, I did not know that that arrangement had been

abandoned. The forestry officer was satisfied with it, so was the road board secretary, and so were the settlers. It is not always a matter of getting 1,000 posts or 500. A settler may want a couple of struts, for instance. Collic and Kirup are two forestry centres 40 miles away, and to get a forestry officer to travel all that distance for such a purpose is simply ridiculous. I shall be very sorry if the old satisfactory system is broken down by the amended regulation merely in order to secure a few pennies by way of royalty. The burden is a stupid one to place on primary industry. Therefore I support the motion.

HON. H. V. PIESSE (South-East) [5.3]:

I do not wish to give a silent vote on this motion, which I support. I know the gentleman in Denmark who wrote to Mr. Thomson. I know that country, and I appreciate the disabilities under which the settlers have suffered. They are now endeavouring to embark on grazing, and naturally they require further fencing for the subdivision of their pasture paddocks. The Minister said the cost involved under the new regulation is infinitesimal, but our primary producers urgently require every infinitesimal amount they can save.

HON. A. THOMSON (South-East—in reply) [5.4]: I listened with much interest to the Chief Secretary's remarks last night. From the honorary secretary of the Denmark branch of the Primary Producers' Association I have received the following communication:—

We requested the Forests Department to waive the royalty on posts and strainers in this district where settlers have no jarrah on their locations. It may be possible that other branches may put this suggestion forward, and we should like to support it. Our application to the Forests Department was unsuccessful.

I fully recognise that the Forests Department is keen to protect and to regenerate forests; but in view of the fact that there is a war on and that, unfortunately, the primary producing section of our community is not in a position to pass on any increased costs, it would have been wise to let this matter remain as it was until after the conclusion of peace.

Hon. L. Craig: Would not this action of the Forests Department come within the scope of the Prevention of Profiteering Act?

Hon. A. THOMSON: The present position is, according to the Minister's statement, with which I agree on that point, that the settlers wish to have free permits continued. The Chief Secretary stated—

Members of the field staff are unanimously of the opinion that it would prove more equitable and satisfactory to abolish free settlers' permits in the South-West and charge a flat royalty rate to applicants who require timber from State forest reserves or vacant Crown lands.

Those remarks represent purely the Forests Department's point of view. As pointed out by Mr. Mann, for a mile of fencing with posts 10 feet apart the royalty alone comes to about £2 4s. That amount may not seem much when it is merely mentioned, but in the aggregate it means increased costs to be borne by the settlers. The estimated additional revenue resulting from the new regulation is only £250 or £300, and therefore I think it would be wise to allow the present conditions to continue.

Hon. G. W. Miles: You do not mean that settlers are to be allowed to go and cut any timber they like?

Hon. A. THOMSON: That is so. I have no desire whatever to increase the work of the forestry officers. We have to bear in mind that the department in any case pays the salary of an officer travelling from one district to another, and this really entails no increased cost. Mr. Craig has indicated an easy solution of the problem of unnecessary travelling of the officials. No doubt the department thought, "Here is another £250 or £300 of revenue available, and we might as well have it." If times were prosperous, one might overlook the matter; but every member with a practical knowledge of the situation realises that the present is not opportune for increasing primary producers' costs. The existing regulation can be reviewed after the conclusion of the war.

Question put and passed.

BILL—CITY OF PERTH SCHEME FOR SUPERANNUATION (AMENDMENTS AUTHORISATION).

Report of Committee adopted.

BILL—INCOME TAX.*Second Reading.*

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.10] in moving the second reading said: This is not a large Bill, but one of great importance. It is a measure which seeks to impose an income tax, and is identical with that passed by Parliament last year, both in regard to its wording and the rates of tax sought to be fixed. The several rates per pound of taxable income are as follows:—

	s.	d.
(1) On the income of companies (other than life assurance companies)	2	6
(2) On the income of life assurance companies	2	3
(3) On interest paid by a company to a non-resident	2	0
(4) On racing stakes	0	4
(5) On the income of individuals a graduated rate commencing at 9.01d. on £1 of taxable income and increasing uniformly by .01d. for every £1 of increase until the maximum rate of 54d. is reached. The maximum rate applies to an income of £4,500 or more.		

Provision is made for the amount of a minimum assessment, namely 5s., as was the case last year. The rates fixed by the Bill will be applicable to those incomes earned during the year ended the 30th June, 1941, and also to those incomes of the succeeding year where assessments will be required prior to the passing of next year's taxing Bill. These assessments may be required on the current year's income where the taxpayer is leaving Australia, in which case the assessment Act provides that tax must be paid up to date of departure; where the taxpayer is leaving the State and desires to settle his taxation liability before he leaves; and where a company is being wound up and the liquidator requires an early assessment.

Hon. W. J. Mann: Does "a taxpayer leaving the State" include soldiers?

The CHIEF SECRETARY: No; not so far as I am aware. As I have already indicated, no alteration has been made in the rates which were imposed by the Income Tax Act of last year, it being considered that the expected revenue on the same rates will supply the required return. The amount of income tax collected for

the year ended the 30th June, 1941, amounted to £1,874,400. The estimate for the year ending the 30th June, 1942, is £2,040,000, representing an increase of £165,600.

Last year, mainly because of the earlier issue of assessments, the taxation returns were much better than previously, and it is hoped that on this occasion, with the early passing of the Bill, assessments will be issued without delay and thus enable the taxation authorities to collect revenue a little more expeditiously than formerly, and thus benefit the Treasury. The Bill is exactly the same as that of last year. There has been no alteration in the rates, and I hope the measure will meet with the approval of the House and be passed without delay. I move—

That the Bill be now read a second time.

HON. L. CRAIG (South-West) [5.17]: I am aware that there is no hope of the Bill being rejected or even amended. It is exactly the same as the Income Tax Act passed last year, but that does not mean that the principle of taxation involved is right. I repeat what I said last year, that the principle of taxation embodied in the first part of the schedule, which fixes a rate of 2s. 6d. in the pound on the profits of companies, is wrong. I disagree with the system. Companies should not be taxed except on the undistributed portion of their profits. The only difference between a company and a partnership is that one has the word "limited" after it. A partnership has not that word; otherwise it is exactly the same as a company. Those associated in a partnership are liable for the debts of the partnership; shareholders of a company are not liable for anything beyond the amount of their capital investment.

The Taxation Department says, "We will tax the profits in the hands of individual partners of a partnership," and it seems to me a fair thing to tax only the profits of a company that have not been distributed to shareholders. The Taxation Department should say, "If a company wishes to establish reserves and not distribute all its profits, we will tax fairly heavily the undistributed portion of those profits." I am glad to say that I have a strong supporter in Mr. Fadden, who says it is doubtful whether the taxation of companies is a good policy. Mr. Fadden is probably

one of the best informed company accountants in Australia. The principle of company taxation is not sound or just. People who have £5,000 a year are taxed at no higher rate than the man with £150 when the income is from companies.

The next part of the schedule deals with the taxation of life insurance companies. From the point of view of equality of sacrifice, this principle is worse still. A mutual life insurance company is a huge accumulation or congregation of people who, for safety, pool their savings in order that they may have something when they are old. Nobody makes any profits. The profits that are earned go back to the shareholders, partners, policy holders, or whatever they may be called.

Hon. G. Fraser: And into reserves!

Hon. L. CRAIG: Yes. Reserves are necessary because the premiums coming in every year have to be invested. The point is that a mutual life insurance company consists of a large number of people each with a small amount of capital. I think I have already pointed out that the average policy is approximately for £200, and the average premium is about £7 a year. Taken by and large, one in seven of the population of Western Australia is taxed by the colossal sum of 2s. 3d. in the pound on the taxable income from a life insurance company. The taxable income of some of these companies is tremendous. I would not be giving away any secret in saying that the income of a company may be greater than the income of the State Government. The sums received by the companies have to be regularly invested in order to provide a stipulated figure in a certain period of a man's life. It does not seem to me to be a just system of taxation to tax a company of that type on the earnings of its annual premiums. I said the same thing last year and I think it is just as well to repeat that the system is unjust and inequitable. The proper method is to tax individuals on profits received.

The rates of tax are the same as last year. The rich men in the front seats here with £4,500 a year will have to pay 4s. 6d. in the pound State tax, the same as last year, but I am sure that will not hurt them.

The PRESIDENT: Order! I must ask the hon. member not to be personal.

Hon. L. CRAIG: I said the men in the front row.

The PRESIDENT: I would rather the hon. member did not say such things.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

HON. A. THOMSON (South-East) [5.24]: I propose to support the Bill, though there are one or two slight alterations that I consider should be made in Committee. It is proposed to amend Section 8 of the Act to give the Minister power to determine what particular parcel of land shall be included within the authority of a road board. I propose to refer to what has happened in my district. I was notified by the secretary of the Katanning Road Board that the matter had been discussed by his organisation. I suggested that the board's views should be put in writing and I have received a copy, which reads as follows:—

I have to advise that the matter of the amendment of the Road Districts Act now before Parliament concerning the transfer of properties, when considered necessary by the Minister, was discussed by my board at their recent meeting. I have now been instructed to advise you that the board would be pleased if you would oppose the suggested amendment as in the opinion of the board it will probably lead to numerous disagreements among local authorities.

I have a subsequent letter in which are stated the reasons for the board's objections. It reads as follows:—

The clause in question, which is the first amendment of any magnitude in the Road Districts Act, was opposed in the Assembly, but the Minister would not accept any amendments. I feel that the road board is justified in its opposition. We already have the example of an amendment made to the Traffic Act for the apportionment of fees, which has been in force for some three or four years. If a vehicle is licensed in one district and used subsequently in another, one local authority is entitled to claim a portion of the license fee from the other. In adjoining districts, particularly those of moderate size as exist on the Great Southern, there would be continual cross-applications for adjustment of fees had it not been for the fact that a number of local authorities decided that the claims on one side could cancel out the claims on the other.

In regard to the proposal in the Bill, we have such examples as this: A certain gentleman has been chairman and member of the

Katanning Road Board for a number of years. A small portion of his farm, including his house, is in the Woodanilling Road Board district. If the Katanning Road Board could get his house block transferred to their district, not only would they have additional rates, but also his license fee. On the other hand, a portion of a ratepayer's land is in the Katanning district, and Broomehill would like to have it, while on the contrary a portion of another ratepayer's land is in the Broomehill district and Katanning would like to have that. It seems to me that the proposal is likely to occasion nothing but strife between local authorities for as soon as one board makes an effort to increase its revenue, or round out its district in one area, the adjoining board will proceed to obtain its compensation by an application in another quarter. And I should say that either the Minister's life will become unbearable from continual applications, or alternatively the boards, or some of them, will take up the same attitude as they have in regard to the traffic fees mentioned above.

The Act gives the Minister power to decide in what particular road board district land shall be included, if it is deemed necessary. In view of the fact that the present system has worked satisfactorily in the past, I think we might very well leave the measure as it stands.

Hon. L. CRAIG: There will be no interference unless there is an application by a board.

Hon. A. THOMSON: The Minister already has power under Section 8 to deal with that very question.

Hon. L. CRAIG: We are not asked to alter that.

Hon. A. THOMSON: But we are, and it is not necessary. The power is definitely included.

Hon. L. CRAIG: If the present situation is satisfactory, will matters not be allowed to remain as they are?

Hon. A. THOMSON: That is why I suggest leaving the Act as it stands. The alteration of two words from "shall" to "may," can possibly have considerable significance. Those words appear in two places in the 1938 legislation. The amending Act of that year changed the word "shall" in Section 38 of the principal Act to "may" and Clause 4 of the Bill under discussion seeks to reverse the position by deleting "shall" and inserting in lieu the word "may." In my opinion, the alteration should not be agreed to. I hope that when the clause is dealt with in Committee the proposal will be rejected, which will mean leaving the Act as it stands now. I empha-

sise that the Minister already has power to determine matters in dispute. Thus, if we let the Act stand, we will save the considerable expense involved in the consequent alteration to the Act.

Clause 3 embodies an amendment to Section 33 of the principal Act in a direction that seems to me rather drastic. Subsection 2 of that section reads—

When a district is divided into wards, every person entitled to vote—

- (a) shall be so entitled for the ward only in which the qualifying land of such person is situated; and
- (b) subject to the next following section, shall be so entitled for every ward wherein any qualifying land of such person is situated:

Provided that where any person is the owner or occupier of land held as one holding and situated partly in one ward and partly in another ward, the whole of the land shall be deemed to be situated within one of such wards according to the choice of the person entitled to be registered in respect thereof, such choice to be made at or before the time appointed for the holding of the revision court, or if no choice is made, according to the determination of the board.

The Bill seeks to effect an alteration in that portion of the Act by adding an additional proviso which sets out that any person when making his selection of the ward or wards in which he desires to be registered as an elector, must also state the number of votes he is entitled to exercise in the ward or in each of the wards respectively. The proviso further sets out that should the person fail to make the selection and furnish the required information, the board may select the ward or wards in which the ratepayer shall be registered as an elector and determine the manner in which the votes shall be distributed. That is all right so far, but the proviso goes further and prescribes that where the required selection has been made, either by the ratepayer or by the board acting for him, such selection must stand until after the expiration of three years. In effect, that means that once the change has been effected, no alteration can be made for three years.

Hon. L. CRAIG: What is wrong with that? You do not suggest that a ratepayer should change and chop about every year, altering his decision regarding the ward in which he will cast his votes?

Hon. A. THOMSON: That is an alteration. A man may have a preponderance of votes in one ward. Let us suppose he

has neglected to notify the board regarding the ward in which he desires to exercise those votes.

Hon. L. Craig: He has neglected to carry out his duty.

Hon. A. THOMSON: Yes. The board will then decide how his votes shall be allocated and in which ward or wards they will be distributed.

Hon. J. Cornell: Does not the man deserve that treatment if he neglects his duty?

Hon. A. THOMSON: Perhaps, so; but the effect will be that he will not be able to decide the matter for himself until after a period of three years. That seems to be the power that is vested in the board.

Hon. L. Craig: No alteration is likely, because there would be a fight for his votes in his ward.

Hon. A. THOMSON: I am merely dealing with the position as I view it.

The PRESIDENT: Order: I suggest to hon. members that these details may well be discussed in Committee.

Hon. A. THOMSON: If members turn to Section 38 of the 1919 Act they will note that Subsections 1 and 2 read—

1. On or before the fourteenth day of January in every year, the board shall make out, in the prescribed form, a list of all owners of rateable land within the district.

2. When a district is divided into wards a separate list shall be made out for each ward.

Those subsections were amended in 1938 by striking out the word "shall" in both instances and inserting "may" in lieu. In the Bill under discussion we are asked to restore the subsections to the form in which they appear in the 1919 Act. I shall oppose that amendment and shall indicate my reason for that attitude.

Hon. J. Cornell: It is purely a matter for the Committee to decide later on whether the words shall be "may" or "shall."

Hon. A. THOMSON: Yes, but I am drawing attention to the reversal that has gone on in past years and suggesting that we should give the matter careful consideration.

Hon. J. J. Holmes: Does not "may" mean "shall"?

Hon. A. THOMSON: Apparently not.

Hon. J. Cornell: The hon. member is merely demonstrating what an elastic machine our Parliament is.

Hon. A. THOMSON: I do not agree with that suggestion. The Minister in charge of the Bill gave as one reason for supporting the amendments the fact that the Road Board Association had requested they should be enacted. I shall not oppose these various matters but they should receive consideration. I shall vote in favour of the amendment Mr. Wood has on the notice paper because it is in conformity with the request made to me by road boards in my province. I feel, however, that the Bill in its present form will interfere with the rights of ratepayers and I shall be prepared to discuss that phase later on. We should review the issues calmly and dispassionately, and I trust the Minister will be able to advance satisfactory explanations of the proposed amendments. I may anticipate his reply by suggesting he will indicate that they have the approval of the Road Board Association.

The Chief Secretary: In this instance you want us to accept the minority view.

Hon. A. THOMSON: The minority is not always wrong.

Hon. G. Fraser: We often think that is so—on our side of the Chamber.

Hon. A. THOMSON: I support the second reading of the Bill.

HON. H. TUCKEY (South-West) [5.40]: I support the second reading of the Bill, which is designed to assist road boards. I commend the Government upon the manner in which it is endeavouring to render the desired assistance. I cannot agree with Mr. Thomson in the views he has expressed regarding the effect of Clause 2. I have an amendment on the notice paper which I think will largely overcome the objections he raised. If the clause as a whole is defeated, the worth of the Bill will be appreciably less. Clause 5 provides that all ballot papers and counterfoils used at elections are to bear numbers. That means to say that the ballot paper will be numbered and the counterfoil must bear a similar number. I am rather afraid that such a method will tend to defeat the secrecy of ballots. I trust the Minister will not proceed with the Committee stage this evening but will allow us time to look into that particular point.

Hon. A. Thomson: It is a very important point, too.

Hon. J. Cornell: There is nothing at all in it—if one knows anything about elections.

Hon. H. TUCKEY: Another point raised by Mr. Thomson was that the road board should not have the right to allocate votes to any particular ward.

Hon. A. Thomson: The trouble is that the votes will be tied up for three years.

Hon. H. TUCKEY: That is so, but road board members are elected for three years and it would not be fair if rolls were altered during that period. The Bill is essentially one for discussion in Committee and I shall not deal with it further at this juncture. I ask the Minister to defer the Committee stage till the next sitting of the House.

HON. V. HAMERSLEY (East) [5.43]: I do not view several of the clauses of the Bill with much favour. Speaking to me recently a ratepayer remarked: "Parliament has before it now a measure under which two road boards will be able to tell me to which board I shall pay my rates. The boundary of two boards runs through my property. I am particularly concerned about this matter because I have appealed year after year to one of those boards to attend to a firebreak along my boundary fence adjoining its reserve in order to protect my property. I have not been able to get any help from the board in that direction. Considering the matter as a whole, I certainly do not favour being included in that board's area. I would prefer to be placed in another board and I understand the legislation you have before you does not provide me with any right of appeal respecting that or any other question involved."

Hon. J. Cornell: But the measure applies only where boards are required to take action.

Hon. V. HAMERSLEY: It is not a matter of wards and I think great difficulty will be experienced. I am dealing particularly with Clause 2 of the Bill. That is the main part of the Bill. The owner is given no right of appeal. The whole question is decided between the two local authorities. The danger exists that a particular property may be drafted into one road board district.

Hon. L. Craig: Not necessarily.

Hon. V. HAMERSLEY: Not necessarily if neither road board decides upon that course being adopted. If road boards like to get together and decide amongst themselves a question of that sort, the owner has no say. I have quoted the case of a man who knows he has been severely and unfairly treated by one particular road board. He does not wish to have anything to do with the local authority that has been unnecessarily severe upon him, and in days gone by has caused him to get rid of part of his property. On one occasion he appealed to the court against the rating, and the court reduced the road board valuation, although the new valuation was still in excess of the true one. The owner of the property was then called upon to pay on the reduced figure. When 12 months had gone by the road board reverted to its original valuation, and indicated its intention of putting the owner to the expense of having the whole business gone through once more. Thus the man in question would be in the unhappy position every year of having to appeal to a magistrate against the decision of the board. In all the circumstances, instead of being left to the tender mercies of the board and the Minister, and having part of his property brought within the control of one board and another part within the control of some other board, he would rather be placed under the control of board "A" and have nothing whatever to do with board "B." Practically all his business affairs come under the control of board "A," although board "B" can extract rates from him. The latter board is not really interested in his property and he gets very little benefit from it.

Hon. G. Fraser: Do you suggest that he should be given the right to say what the road board boundaries ought to be?

Hon. V. HAMERSLEY: He would like to have some say in where his principal interests lie. He would rather remain as a ratepayer of the road board from which he gets the most satisfaction. I know of another person whose property is divided between two different road boards. The same thing occurs there. In that instance the local authorities have been quarrelling for a number of years. The land in question is in the country. The local authorities have between them been charging this landowner rates on 1,000 acres of land more than he possesses. He has not been able to get to the bottom of the trouble yet. Each road board

claims to be in the right. He has conferred with the Midland Railway Company and the Lands Department, but has not been able to sift the matter to the bottom. Both road boards are satisfied to go on as they are because they are receiving more revenue than they should be getting from the respective portions of the property in which they are interested. One road board might be prepared to do a fair thing, and the other might do nothing. Apparently the Minister is to decide whether road board "A" or road board "B" is to have full control. In this instance the man in question would be unfortunate if all his rates had to be paid to road board "A," when that authority was not likely to do as much for him as if his rates were paid to road board "B." He would, therefore, like some say as to which road board should control his territory. If he has no right of appeal or any chance of getting consideration, he would prefer to see the measure dropped.

Hon. J. J. Holmes: He does not deserve to be in possession if he has paid for 1,000 acres more than he owns.

Hon. V. HAMERSLEY: Each of those road boards maintains that it is correct in its figures, and states that if an alteration is made it will have to look somewhere else for its revenue. Probably the road boards concerned would have to place a higher value on the land in question or else put the rates up, and in that way get a little more out of the individual than if the matter were left as it is. For that reason, possibly, nothing has been done in the meantime. Then there is the question of loans. A local authority may borrow money and expend it on some large and important work. Most of these local authorities have scattered townships. Portion of a township may derive some benefit from the expenditure of the loan money, and the other part may derive no benefit. That sort of thing occurs in many centres, as for instance when a deep drainage system is put in. I gather from the Bill that if the revenue of the local authority from those benefitting from the expenditure is not sufficient to enable it to pay interest on the loan that has been raised, it will use its ordinary revenue to make up the difference. That is rather unfair. People who have not benefited from the expenditure of the money may thus be called upon to contribute towards works that are of no assistance to them. The ordinary

revenue of the district would be required to make good the shortages incurred as a result of providing facilities for other people. It has been suggested that this is more in the nature of a Committee Bill. We should be careful before we pass the various clauses, but meanwhile I intend to support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 8:

Hon. H. TUCKEY: I move an amendment—

That in line 25 of proposed new Subsection 3 after the word "thereof" the words "Before any local authority shall apply to the Minister for the determination of any of the questions aforesaid, the local authority shall give notice in writing of its intention to make such application to any ratepayer interested in such parcel of land. Any ratepayer interested shall be entitled to acquaint the Minister in writing of his desire as to any of the questions to be determined and his reasons therefor. The Minister in arriving at his determination of any of the questions aforesaid, shall take into consideration any desire so expressed" be inserted.

I was not able to have this amendment placed on the notice paper. I think, however, it will remove the objections raised by Mr. Thomson. When the clause is amended we shall have no reason to be afraid of it. The Minister will take into consideration all the circumstances before giving a decision. Road boards will give notice to the ratepayer concerned, and he will have an opportunity to express his desires to the Minister as to the district in which he would prefer to remain. There are times when road boards cannot agree, and that is not in the interests of anybody. The amendment will put an end to a lot of squabbling over boundaries, and will protect the interests of ratepayers.

Hon. L. CRAIG: I support the amendment. The Bill provides that road boards may ask the Minister to determine in which district certain land shall be placed, but it contains no provision for consulting the owner. The amendment, however, provides that the owner of the land shall be consulted. That is desirable and meets with

the wishes of Mr. Hamersley and Mr. Thomson. The ratepayer should have some say as to the district in which his property should be included.

The CHAIRMAN: The amendment is self-explanatory.

Hon. L. CRAIG: Yes.

Hon. W. R. HALL: I support the amendment. A ratepayer should have a voice as to which local authority should rate his property. In a district on the goldfields, the boundary between two local authorities passed through a quarter-acre lot belonging to a ratepayer whose property thus came under the jurisdiction of the two authorities. The difficulty was overcome by the local authorities themselves agreeing to have the boundary rectified. That agreement in turn was approved by the Minister and thus the position was put right.

The HONORARY MINISTER: I am surprised at the serious way in which members are taking this matter.

Hon. J. J. Holmes: Are you opposing the amendment?

The HONORARY MINISTER: It is harmless, but unnecessary. The object of giving the Minister power to make a decision in these matters is to avoid unnecessary expense in advertising.

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

Clause 3—agreed to.

Clause 4—Amendment of Section 38:

Hon. A. THOMSON: Will the Minister explain why the Government now decides to revert to the wording of the section in the principal Act?

The HONORARY MINISTER: A mistake was made when the Act was amended in 1938. The section should not then have been altered.

Clause put and passed.

Clause 5—Amendment of Section 87:

Hon. H. TUCKEY: It seems to me undesirable that a ballot paper should bear a number. Would the ballot in that event be secret?

The HONORARY MINISTER: That is the usual procedure. The amendment corrects an anomaly.

The CHAIRMAN: The Honorary Minister is referring to postal votes?

The HONORARY MINISTER: Yes.

Clause put and passed.

Clauses 6, 7—agreed to.

Clause 8—Amendment of Section 245:

Hon. A. THOMSON: I move an amendment—

That the following paragraph be added to proposed new Subsection (5):—“(c) If in any year the net income and the proceeds of the loan rate imposed under paragraph (b) of this subsection are together insufficient to meet the commitments of the board in that year in respect of any such undertaking the board may pay the deficiency out of its general revenue.”

This amendment is on the notice paper in the name of Mr. Wood. It is possible, owing to a miscalculation, that a board may not receive sufficient money with which to meet its commitments. The amendment will render it possible to make up the deficiency out of ordinary revenue.

The HONORARY MINISTER: The amendment is quite unnecessary, as the point is directly covered by Section 245 of the Act.

Hon. H. TUCKEY: There seems to be some confusion. Clause 8 refers to loans for reproductive undertakings, but I think the amendment relates to loans for the construction of roads or footpaths.

The Honorary Minister: The amendment is unnecessary.

Hon. H. TUCKEY: That is so.

Amendment put and negatived.

Clause put and passed.

Clauses 9 to 11, Title—agreed to.

Bill reported with an amendment.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4:

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

That paragraph (a) be struck out.

Clause 2 alters the definition of “worker” to include a person earning up to £600 a year. There is no necessity to increase the

amount above £400. I desire to amend the Act to exempt certain payments. I had intended to make the wage calculation "exclusive of overtime." That, however, would not meet the situation because I have overlooked the fact, particularly in the mining industry, that the district and industry allowances will take the worker's wage beyond the £400 mark. Wages are high with the present cost of living, but that may not apply in the years to come. I have not known privileges of this nature to be curtailed. By inserting the words "exclusive of overtime, district allowance and industry allowance," we will meet the case of those who earn over £400. It cannot be said those who earn more than £400 per annum are workers who should be brought under the Act, except by agreement with the employer. There is, however, a trap there. In some industries the insurance companies would not be too keen on accepting the risk. On the other hand, and I know this from experience, if an insurance company does a reasonable business with an employer, it will certainly meet him by extending the provisions of the Workers' Compensation Act to employees earning above £400 per annum. A person earning beyond that amount has the right to insure himself under a sickness and accident policy, which is really better than the Workers' Compensation Act. It costs £6 6s. a year, and the worker receives £6 per week for some considerable time in case of sickness.

Hon. H. V. Piesse: Does it provide similar cover?

Hon. C. F. BAXTER: A few cases of illness such as appendicitis, operations for the removal of gallstones and such like might not be covered under such a policy, whereas if they arose out of injuries received at work the Workers' Compensation Act would cover them. I have heard some members suggest £500. That would be wrong in principle. The position can be met by setting aside the extra allowances and the overtime, and justice can still be done to those who want to avail themselves of the protection of the Workers' Compensation Act.

The HONORARY MINISTER: Although the amendment will be an improvement, it will not meet the position. If the war industries develop, men will be working shifts for which they will get extra pay which may take them outside the scope of the amend-

ment. Also, owing to the grave shortage of skilled workers, many men will be receiving high wages, which they will receive only so long as the war lasts. There should be some provision made for these men in case they get injured.

Hon. J. J. Holmes: But the provision will be there after the war is over.

The HONORARY MINISTER: Even if it is, it will not make the difference Mr. Baxter suggests. Why not make provision to meet the war position? The argument raised by Mr. Baxter dealing with accidents and sickness policies is not fair. Many men in special munitions jobs will be outside the scope of the Workers' Compensation Act, which should govern the situation. They may receive serious injury, but will not get any compensation. The arguments I adduced on the second reading cannot be refuted. Three States have included a similar provision. In New South Wales the amount goes up to £550. We should look after the men we expect to work night and day to provide the munitions of war.

Hon. J. J. HOLMES: I admit we have to look after those men, but it is all adding imposts to industry. The obligation is on a man who receives £8 a week or more to take out an accident policy for himself and not pass the responsibility on to industry. I have inquired regarding accident policies and find a man can insure up to £500 for from 1s. 9d. to 4s. 6d. a week, depending upon his occupation. That would entitle him to a total disability payment of £500, and to £5 a week for 52 weeks. The reason these charges are so liberal is that the patient has to pay his own doctor. That is what is killing this country—the payments to doctors. In addition to accidents, there is sickness, which comes under the same heading. Sickness covers about 60 to 70 ailments, including appendicitis, typhoid, meningitis. I would make any man earning over £8 a week take out such a policy, which would cost at the most 4s. 6d. a week.

Hon. G. Fraser: How would he pay it?

Hon. J. J. HOLMES: He can pay it quarterly. The highest costs about £12 a year. He can pay £3 a quarter. We should not place any additional burden on the primary producer and so make it more difficult to sell our goods on the world's markets when in due course they can be shipped oversea. The Honorary Minister spoke of

long hours, high rates of wages paid, and overtime. Surely that places the worker in a better position.

The Honorary Minister: I spoke of payment for skilled work.

Hon. J. J. HOLMES: Such men are in a better position to look after themselves. When I was a young man 18 years of age and living on 30s. a week, I took out a policy with the A.M.P. Society and have had it ever since. Nothing of that kind is done today. The employers are expected to pay it and industry has to carry the burden. The stage will be reached when industry will not be able to carry it. If we make it £400 a year plus overtime plus the goldfields and industry allowances, we will do very well. I support the amendment.

[Hon. G. Fraser took the Chair.]

The HONORARY MINISTER: I admit that there are insurance policies that can be taken out with the A.M.P., but Mr. Holmes would find that today a man 45 years of age who took out a policy would have to pay four times the rate that formerly applied.

Hon. L. Craig: Industry has to pay it.

The HONORARY MINISTER: Furthermore, it was recognised years ago, all over the world, that workers' compensation was a charge on industry and not on the individual.

Hon. L. B. Bolton: Industry cannot stand it.

The HONORARY MINISTER: It can.

Hon. W. J. Mann: Not an unlimited amount.

The HONORARY MINISTER: It is not unlimited; it is a fair charge. Furthermore, the amendment would not cover a man who has to work on the mines on Sunday, for which work he receives double pay. Such a man does not work on Sunday because he likes it; he is compelled to do so.

Hon. G. W. Miles: I am told that the miners are provided for.

The HONORARY MINISTER: Only by agreement.

Hon. L. Craig: They are all covered.

The HONORARY MINISTER: Not by law; only by agreement, which has no legal effect. It should have legal effect in all industries where special demands are made on the workers.

Hon. H. V. PIESSE: In the sleeper-hewing industry a man may take out an accident policy at practically half the cost

of workers' compensation. Every worker should be insured, but if an individual applies for an accident policy, it remains to be seen whether the company will accept it. There is no obligation on a company to grant accident cover. To be covered by workers' compensation is totally different from being covered by an accident policy, so we should not cloud the issue by introducing the subject of accident insurance.

Hon. C. F. BAXTER: Mr. Piesse's remarks would apply to a man on £500 or £600. There must be a finishing point somewhere. In New Zealand, the provision is similar to my proposal; the amount of overtime is not reckoned in the qualifying amount. At present the Leader of the Labour Opposition in South Australia has an amendment before Parliament to the same effect, and this State would do well to adopt it.

Hon. J. CORNELL: On the second reading I expressed the opinion that £600 might be too high, but the Committee seems to be considering the question from a wrong angle. In 1902, £300 was considered a fair amount. The Act was consolidated in 1912, and the sum of £300 was retained. In 1924, because of the depreciation of money values, the amount was increased to £400. This is the only test we can logically apply in determining the amount on this occasion. What was £400 worth in 1924 as compared with now? We should either retain the present amount or raise it in accordance with the difference in money values. Mr. Baxter's amendment will not work because it is wrongly based.

Hon. C. F. Baxter: In what way?

Hon. J. CORNELL: The difference between the basic wage in Perth and Marble Bar is about £2 a week, so while the worker in Perth would not be affected, the worker at Marble Bar would be excluded. Members have said that an increase is not necessary in the mining industry. The increase in wages, plus district and industry allowances, have brought wages up, and the mining companies decided that the men on higher rates should be covered. The companies do not care if a man on contract earns £100 a week. What they are concerned about is getting a certain grade of ore delivered at the mill at a certain price per ton. That is the difference between the old and new methods in the industry.

Hon. A. Thomson: Do you suggest that a man getting £100 a week should come under workers' compensation?

Hon. J. J. Holmes: The mining companies have a commodity in world demand.

Hon. J. CORNELL: Let the hon. member compare the cost of timber today with the cost 20 years ago.

Hon. J. J. Holmes: Are not the State sawmills keeping the price down?

Hon. J. CORNELL: The amendment would be unworkable.

Hon. C. F. Baxter: Why?

Hon. J. CORNELL: The mining companies could discontinue covering the men in receipt of more than £400 a year.

Hon. T. Moore: Then there would be trouble!

Hon. J. CORNELL: The men in the mining industry would be loaded to the extent of overtime and district and industry allowances as against men who work no overtime, and thus would be cut out of workers' compensation.

Hon. C. F. Baxter: I propose to exclude overtime, district and industry allowances.

Hon. J. CORNELL: What about the pieceworker? He receives no district allowance. Rather than complicate the matter, the present amount should be retained or raised to £450 or £500. The only men in the mining industry who work overtime are tradesmen, their labourers, and a few surface men. Have not wages increased since 1924?

Hon. G. W. Miles: Yes, by people doing less work.

Hon. J. CORNELL: If money values have depreciated, the amount might well be increased proportionately.

Hon. W. J. MANN: On the second reading I considered there was a case for an increase. Mr. Baxter's amendment would have much the same effect as my idea, namely, that the amount should be increased to £500. The position will be complicated if we take into account extraneous matters like overtime, district and industry allowances. It would be better to fix a definite amount.

Hon. C. F. BAXTER: The overtime, district and industry allowances will be known and will be excluded, so there will be no difficulty in giving effect to the amendment. What will be taken into consideration will

be the wages earned by the worker apart from overtime, district or industry allowances.

Hon. T. Moore: What about pieceworkers who are earning more than £400?

Hon. C. F. BAXTER: They can insure themselves.

The HONORARY MINISTER: Mr. Cornell has submitted an unanswerable case in support of an increased amount. The Committee would be well advised to reject the amendment and specify an increased amount in the Bill.

Hon. G. W. MILES: The alteration proposed by the Government will impose another burden on industry, and a heavy burden, too. Workers' compensation costs more in this State than elsewhere in Australia. Instead of the Government endeavouring to bring down the rates, its legislation has the effect of increasing the burden on industry. I doubt the accuracy of an answer given to a question that the increased cost for insuring Government employees will be only £1,400 a year. There is no denying the fact that the cost must be added to every industry in the State. Where is it going to end? A man earns £400 a year and if he is protected to that amount, surely that is sufficient! If the charges for workers' compensation in this State were under, or equal to, those in the other States, there might be something in the proposal, but our charges are higher and this legislation will increase them still further. I do not know whether members of the Government are talking with their tongues in their cheeks or whether this is electioneering propaganda, but we have a Minister for Industrial Development who is supposed to be endeavouring to establish secondary industries in this State. This class of legislation will ruin secondary industries and prevent new enterprises being established. Everything is being done to hinder the development of the country. Everyone wants to see the workers decently treated, but, as I said years ago, and my colleagues have stated, the whole cause of the trouble is the amount provided for medical fees. If the Government had introduced legislation to remedy that position, it would have done something for the good of the country, but this legislation will increase costs in every direction. The amount of £1,400, stated by the Minister to represent the added expense this will mean to the Government,

is absurd. It will probably be nearer ten times that amount. It is all very well for the Minister to shake his head. He talks about creating reserves and about workers' compensation being undertaken so much more cheaply by the State. The Government has invested £50,000 from the State Government Insurance Office in the war loan. Why cannot that office reduce rates, obtain all the business and drive out the private concerns?

Hon. C. F. Baxter: They would increase the rates!

The CHAIRMAN: There is nothing in the amendment regarding rates.

Hon. G. W. MILES: I say there is! There is nothing actually regarding rates perhaps, but I am speaking of the effect of extending the definition of "worker" to cover a man earning £600 a year. That must increase rates, and every industry in the country will be affected. I hope the amendment will be carried.

Hon. T. MOORE: I find that when some members have a very bad case they resort to considerable exaggeration. Especially does that apply to some of the representatives of the North Province. When a man says that every industry in the State will be affected, he is talking through his hat. How will the great pastoral industry be affected? How many men in that industry receive over £8 a week?

Hon. G. W. Miles: There are other clauses in the Bill besides this one that will affect that industry.

Hon. T. MOORE: We are discussing Clause 2 at present. Why do not members single out an industry that will be affected and tell us how many men are concerned? If this is a House of review, let us get down to facts. Do Mr. Hamersley or Mr. Piesse pay any man over £8 a week? Mr. Bolton may pay a few.

Hon. G. W. Miles: He passes the cost on to the primary producers you are supposed to represent.

Hon. T. MOORE: When I have pointed out that primary industry has been affected by the great interest bill that has to be paid, Mr. Holmes and his colleagues have asked, "How much do they pay? What does the farmer with 1,000 acres pay in interest?" Quite a lot of men stagger on with a £3,000 debt and £180 interest bill. This is a small item. Men carrying on industry have to be looked after and I want members to indicate

how industries will be adversely affected. They are making a scene over what is really of little moment. A few men on the higher rung of the ladder are affected, but only in the mining industry, and the mine owners themselves, having the good sense to seek industrial peace, have arranged to cover their men. Apart from that industry how many men are receiving over £8 a week? Mr. Baxter will not face up to the position of the men working in the mining industry who are not legally covered. There may be a breakdown at any stage and there will be industrial trouble if any section withdraws from the agreement. Those working in the mining industry do not load anything on to the primary producers. How can they? How many in the timber industry get £8 a week? How many in the agricultural and pastoral industries earn that sum? I have done a lot of battling to build up the industry in which I am engaged. Mr. Miles has had others working for him and he is not prepared to do for the men who worked for him what I have done in my sphere.

Hon. G. W. Miles: I have done as much as you have done!

Hon. T. MOORE: The hon. member has been in this city for a considerable period during which time I have been working. Let us follow the lead of the mining industry and increase this rate to what is considered a fair thing. Let members move for the insertion of a figure they think should be included and cease talking about the effect on industry.

Hon. L. B. BOLTON: Previous speakers have lost sight of the industries that will be most affected by any increase, namely the secondary industries of this State, which should be given most consideration. Some members may not agree with me when I say that our primary industries are on a sound footing, but they are on a sound basis so far as development is concerned. The primary industries can hold their own with similar industries in the rest of Australia, but the secondary industries cannot do so. We have battled for years to establish our secondary industries on a firm foundation. Our industries are beginning to secure contracts and I give the Minister for Industrial Development credit for his endeavours. The trouble is that he wishes to proceed in his own way and to ensure that the workers secure all possible benefits. Unfortunately the Min-

ister wants to go a little too far, and what he gives with the right hand he takes with the left so that in the end industry is not appreciably assisted. Those who will suffer will be the people associated with war contracts. I say advisedly that if any further loads are to be placed on industries, we will not get any more contracts after those at present in hand have been completed. If we miss the present golden opportunity to establish industries it will not recur. The suggestion advanced by Mr. Baxter should meet the case, and I shall support his amendment to fix the amount at £400 without concessions for overtime and so on. Mr. Moore suggested that there were not many men in secondary industries earning over £8 a week. I admit that that is so, but is that not an argument why the total amount should not be increased? The Honorary Minister said there would not be much shift work but any such work would be mostly process work of which the percentage is naturally small.

Since the outbreak of war I have been closely associated with the officers charged with the responsibility of letting war contracts and I have been told time after time that Western Australia will not secure further contracts if our production costs are higher than those operating in the Eastern States. Our industries certainly cannot possibly compete if we continually add to the loadage upon them. I do not want the workers to be adversely affected and I agree that we should pay reasonably good wages. I am afraid that if we continue to add fresh imposts, once we finish the contracts we have at present, including those being carried out at the Midland Junction Workshops, we shall not be able to stand up against competition with Eastern States concerns and we shall lose the golden opportunity of our generation.

Hon. J. J. HOLMES: We have been told about the goldmining industry and what it has done. I refuse to believe that mine-owners or mine managers are better employers than those engaged in other activities, but what they are after is—gold. That is what the world wants today. To suggest that if the amended definition of "worker" were adopted the mine-owners would take the action suggested, is so much moonshine.

Hon. T. Moore: Wait until the price of gold slips back.

Hon. J. J. HOLMES: The first thing that would happen on the fields would be a strike as a result of which down would go the gold yield. In that event the companies' London offices would want to know something about it. The Honorary Minister told us about the position in some of the Eastern States but did not mention the amount received by the worker who is covered by worker's compensation legislation in Victoria. That State is our keenest competitor and has controlled our secondary industries for years. The maximum in Victoria is £400. Why did not the Honorary Minister mention that point during his remarks?

The Honorary Minister: You mentioned the fact yourself.

Hon. J. J. HOLMES: I must ask the Honorary Minister to be fair. Before consideration of the Bill is completed I shall ask him to withdraw statements he made regarding the medical fraternity. Mr. Moore wanted to know how many men would have to be paid for in connection with the pastoral and farming industries. How many men do we have to pay for in the Railway Department?

Hon. T. Moore: Not too many.

Hon. J. J. HOLMES: We will have to pay for more if the Bill be agreed to in its present form. Already railway freights have been increased and at least two increases of freight have been imposed on North-West shippers.

Hon. T. Moore: There is a war on.

Hon. J. J. HOLMES: Any increase in this Bill will affect the agricultural and pastoral industries. Any suggestion to the contrary is moonshine.

Hon. L. CRAIG: I find myself rather in a dilemma. At first I had clearcut views regarding the Bill; they are not so clear now. I take it the real intention of the measure is to cover now workers who were covered before so that no one shall be excluded from privileges enjoyed before, while at the same time not including any new workers.

Hon. J. Cornell: That is the real issue.

Hon. L. CRAIG: I regard that as quite desirable. I put the position to a man who is probably the biggest industrialist here today. In reply to my question as to whether it was desirable to exclude some of these people, he replied that it was not and that those who had been covered before should

be covered now. He further informed me that his worker's compensation costs over all averaged 5s. per week per man. If we retain the present amount and exclude overtime, district allowances and so forth, I am afraid, as Mr. Cornell suggested, there will be some confusion. I think this Committee should be competent to assess the sum that should be fixed. We can exclude the mining industry and primary industries and concentrate on secondary industries. As the maximum of compensation is £3 10s. per week irrespective of what the worker's maximum income may amount to, if we can arrive at a figure that will cover now the man who was covered in the past, that should provide a simple method of overcoming the difficulty. I do not know enough about the depreciation of money and so forth to say offhand what the amount should be. I suppose the depreciation in the value of money has been about 8 per cent.

Hon. J. CORNELL: What has the depreciation been since 1924?

Hon. L. CRAIG: Very considerable. Naturally wages have increased owing to war conditions and therefore some alteration is necessary. Mr. Mann suggested that the amount to be fixed should be £500. Unless I am convinced to the contrary I shall support that figure and in the meantime will oppose Mr. Baxter's amendment.

Hon. A. THOMSON: I am rather in the same position as Mr. Craig. I have already indicated my view that insurance should be compulsory and entirely controlled by the Government. A statement by Mr. Cornell made me think seriously when he indicated that no one had submitted figures indicative of increased costs as affecting the scale of wages. The "Statistical Register" dated the 30th June, 1941, goes back as far as 1926 and quotes the basic wage for that year as £4 5s. The wage rose to £4 6s. in 1930. In the following year it slipped to £3 18s. and in 1932 was down to £3 8s. Now we find the basic wage fixed on the 28th July last at £4 10s. 5d. The basic wage declined during the depression period, but there has been a steady increase in it from 1937 onward.

We have heard a good deal tonight about wages exceeding £8 per week. Of all the employees quoted in the "Statistical Register," however, only one branch exceeds £8 per week. That is the linotype operators, who earn £8 11s. 7d. per week, but are pieceworkers. The next highest are the pattern-

makers, earning £7 2s. 6d. Then come leading hands in sawmills, £6 14s. 3d. I fail to find more than one rate of wages now being paid which exceeds £8 per week. I have no desire to take away from the workers any benefit they enjoy under the Workers' Compensation Act, but I endorse Mr. Bolton's remarks in that connection. The Government, with a genuine desire to foster secondary industries in Western Australia, appointed a special Minister to explore every avenue for establishing new industries here. Mr. Bolton drew attention to the position regarding munitions. I strongly desire that munitions should be made here, because that would mean additional employment for our people.

I have come to the conclusion that Mr. Baxter's amendment is reasonable. The Minister for Industrial Development and the Honorary Minister should have given facts and figures justifying the increase of the maximum to £600, but such information has not been supplied in either Chamber. Ever since I have been a member of the Legislative Council I have consistently battled for the youth of Western Australia to have opportunities to learn trades comparable to the opportunities existing in the Eastern States. On another clause I shall require a fuller explanation with regard to pieceworkers than was given by the Honorary Minister in replying to the second reading debate. I want to see pieceworkers protected. Men receiving over £8 per week, however, could surely protect themselves by taking out accident policies. When Mr. Baxter moved his amendment I felt inclined to oppose it, but having in the meantime examined the figures I have quoted from the "Statistical Register" I am now inclined to support the amendment.

Hon. J. CORNELL: In order to test the feeling of the Committee, I should like to move an amendment on the amendment to strike out the word "six" in the last line of paragraph (a). That refers to the increase from £400 to £600. If such an amendment on the amendment were negatived, the result would be that Mr. Baxter's amendment could not be put to the Committee, but if the Committee decided to strike out the word "six," it could then refuse to insert anything.

The Chief Secretary: If the word "six" be struck out, what would you put in its place?

Hon. J. CORNELL: Perhaps "five;" or I might move to make the amount £450. Let us not run away with the idea that all men engaged in the mining industry are insured, thanks to the benevolence of mine managers. Only some of them are insured. A specious argument is being used that now we are at war we should establish and expand primary industries, but that if we increase the amounts payable in respect of workers' compensation, we shall hamper those industries. I understand that the maximum in South Australia is over £500.

The Honorary Minister: It is £520.

Hon. J. J. Holmes: In Victoria it is £400.

Hon. J. CORNELL: It has been said that Victoria is our greatest competitor. A complete answer to that statement is that, despite the fact that the cost is £120 higher in South Australia than it is in Victoria, South Australia has done as well as has Victoria.

Hon. L. B. Bolton: South Australia is just coming into its own.

The CHAIRMAN: I could not accept the amendment on the amendment suggested by Mr. Cornell, because the amendment is to strike out the whole paragraph.

Hon. J. Cornell: Why not? I only propose to strike out part of the amendment.

The CHAIRMAN: In order to reach a decision I suggest that Mr. Baxter withdraw his amendment and allow Mr. Cornell to deal with this particular part of the clause.

Hon. J. Cornell: I am not going to argue, but this is something new to me.

Hon. J. J. HOLMES: I am speaking to the amendment with the idea of helping Mr. Craig, who generally takes an intelligent view of things. I do not think he quite understands the present position. The amendment, instead of clouding the issue, will simplify it. If passed, a man receiving wages of £8 a week, or £400 per annum, will be entitled to the benefits of the Act. Neither the overtime he may earn nor the district allowance or other allowances he may get, will come into the calculation at all. If the amount is left at £400 some of those men will, with their overtime and district and other allowances, be receiving as much as £500 or £600 a year, and so would be excluded altogether from the benefits of this legislation.

Hon. C. F. BAXTER: The Honorary Minister twitted me with telling only half the tale. He was clever in referring to the

maximum of £520 in South Australia and comparing it with the £400 maximum here. He evidently forgot that owing to our industrial conditions, our costs are much higher than are those in the other States. Mr. Moore said that the farming community would not be affected at all. I cannot understand his line of reasoning. If he had a little insight into business—

Hon. T. Moore: You showed me I was right. Now show me that I am wrong.

Hon. C. F. BAXTER: A little business training would be of advantage to the hon. member.

Hon. T. Moore: Do not talk rubbish!

Hon. C. F. BAXTER: Goldmining costs will be increased unless the amendment is carried.

Hon. T. Moore: You are talking rubbish!

The CHAIRMAN: Order! The hon. member will have his chance later.

Hon. C. F. BAXTER: I have had a life-long experience of business, having entered into it at 18 years of age.

Hon. T. Moore: Were you successful?

Hon. C. F. BAXTER: Yes. A businessman must consider his costs. He must get percentages and so charges such as this must be passed on.

The Chief Secretary: Why not reduce the percentages?

Hon. C. F. BAXTER: They are cut too fine now. I returned from the Eastern States not long since. While there I was told that if we could reduce our costs we would get as much war work as we could turn out.

Hon. J. Cornell: Hoskins' foundry at Kalgoorlie is getting all the work it can do. It does good work, too.

Hon. C. F. BAXTER: Out of 29 Bills brought forward by the Minister for Industrial Development, 15 were rejected because it was considered they would add imposts to industry. This is another effort. The intention of the Bill is to increase the cost of industry.

The Honorary Minister: That is not in the Bill.

Hon. C. F. BAXTER: I would not expect the Honorary Minister to understand that.

The CHAIRMAN: I suggest that the hon. member take no notice of interjections.

Hon. C. F. BAXTER: Mr. Craig seemed to be in doubt as to whether the amount should be increased; he thought the position was not clear. My amendment makes it quite plain.

The HONORARY MINISTER: The amendment, as was pointed out by Mr. Craig, is too cumbersome.

Hon. C. F. Baxter: He did not point that out.

The HONORARY MINISTER: Yes, he did. Why should Parliament put itself behind the mining companies? Why not copy their example?

Hon. T. Moore: That is what I say. Give us legality.

The HONORARY MINISTER: Mr. Thomson quoted rates of wages, but they were minimum rates. Hundreds of workers are earning higher wages.

Hon. C. F. Baxter: He knows that.

The HONORARY MINISTER: What will be the cost of this increase? It will not be 4s. per cent.

Hon. G. W. Miles: But the employer will have to pay on £600 instead of £400.

The HONORARY MINISTER: Next year the rates may fall.

Hon. A. Thomson: There is no guarantee of that.

The HONORARY MINISTER: Mr. Bolton pays less than 4s. per cent. The effect would be to increase the cost slightly. It was stated that the Act might be abused, but a man earning £8 a week is not going to stop away from work in order to get the £3 10s. per week payable under this legislation.

Hon. G. W. MILES: It is all very well for the Minister to say that costs to industry will not be increased. If a man earning £600 per annum is to come under this legislation costs must increase, because employers will have to pay insurance on the increased amount. Mr. Moore said that all industries would not be affected, but I claim that secondary industries would be principally affected.

Hon. T. Moore: You said all industries.

Hon. G. W. MILES: These extra costs have to be passed on. Mr. Bolton has had to increase his charges and so has Mr. Baxter. Mr. Moore talked about his business training.

Hon. T. Moore: Did I?

Hon. G. W. MILES: I understood the hon. member to say that he had had a business training.

Hon. T. Moore: Not at all.

Hon. G. W. MILES: At any rate, the extra cost will eventually be passed on to the farmer, the pastoralist and other primary producers. In fact, the cost of all industries will be increased. I shall read the Committee the following note that was given to me:—

The underwriters are of course happy about this proposal, as it will mean enormously increased revenue. Hundreds of workers in industry whose premium rates are high will be brought under the Act at great cost to the employers, whilst it is true that hundreds of others brought under the Act by this proposal would be in sheltered industries where premium rates were comparatively low. The broad fact remains that in all branches of industry, sheltered or otherwise, premium rates in Western Australia are inordinately high.

The Honorary Minister: What are you quoting from?

Hon. G. W. MILES: I am quoting a man who has studied the question. He knows just as much about the subject as do the Ministers who the other day went to Beaufort-street to get their instructions.

Hon. T. MOORE: According to some members I have no business experience.

Hon. G. W. Miles: I suggested you have.

Hon. T. MOORE: Anything I have undertaken I have carried out fairly successfully. I have not had to ask for time.

Hon. L. Craig: You can get it without asking for it!

Hon. T. MOORE: A lot of business experience is claimed by Mr. Baxter who sets out to amend this Bill and puts an amendment on the notice paper. He has thought it all out, and then when he moves it he has another idea. To put this business man right again, a man who receives £8 a week does not draw the district allowance.

Hon. C. F. Baxter: I know that as well as you.

Hon. T. MOORE: Then why put it in?

Hon. C. F. Baxter: I am studying the interest of your constituents.

Hon. J. J. Holmes: We are not putting them in; but putting them out.

Hon. T. MOORE: Despite all Mr. Baxter's business ability he will probably come along tomorrow with some other amendment. I know business ability even if I do not know much about business. I have dealt with business heads and have had it put:

over me more than once. I hope Mr. Baxter will not put this over the Committee. The district allowance does not count. Mr. Thomson proved that I was right in the figures I submitted, and that this is a storm in a teacup. I know what I am after, but other people have made up their minds that big wages will have to be paid in secondary industries and that they will not be able to meet the impost. Mr. Thomson has absolutely exploded those theories.

Hon. C. F. Baxter: What a little it takes to satisfy your mind.

Hon. E. M. HEENAN: I did not hear some of the arguments raised, but I agree that those in favour of the amendment are not very strong.

Hon. C. F. Baxter: You have not heard them.

Hon. T. Moore: The amendment is not on the notice paper to read.

Hon. E. M. HEENAN: I have not heard them all.

Hon. C. F. Baxter: Then do not comment on what you have not heard.

Hon. E. M. HEENAN: Mr. Baxter's amendment appreciates the fact that an increase is required on the present figure of £400. His is an unnecessary way to achieve that object. It will cause confusion and trouble in ascertaining what the district allowance and overtime will amount to. Why not make it a round figure of £500 or £520?

Hon. J. Cornell: Mr. Baxter's ways are like those of the heathen Chinese—very devious.

Hon. E. M. HEENAN: I think so too. The time has come when the benefits of workers' compensation should be extended to a much larger proportion of workers. I am not frightened of the figure of £600.

Hon. L. B. Bolton: You do not employ much labour.

Hon. E. M. HEENAN: I hope industry will continue to meet the situation. The sum of £500 or £520 would be fair. A number of men on the goldfields earn more than £8 a week and only receive compensation because of some gentlemen's agreement which has been entered into. It is all right in the majority of instances, but I have known cases where the facts associated with an accident have been disputed. The mining company has been of the opinion that the accident did not warrant compensation and refused to pay under the gentlemen's agreement, and it has been quite futile to

take the case into court because the company could plead a technical defence which would wipe it out immediately. I have had three cases of that description in my short experience. This will increase, to some extent, the cost of workers' compensation, but it will not be as great as stated by Mr. Miles. Workers' compensation is a benefit which should be extended to everyone in industry. It should be increased to about the £500 mark.

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

Ayes	8
Noes	12
<hr/>	
Majority against	4
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AYES.	
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. A. Thomson
Hon. V. Hamerale	Hon. F. R. Welsh
Hon. J. J. Holmes	Hon. H. Tuckey
	(Teller.)
NOES.	
Hon. J. Cornell	Hon. W. R. Hall
Hon. L. Craig	Hon. E. M. Heenan
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. W. J. Mann
Hon. E. H. Gray	Hon. T. Moore
Hon. E. H. H. Hall	Hon. H. V. Plescia
	(Teller.)

AYES.	NOES.
Hon. Sir Hal Colebatch	Hon. C. B. Williams
Amendment thus negatived.	
Progress reported.	

BILL—PUBLIC TRUSTEE.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.13] in moving the second reading said: This important Bill, as the Title implies, seeks to make provision for the appointment and duties of a public trustee who shall be an officer appointed by the Governor and shall have and exercise such powers and execute and discharge such duties as are defined in the Bill, which is divided into four parts:—

PART I. is short and deals with the creation of a public trust office and the appointment of a public trustee and all officers, agents, etc.

PART II. is subdivided into five divisions and contains all the powers and duties of the public trustee.

PART III. deals with matters of finance.

PART IV. contains all the general machinery clauses.

For some time the Government has been giving consideration to the question of establishing a public trustee in this State,

it being thought that the appointment of such an official would be of great benefit to the general public and a distinct advantage in the safe and economical administration of all matters of trust.

Under present legislation we have a Curator of Intestate Estates and an Official Trustee. The powers of the curator, however, are restricted to a certain degree, as he is not even empowered to deal with the estate of every person dying intestate. He can act only in accordance with the provisions of Section 6 of the Curator of Intestate Estates Act, 1918. The duties of the Official Trustee relate to the handling and investment of Supreme Court funds and the control of certain estates in lunacy under the Lunacy Act and the Official Trustee Act.

Members will realise that, while we have not a public trustee, we have an Official Trustee and a curator. We have the Curator of Intestate Estates Act, the Official Trustee Act, Rules of Court made under the Official Trustee Act and the Lunacy Act—all separate and distinct statutes and statutory rules, all more or less involved, and all governing matters which the Bill proposes to bring under one jurisdiction and one statute. The elimination of the titles of Curator of Intestate Estates and Official Trustee will, of itself, be somewhat beneficial, as a good deal of confusion exists in the public mind as to the functions of these particular officers, particularly as there is also another public official known as the Official Receiver who deals with bankruptcy matters.

In general terms the Bill will co-ordinate the duties of the Curator of Intestate Estates and Official Trustee, and bring them under the jurisdiction of the public trustee, and, in addition, will enable him to perform certain functions which are not now the prerogative of any public official in this State. I will endeavour to give a brief explanation of these functions, but before doing so, I would like to refer to the position as it applies in other States, in New Zealand and England.

New Zealand was first in the field in what may be termed a sphere of new governmental activity by the passing of the Public Trustee Act in 1872. From small beginnings the confidence of the citizens of the Dominion has increased to such an extent that the total value of the estates and funds managed by the Public Trustee is enormous. In 1921 the value of estates and funds managed by that

official was £22,364,319; in 1931 it was £57,527,263, and in 1941 £64,436,092. These figures show the very great part the Public Trustee plays in the affairs of the people of New Zealand. In 1906, a Public Trustee began operations in England, and the capital value of funds under his administration now amounts to approximately £250,000,000. All the States of the Commonwealth, excepting Western Australia, provide the public with the services of a public trustee. Such an official was established in South Australia in 1881, in Tasmania in 1913, in New South Wales in 1914, in Queensland in 1916, and in Victoria in 1939.

In South Australia the funds and securities held after the first year's operations amounted to £14,066, and in 1935—the latest figures available—these had accumulated to a total of £2,981,502. In Tasmania the total value of estates held in 1939 was £825,250. In Queensland, the office commenced operations in 1916. In the first year of activities the actual receipts in cash were £281,533, and by 1939 the annual receipts had increased to £1,376,771. The figures give some idea of the business performed by the Public Trustees in the Eastern States, the Dominion of New Zealand, and England. They also reflect the popularity of an important social service supplied by the various Governments.

I have already mentioned that the Bill proposes that the public trustee will perform duties additional to those brought about by the amalgamation of the offices of Curator of Intestate Estates and Official Trustee. He may be appointed executor of a will in the same manner as is a private individual or a trustee company. That is one particularly wide extension of power in favour of the public trustee. The Curator of Intestate Estates, under the Act of 1918, cannot act as an executor, even though a person might wish to appoint him. The duties of an executor, of course, are very important. They include the obtaining of a grant of probate from the court, the preparation of a statement showing in detail the assets and liabilities of the deceased, the realisation of property, the paying of duties, funeral expenses and debts, the transfer and distribution of property to beneficiaries, and generally the winding-up of the estate.

These duties sometimes must be carried on for years, and they give rise to a good deal of anxiety and deserve great care. Personal

liability can be incurred by an executor if he does not properly administer an estate, and irretrievable loss may be sustained by an estate if an executor either deliberately mis-manages or is incapable of properly handling the matters associated with it. These are reasons which justify the existence of trustee companies and naturally apply to a public trustee.

The Bill provides, too, for the appointment of the public trustee as a trustee. A trustee is a person who is legally entrusted with the care and management of the affairs of persons who are not in a position to manage for themselves. He may manage affairs for infants, beneficiaries and absentees, and have very much the same power, duty and liability as an executor. Provision is also made by which he may be appointed as an administrator, guardian, next friend, committee, agent or attorney, on exactly the same basis as any individual or company may now be appointed.

A further proposal in the Bill deals with the powers and duties of the public trustee with respect to the estates of insane patients and incapable persons. Under Rules of Court, the Official Trustee at present manages or may manage the affairs of insane patients. The provisions of the Lunacy Act, the Official Trustee Act and the Rules of Court seem very much in conflict on this particular point: the Official Trustee and the Master of the Supreme Court have never been quite sure where their respective duties commenced and finished. Under the Bill the matter will be settled beyond all doubt, because the public trustee will be given sole control of the property and estate of an insane patient, and the Lunacy Act will be amended accordingly.

The public trustee will have the right to be appointed to look after the affairs of incapable persons, but will not have sole jurisdiction in this regard. In these cases relatives often look after persons who are not confined in institutions, and we consider such individuals should still be entitled to do so. The public trustee may be appointed to look after the affairs of incapable persons if he consents to the appointment, and if he is so appointed, he will then be governed by the provisions of the Act.

For services rendered in any capacity the public trustee will charge fees to be prescribed by regulation. The financial provisions are contained in Part III. of the Bill and members will observe that, in addition

to ordinary fees and expenses, the public trustee may charge for expenses incurred in respect to the maintenance of an insane patient. All capital moneys which come into his hands in any of his various capacities are to be paid into a common fund and to be invested out of that fund for the general benefit of all the estates administered by him. This system is adopted in New Zealand and Queensland, and is considered superior to the individual investment of estate moneys. An ordinary trustee company keeps capital moneys from each estate entirely separate and is not allowed to mingle the moneys of different estates. The result of the establishment of a common fund will be that all estates will benefit and the same interest and profit will accrue to each estate. There is a provision in the Bill which places a liability on the Treasury to make up any deficiency in the common fund should such a deficiency occur. This is important, more especially in view of the experience in other States and countries. There is a guarantee to the public that, by taking advantage of the services of the public trustee, they will be incurring no risk whatever.

In New Zealand there is a separate Act dealing with the application of profits known as the Finance Act. It is thought much better to have all the provisions relative to a public trustee in the one measure, and the proposals which are contained in the relevant provision indicate a flexible method of dealing with profits, which is considered to be superior to the system operating in New Zealand.

I have endeavoured as briefly as possible to explain the main provisions of the Bill, which is essentially a Committee measure, and one which may involve a good deal of explanation when it reaches that stage. As far as possible the Bill has been drafted so that one can look at each division as a separate compartment. One should not need to go all through the Bill to find any particular item. By referring to the headnote of a part or a division one should be able to find the particular matter with which he is concerned. For instance, in Part II, Division (2), practically all the clauses dealing with the powers and duties of the public trustee as executor or administrator will be found. Likewise Division (3) is confined to matters affecting the public trustee as trustee. Division (4) deals with the powers and duties of the public trustee with respect

to estates of insane patients, and so on. In this respect the Bill is regarded as an improvement on any Public Trustee Acts which are in operation in the other States.

Summarised, the measure may be said to provide for an amalgamation of the duties of the Curator of Intestate Estates and the Official Trustee, with extended powers in respect to certain matters, and a desirable change of title. The Bill certainly confers new powers upon the officer to be appointed, in that he will be permitted in certain circumstances to act as trustee and agent in the control of affairs in trust, he being answerable to the Auditor General, the Government, and Parliament. The services rendered will be most beneficial to the people of this State, and will afford facilities which they do not now enjoy from any Government official, but which are available in every other State of the Commonwealth. It can be said, too, that if this Bill is passed—I have no doubt that members will endorse its proposals—a new step will be taken in the opening up of a social service without imposing any added burdens on the State revenue or on the general public.

That, I think, is a very general explanation of the Bill. As I have previously remarked, there are many matters of which some members might perhaps like an explanation, and I admit that there are some points that are somewhat difficult for the layman to understand unless a proper explanation of them has been afforded. However, I think I am in a position to supply information that may be required in connection with the various clauses of the Bill, and I will be only too pleased to furnish whatever details are at my disposal. I trust the House will accept the Bill, or at any rate the principles of the Bill, and I feel sure that by agreeing to it members will confer a benefit on the public generally. I move—

That the Bill be now read a second time.

On motion by Hon. J. J. Holmes, debate adjourned.

House adjourned at 9.35 p.m.

Legislative Assembly.

Wednesday, 15th October, 1941.

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

QUESTION—PARLIAMENT, STATE.

As to Secret Session.

Mr. SEWARD asked the Premier: 1, Will the Government arrange to hold a secret session of the State Parliament in order that members—(a) might receive the fullest information possible regarding the conduct of the war; (b) discuss Australia's, and particularly Western Australia's war effort? 2, In the event of the answer to No. 1 being in the affirmative, could arrangements be made for the Minister for Defence or his deputy to attend and address members regarding Australia's and the Empire's war plans, as far as they are known?

The PREMIER replied: 1 and 2, Owing to the change of Federal Government and the necessary arrangements associated therewith, I am afraid that the proposal is not practicable.

QUESTION—TROLLEY BUSES.

Conversion of South Perth Tramway.

Mr. CROSS asked the Minister for Railways: 1, What is the actual length of the South Perth tramline which it is proposed to convert to a trackless trolley bus service? 2, What amount, and approximate value of overhead gear, including trolley wire, span wire, and poles of the existing equipment can be used in the new installation? 3, Has the department any overhead equipment on hand? 4, If so, what is the approximate value? 5, What is the estimated cost of new