

and that the State Government be requested to convey this resolution to the Prime Minister.

If that be agreed to, the Government will be prepared to act on it. But I cannot submit it as an amendment. It would be for the member for Claremont to accept this in substitution of his motion.

Mr. NORTH: Shall I be in order in moving to withdraw my motion now, or shall I wait for the member for North-East Fremantle to withdraw his amendment, which was agreed to?

The DEPUTY SPEAKER: It is now a composite motion, and the member for North-East Fremantle moved the greater part of it as it now stands. I think the member for North-East Fremantle had better withdraw his part of it.

Mr. TONKIN: In deference to the suggestion of the Minister, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. NORTH: In deference to the wishes of the Minister, I withdraw my motion.

Motion, by leave, withdrawn.

The MINISTER FOR WORKS: I move—

The control of banking and currency being under Commonwealth jurisdiction, this House urges the Commonwealth Government to institute an inquiry into the operation of the existing economic system, and to report whether the prevailing depression is due, as asserted by Major Douglas, to a discrepancy between the price of goods and the purchasing power issued against them, or to the unequal distribution of income, or to a combination of these factors; and that the State Government be requested to convey this resolution to the Prime Minister.

Question put and passed.

BILL—WILUNA WATER BOARD LOAN GUARANTEE.

Returned from the Council without amendment.

House adjourned at 8.48 p.m.

Legislative Council,

Thursday, 5th October, 1933.

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

BILL—TENANTS, PURCHASERS, AND MORTGAGORS' RELIEF ACT AMENDMENT.

Report of Committee adopted.

BILL—MINE WORKERS' RELIEF ACT AMENDMENT.

Second Reading.

Debate resumed from the 3rd October.

THE HONORARY MINISTER (Hon. W. H. Kitson—West—in reply) [4.36]: Several members have asked for information regarding one or two clauses of the Bill, and I took a note of the particulars desired. Both Mr. Harris and Mr. Seddon raised the question of those miners who accepted lump sum payment compensation instead of taking their compensation by weekly payments until the maximum amount had become exhausted. I am advised the the miner who applies for lump sum compensation may decide to accept, say, £650 instead of the £750 to which the Act entitles him. If he spends this amount, he cannot come on the Mine Workers' Relief Fund for their schedule rates until he has exhausted a sum equal to £750 at a rate not exceeding £3 10s. per week, which means roughly a period of four years. It has to be remembered that he voluntarily accepted the lump sum. Whatever percentage of the full amount of £750 he accepted in order to get the lump sum has nothing to do with the fund. Then there is the man who does not ask for a lump sum settlement, but who at the instigation of his employer is compelled to take a lump sum settlement. When he has exhausted the amount that he is compelled to take, say

£650, or whatever it be, at a rate not exceeding £3 10s. per week, he automatically comes on the Mine Workers' Relief Fund schedule of payments. He comes on that schedule immediately the amount he was compelled to accept as lump sum compensation has been exhausted. It must be remembered that in this case the man was quite content to receive his compensation in weekly payments, and that the lump sum settlement was made at the instigation of the employer, who demanded permission to make such a settlement. There is that difference between the man who is compelled to accept the lump sum settlement and the man who requests such a settlement. Mr. Seddon, or perhaps Mr. Harris, said that difficulties had arisen, and that men had complained they did not receive the amount of compensation to which they thought they were entitled. It is hardly possible to give any explanation of such cases unless hon. members are prepared to furnish specific instances, when I shall endeavour to obtain all the information available on the particular points raised. Mr. Seddon raised the question of the difference between the man who is cutting out his compensation at £3 10s. per week and the man who is receiving something over £3 10s. per week because of exceptional family responsibilities. Here is the explanation supplied to me. There are two funds. One is provided under the Workers' Compensation Act, and is obtained from a premium of $4\frac{1}{2}$ per cent. on wages paid as an insurance against industrial diseases. The other fund is the Mine Workers' Relief Fund, and is made up of contributions by the men at the rate of 1s. 6d. per fortnightly pay, a similar amount provided by the mine owners, and a third equal amount provided by the Government. When a man is notified that he is suffering from advanced silicosis, the Mine Workers' Relief Act gives him a legal right to £750 compensation under the Workers' Compensation Act, provided he ceases work within 12 months. If a man works on and then becomes incapacitated, the onus is on him to prove that he is totally incapacitated in order to entitle him to the full amount of £750 under the Workers' Compensation Act. He may get only 60 per cent. of that amount if the doctor certifies that he is only 60 per cent. incapacitated from work; then in the case of a man receiving £3 10s. per week he goes on until he has

exhausted the £750 by weekly payments. That comes out of the Workers' Compensation Fund. A man receiving the basic wage ruling in his district, and this basic wage being more than £3 10s. per week, say £3 18s. per week, would have the remaining 8s. per week made up to him gratuitously from the Mine Workers' Relief Fund. An amount of £3 10s. is received by him from the Workers' Compensation Fund, and the balance of 8s., or whatever the balance may be, is received from the Mine Workers' Relief Fund. It is an extra amount granted to him because of exceptional circumstances.

Hon. C. B. Williams: Provided the authorities are willing to grant it.

The HONORARY MINISTER: I suppose that would always apply. If the amount is not granted to the man, he cannot receive it. I may add that the man who is prohibited from work on account of tuberculosis only, and entitled to compensation under Section 49 of the Act, would go on to the rates prescribed by the first scale of the second schedule of the regulations as soon as he had exhausted the £750 by weekly payments, including any amount received by him from the fund on account of extreme hardship. From the fund contributed by the three parties—the miners, the employers and the Government—men suffering from tuberculosis only, or any malady that can legitimately be attributed to their employment as mine workers, are paid compensation. The amount of the contribution will vary with the number of men employed in the industry and belonging to the fund, and the amount is not stabilised, nor can it be. I think that those remarks apply more particularly to a question which was raised by Mr. Holmes. Next, Mr. Seddon raised a question regarding Commonwealth pensions. I am advised that payments received by beneficiaries of the fund are taken into consideration in connection with claims made to the Commonwealth Government for old age and invalid pensions.

Hon. H. Seddon: As income.

The HONORARY MINISTER: Yes, as income. Mr. Holmes asked for information with regard to what this amending Bill is likely to cost the Government. I am informed that the Act has been in operation only since the 1st February this year. The amount paid by the Government as their contribution for the period from the 1st February to the 30th June, 1933, was £2,765 16s. 3d. There will not be any addi-

tional cost through the passing of the Bill, as the men concerned were previously provided for under the Miners' Phthisis Act, and this Bill merely seeks to preserve their rights under that Act. Mr. Williams the other evening said the Act had operated to the detriment of mine workers. That was rather a serious statement to make, and consequently I have gone into the subject. I am afraid it will take Mr. Williams all his time to justify his statement.

Hon. C. B. Williams: It is the difference between £2 a week and nothing. Take Johnson's case!

The HONORARY MINISTER: If the hon. member will but wait until I have given my explanation, he will probably see the truth of what I have said.

Hon. C. B. Williams: You cannot say anything that will convince me.

The HONORARY MINISTER: Very well. I think I am correct in saying that in many respects the Act is an improvement on the Miners' Phthisis Act, at all events as far as it affects the mine workers. Under the Miners' Phthisis Act, which the existing Mine Workers' Relief Act supersedes, early and advanced cases of silicosis were compelled to remain in the mines until they developed tuberculosis before they became entitled to compensation.

Hon. C. B. Williams: No, the Workers' Compensation Act always covered them, and it covers them now.

The HONORARY MINISTER: At present, mine workers notified that they are suffering from silicosis in the early stage may cease underground work within two years from the date of notification and leave the industry: and if at any time thereafter they develop silicosis advanced or tuberculosis, they shall be entitled to the maximum compensation of £750.

Hon. C. B. Williams: Why do they pay 3s. a month?

The HONORARY MINISTER: Mine workers suffering from advanced silicosis are given the legal right to the maximum compensation of £750 immediately they are reported. The Act also provides that after they have exhausted the maximum compensation of £750 under the Workers' Compensation Act or the Mine Workers' Relief Act, they shall be entitled to the benefits prescribed in Scale 1 of the Second Schedule of the regulations, which range from £1 5s. per week in the case of a single man, up to a

maximum of £2 5s. per week for a married man with dependants.

Hon. C. B. Williams interjected.

The PRESIDENT: Order! I remind members that the Bill will be considered in Committee, when there will be ample opportunity afforded to go thoroughly into details.

The HONORARY MINISTER: Now I come to one of the points upon which Mr. Williams holds very definite views. He said there was no provision for any payment to a widow on the death of her husband, and that he was not too sure how the widow would get on if her husband died before he had drawn the full £750 to which he was entitled under the Workers' Compensation Act or this Act. I am advised that the Mine Workers' Relief Act provides that if a prohibited or notified mine worker dies before he has received £750, his widow shall be entitled to receive the balance of the £750 at the rate of £2 per week in accordance with Scale II. of the Second Schedule, and when she has received such balance she shall then be entitled to the benefits in Scale I., which range from 10s. per week to £1 per week, according to her age. Under the Workers' Compensation Act a widow would be entitled to the difference between the amount already drawn by the worker and £600, which is the maximum payable under that Act where death results from injury. When she has exhausted the amount received under the Workers' Compensation Act, she shall then be entitled to the benefits prescribed for under Scale I. of the regulations under the Mine Workers' Relief Act already referred to. That definitely shows that the widow has not been deprived of compensation in the event of her husband dying in those circumstances. Mr. Williams and Mr. Cornell both referred to the question of some miners who are not covered by the existing legislation, and both those members desired that something should be done in order that those miners might be entitled to claim for compensation. Particular reference was made to the miners who took up blocks in the miners' settlement at Southern Cross. I am advised that over 600 men were notified in 1926 that they had developed symptoms of dust. Many of those, apart from the men who took up blocks in the miners' settlement, may have left the mines and taken up other occupations. If the Act were amended to include the ex-miner on the miners' settlement, those other men naturally would claim that they also should be

included. Furthermore, men who ceased work in the mines on account of silicosis or tuberculosis prior to the proclamation of the Miners' Phthisis Act on the 7th June, 1925, and who were excluded from the provisions of that Act, might also claim that they were entitled to similar treatment. Therefore, to bring the men on the miners' settlement within the scope of the Act would create such a far-reaching precedent that the Government would be involved in a very heavy liability that they could not sustain.

Hon. C. B. Williams: Those men merely accepted the advice of the Government of the day and got away.

The HONORARY MINISTER: I have now given all the information I have been able to get upon this subject. To most of us I suppose it is rather an involved matter, but so far as I know the information I have given is perfectly correct in every particular. It may not meet with the approval of some members; it may fall short of covering many cases that some members think should be covered by legislation of this kind; but I hope, even if that is so, it will not affect the passing of the Bill, which I understand is regarded as a most important measure from the point of view of those it affects.

Hon. C. B. Williams: It is a pity the Act was brought in last year.

The HONORARY MINISTER: I hope the Bill will not only pass the second reading, but that we shall be able to get it through the Committee stage with as little delay as possible.

Question put and passed.

Bill read a second time.

BILL—FRUIT CASES ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted upon by the Council, and notifying that should the Council grant a conference, the Assembly would be represented at that conference by three members.

The CHIEF SECRETARY: I move—

That a message be sent to the Assembly agreeing to a conference as requested, and that the conference take place forthwith in the President's room, and that the managers for the Council be selected by ballot.

Question put and passed.

Ballot resulted as follows:—The Chief Secretary, Hon. J. J. Holmes and Hon. E. Seddon.

Sitting suspended from 5.12 p.m. to 3.15 a.m.

Conference Managers' Report.

The CHIEF SECRETARY: I desire to state that the managers of this House have met the managers of another place and have reached an agreement. The report is as follows:—

Amendment No. 1: At the end of Clause 1 the amendment adds the words, "and shall come into operation on day to be fixed by proclamation."

Result: Amendment not insisted on.

Amendment No. 2: Delete Clause 2 which provided for operation of Bill from 1st July (No retrospection.)

Result: Conference agreed that the Bill should operate from the 1st October. Clause 2 to be amended accordingly.

Amendment No. 3: Paragraph (a) of Clause 3 altered the exemption for single people on wages and salaries from under £1s. to under £2 a week.

The amendment proposes to delete this paragraph. The effect would be that the exemptions would remain at last year's figure of under £1 ls.

Result: Conference agreed that the exemption for single men should be fixed at under 30s., provided that where salary or wages received is less than £2 per week, the amount of tax payable shall not exceed 4d.

Amendment No. 4: Paragraph (b) of Clause 3 altered the exemption for single people on incomes from under £52 to under £104 per annum. The amendment proposes to delete this clause.

The effect would be that the exemption would remain at £52.

Result: Exemption will now be on income under £78 per annum with the same provision where the income is less than £104.

Amendments Nos. 5, 6, 7, and 8: Paragraph (c) of Clause 3 fixes the married men's exemption at between £2 and £3 10s. per week for wages and salary and between £104 and £18 per annum for incomes.

Amendment No. 5 proposes to substitute "21" for "40" in line 4. This is consequential on amendment No. 3 reducing single people's exemption to £1 ls. per week instead of £2.

Result: Conference agreed on 30s. in accordance with the decision already given.

Amendment No. 6 proposes to delete the words "ten shillings," in line 5. This would make the married people's exemption £3 per week.

Result: Conference agreed that married people's exemption should be £3 10s. as proposed by the Assembly.

Amendment No. 7 proposes to substitute "£52" for "£104" in lines 7 and 8. This is consequential on the amendment reducing single people's exemption in income to £52 per annum.

Result: Conference agreed upon £78 as based upon £1 10s. per week.

Amendment No. 8 proposes to substitute "£156" for "£182" in line 9. This would reduce married people's exemption in income from £182 to £156.

Result: Words as passed by Assembly to stand.

Amendment No. 9: Paragraph (b) of Clause 4 fixes the single people's exemption at £104 per annum in that part of the principal Act dealing with payments of tax where the Act does not operate for a full year.

The amendment proposes to delete this paragraph. The effect would be that the exemptions would remain at £52, as last year.

Result: Conference agreed on £78 to conform with previous decisions.

Amendment No. 10: Paragraph (c), Clause 4, fixes the married people's exemption at £182 in that part of the principal Act dealing with payments of tax where the Act does not operate for a full year. The amendment proposes to substitute £156 for £182.

Result: Conference agreed on £182, as passed by the Assembly.

Amendment No. 11: The Council has inserted a new section, designed to protect persons earning in a short period of a year the same amount as others earn in a full year and yet paying more tax because of the higher rate applicable on the weekly wage. The section provided for refunds of excess payments.

Result: Conference agreed to accept the amendment.

Amendment No. 12: The Council has inserted a new section, designed to provide that employers shall be responsible for the tax only at the rate applicable to the wages or salaries they are paying their employees. That is, it absolves them from the necessity for taking into consideration any other remuneration their employees may be receiving.

Result: Conference agreed to accept the amendment.

Amendment No. 13: Deletes the clause of the Bill which provides for retrospective payments on salary and wages from the 1st August.

Result: Conference agreed that the Bill should operate from the 1st October.

Amendment No. 14: Limits the duration of the Act to the 31st October, 1934.

Result: Conference agreed that the amendment should not be agreed to.

I move—

That the report be adopted.

Question put and passed.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the recommendations of the Conference.

House adjourned at 3.31 a.m. (Friday).

Legislative Assembly,

Thursday, 5th October, 1933.

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

BILL—FRUIT CASES ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it insisted on all its amendments to the Bill, now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works (for the Premier) in charge of the Bill.