Legislative Assembly

Tuesday, 28th September, 1954.

CONTENTS.

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

QUESTIONS.

BUSH FIRES.

As to Precautions on Crown Lands.

Mr. HILL asked the Minister for Lands:

Will he, now that a limit of ten chains is to be made for firebreaks on Crown land, inform the House of the steps, if any, the Government proposes to take to remove the extremely dangerous fire hazards of the heavily timbered Crown lands in the Albany and particularly the Denmark road districts?

The PREMIER (for the Minister for Lands) replied:

At present firebreaks may be cleared, but not burnt, to a width of 12 ft. on Crown land. There is a difference between the meaning of the term "firebreak" and extensive protective burning carried out over a large area. If a local authority desires to carry out protective burning on Crown land, it should apply to the authority controlling the land or reserve for permission to do the work. The finance is not available to carry out protective burning on the millions of acres of Crown lands throughout the State. Everything possible is being done with the finance available to extend the fire protection programme in State forests.

FREMANTLE HARBOUR.

As to Land Resumptions for Extension.

Mr. HILL asked the Minister for Works:

(1) What is the area of land that will have to be resumed for the five-berth extension of the harbour at Fremantle?

(2) What is the estimated cost of the resumption?

The MINISTER replied:

(1) Surveys have been made. A minimum area of 4 acres 1 rood 18.6 perches, which excludes land held and railway requirements, is known to be required.

(2) This probably represents about half the area referred to by Messrs. Dumas and Brisbane in their report as estimated to cost £175,000 for acquisition.

GERALDTON SILO SITE.

As to Resumption and Cost.

Mr HILL asked the Minister for Works:

(1) What is the area of the recent resumption at Geraldton for the bulk handling terminal?

(2) What was the cost of that resumption?

The MINISTER replied:

(1) Two acres 30.2 perches.

(2) Not known at present as all claims for compensation are not yet finalised.

FAIR RENTS COURT.

As to Allocation of Magistrate's Duties.

Mr. HUTCHINSON asked the Minister for Housing:

Has there been an estimation of the programme and time allocation that will be followed by Mr. Wallwork in discharging the duties of—

(1) Magistrate of the Local Court;

(2) magistrate of the Fair Rents Court;

(3) chairman of the Railways Reclassification Board; and

(4) chairman of the Collie Coal Tribunal?

The MINISTER replied:

As far as the coal tribunal is concerned, Mr. Wallwork visits Collie once per month only, the duration of the visit being usually from one to three days.

In regard to his position as chairman of the Railways Reclassification Board, there is no business for this board at the present time and none is likely this year.

Fair rents and tenancies will be given priority, but that does not mean that the Local Court will be neglected. If the volume of the fair rents business is very great

the magistrate will call on the services of another magistrate to adjudicate in the Local Court. In view of the changes made in the rents and tenancies legislation subsequent to its introduction, it is considered that the number of cases to be dealt with so far as rent determination is concerned, will be considerably less than was first envisaged.

HOUSING.

(a) As to "M" Class Contracts.

Mr. NIMMO asked the Minister for Housing:

(1) Were the contracts of sale in respect of the small unit "M" class houses sold at Scarborough in writing, or verbal?

(2) If in writing, were the contracts similar in form, and if so, will he lay on the Table of the House a specimen contract?

(3) If the contracts were verbal, what were the terms of such contracts?

The MINISTER replied:

(1) Undertakings to purchase the properties were given in writing.

(2) Yes.

(3) Answered by Nos. (1) and (2).

On motion by the Minister for Housing, resolved:

That a copy of the contract form be laid on the Table of the House.

(b) As to Tabling File on Maniana Project.

Mr. WILD asked the Minister for Housing:

Will he lay on the Table of the House the file in connection with the Maniana housing project?

The MINISTER replied:

Yes, for a period of seven days.

On motion by the Minister for Housing, resolved:

That the file be laid on the Table of the House for a period of seven days.

(c) As to Weekly Number of Evictions.

Mr. WILD asked the Minister for Housing:

What were the number of evictions during each of the weeks since the 30th April, 1954?

The MINISTER replied:

Week ending	No.
1/5/54	9
8/5/54	12
15/5/54	5
22/5/54	3
29/5/54	4— 33
5/6/54	6
12/6/54	6
19/6/54	13
26/6/54	17— 42
3/7/54	30
10/7/54	25
17/7/54	39
24/7/54	41
31/7/54	27—162
7/8/54	28
14/8/54	35
21/8/54	27
28/8/54	36—126
4/9/54	22
11/9/54	8
18/9/54	9
25/9/54	14— 53

ROYAL SHOW WEEK.

As to Sittings of the House.

The PREMIER: Last week the Leader of the Opposition asked me a question in connection with the likely sitting of the House during Show Week. The Assembly will meet at 5 p.m. next Tuesday, will not sit at all on Wednesday and will meet at the usual hour on Thursday. In connection with the sitting at 5 p.m. on Tuesday next, those members who wish to stay at the show after 5 p.m. will have no difficulty in obtaining pairs and, further, no contentious legislation will be brought forward prior to the tea suspension on that day.

B.O.A.C. AIR SERVICE.

As to Proposed Route Through Perth.

Mr. HUTCHINSON (without notice) asked the Premier:

(1) In view of the fact that B.O.A.C's. proposed plan to operate air services through Perth requires Commonwealth assent, will he urge the Prime Minister to acquiesce in the plan?

(2) If no official request has been received by the Commonwealth Government from B.O.A.C., will he urge the Prime Minister to suggest to B.O.A.C. that such a request would be favourably received?

The PREMIER replied:

Yes, I will communicate with the Prime Minister along the lines suggested by the hon. member.

BILL—LOCAL COURTS ACT AMENDMENT.

Read a third time and transmitted to the Council.

ASSENT TO BILLS.

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

1, Land Act Amendment.

2, Droving Act Amendment.

3, Shipping and Pilotage Ordinance Amendment.

4, Warehousemen's Liens Act Amendment.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Moir in the Chair; the Minister for Labour in charge of the Bill.

Clause 2. Page 2—Delete all words and figures after the word "for" in line 24 down to and including the figure "6" in line 26 and substitute the following:—

"every additional ten persons employed .... 1 0 0"

The MINISTER FOR LABOUR: This amendment refers to employers who engage more than 30 workmen. It will be seen from the amendment that the fee to be charged is £1 for every 10 employees in excess of 30. It is very difficult to estimate the amount of revenue which will be lost if the amendment is agreed to. In fact, under the amendment there will be no difference in the registration fee for 30 employees and 39 employees; but when the number reaches 40, an extra £1 will be payable on the basis of 2s. for every person over 30. The same principle will apply to the employer with 49 employees. No extra registration fee is payable until that figure reaches 50.

Most firms do not employ workmen in exact multiples of 10, consequently any number less than a multiple of 10 will be exempt from such payment of fees. The Government was hesitant in bringing down this Bill; however, it felt that it was reasonable to tap this field. Figures were given to show the expected revenue from this source, and how far that will be below the cost of running the department. The provisions in the Bill should be given a trial, and if anomalies or unfairness arise, serious consideration would then be given to an amendment next session. The present scale is 10s. where the number of employees does not exceed three, or 3s. 4d. per person. I do not contend that employers with a larger number of workmen should be penalised, but they should at least pay the proportionate amount of fees for any number in excess of 30, not as is suggested, in multiples of 10. At present where the employees number from three to seven, the fee is £1, so an employer with four workmen would pay 5s. a head.

I cannot understand the reason for this amendment. The scale of fees is set out in the Bill and compares very favourably with those operating in other States. If the Government is to balance the budget for the Factories and Shops Department, it must increase the fees very appreciably. I move—

That the amendment be not agreed to.

Hon. Sir ROSS McLARTY: The reason for this amendment was because of the ease at which the fees could be assessed. The proposal in the Bill is that a fee of 2s. 6d. per person shall be charged over a certain number, but the amendment suggests that it shall be payable on multiples of 10 employees so as to save the necessity for inspectors to count heads and for an employer to give the exact number of persons in his employ. The number can vary considerably in a large organisation. If this amendment is accepted, and the principle of multiples of 10 is accepted, it will make for easier working of the Act. Under the Council's amendment, there should not be much, if any, loss of revenue.

The Minister for Labour: It is difficult to say.

Hon. Sir ROSS McLARTY: Quite so, but it would facilitate the working of the Act.

Hon. L. THORN: The Bill provides for a fee of 2s. 6d. for each person employed in excess of 30, so that at £1 for 10 additional persons employed, there would be a saving of 5s. I take it that no fee would be chargeable until an additional 10 persons were employed. If only nine extra were employed, there would be no additional fee. The amendment would afford some easement to big undertakings.

Question put and passed; the Council's amendment not agreed to.

Resolution reported and the report adopted.

A committee consisting of Hon. L. Thorn, Mr. Brady and the Minister for Labour drew up reasons for disagreeing to the Council's amendment.

Reasons adopted and a message accordingly returned to the Council.

BILL—BUSH FIRES.

In Committee.

Resumed from the 23rd September. Mr. Moir in the Chair; the Premier (for the Minister for Lands) in charge of the Bill.

Postponed Clause 18—Restricted burning times (partly considered):

The CHAIRMAN: When progress was reported the member for Harvey had moved an amendment to strike out the word "ten" in line 22, page 16, with a view to inserting the word "two".

Mr. MANNING: In the existing Act, the penalty for a first offence is £2 to £20, and for a second offence £5 to £20. Under my proposal, it would be £2 to £200 for a first offence, and £20 to £500 and six months' imprisonment for a second offence. This would provide for a wide range of penalties far in advance of those in the existing Act and would still be in keeping with the principle of increased penalties throughout the Bill.

It is obvious that a conviction for a comparatively trivial offence would be easier to obtain with a minimum penalty

of £2 than with a minimum of £10. I do not think that six months' imprisonment should be provided for a first offence. Many farmers in my electorate have never considered it necessary to observe all the provisions of the Act and some, perhaps in ignorance, might continue along those lines and then become liable to six months' imprisonment which would be out of all proportion to the offence. I think the penalty of imprisonment should be for the second offence and not for the first. Under the Act, the maximum penalty for the second offence is £50, whereas the Bill provides for 12 months' imprisonment. I think that should be reduced to six months.

Hon. L. THORN: In supporting the member for Harvey last week, I said that a £10 minimum penalty was too severe, as the offence might be of a trivial nature. The court, if the minimum were £2, could increase the fine at its discretion. When progress was reported, the Minister for Lands was giving the matter consideration, and I think he intimated that he would be prepared to reduce the £200 to £100, after we had suggested that it be reduced to £50.

The Premier: I think he was prepared to reduce it to £150.

Hon. L. THORN: I think it would be reasonable to reduce the minimum penalty to £2, and it could be increased according to the seriousness of the offence.

The PREMIER: I would not mind reducing the minimum from £10 to £5, but £2 would be too low in the circumstances. That is the present law and those administering the Act consider it is too low. The magistrates take it as an indication from Parliament that the minimum is the penalty to be applied where the offence is not very serious, and I think we should indicate to them that £5 is the lowest fine that should be imposed on offenders against this law.

It is desired that this law be a deterrent and that it should prevent people from taking risks. The desire is to persuade people partly by penalties and partly by education, not to break the law, thus reducing as far as possible the risk of fire. I was surprised to hear the member for Harvey say farmers in his electorate did not know the law and might be arrested and fined the £10 minimum, because, if in any part of the State they should know the important requirements of this Act, it is in that area.

Mr. Manning: It is largely an irrigation area.

The PREMIER: Perhaps, but in parts it is highly subject to dangerous bush fires and if the farmers there do not know this law, they should be made aware of it as soon as possible. We are prepared to reduce the minimum from £10 to £5.

Hon. Sir Ross McLarty: What about the maximum?

The PREMIER: We will deal with that in due course.

Mr. OWEN: I would like to see some reduction in the minimum penalty because in my electorate, and those surrounding it, there are many small landholders who may be ignorant of the law in this regard. With a minimum penalty of £10, the local authority would be loth to prosecute for a small offence. I think that £2 would in many cases be a penalty commensurate with the offence and the local authority would not feel that it was imposing too big a penalty.

Amendment (to strike out word) put and passed.

Mr. MANNING: In view of the Premier's reasoning, I am prepared to accept his suggestion. I move an amendment—

> That the word "five" be inserted in lieu of the word struck out.

Amendment put and passed.

Mr. MANNING: I move an amendment—

> That the word "two" in line 22, page 16, be struck out, with a view to inserting the word "one."

As I indicated earlier, these penalties are far in excess of those at present in the Act.

The PREMIER: I would compromise and accept the amendment if the hon. member would agree not to move the next amendment that he has on the notice paper. I do not think that we should reduce the maximum from £200 to £100, as he desires, and then strike out the alternative penalty of imprisonment.

Hon. A. V. R. Abbott: Does not Clause 32 apply in any case?

The PREMIER: I think not, because here we have special provision for a penalty to cover a particular offence. I would agree to reduce the maximum monetary penalty from £200 to £100, provided the magistrate was left with discretion to impose a penalty of imprisonment where the circumstances warranted it. We would not achieve the objective of the Bill if we reduced the maximum monetary penalty and struck out the alternative penalty of imprisonment.

As I mentioned before, the damage and destruction capable of being created by the commission of offences of this kind is terrific. Therefore, we ought not to have too much in mind the position of a farmer in a district which is highly inflammable, in a non-burning-off period, who, because he does not know the law, breaks the law and, as a result, burns out the district. I think we ought to have in mind also the position of his fellow-farmers in the district.

Hon. A. V. R. Abbott: What about three months?

The PREMIER: I would not mind three months; I would be prepared to compromise to that extent. But if we reduce the maximum monetary penalty from £200 to £100, the Committee should also agree to leave in the alternative penalty of imprisonment. Before the amendment is put to the vote, I would like to know whether the member for Harvey would, in the event of being successful with this amendment, still carry on with the amendment he has on the notice paper to strike out the imprisonment provision.

Mr. MANNING: My only desire is to get something reasonable, and my real objection is imprisonment for a first offence. As far as I am concerned, the fine of £200 is of secondary consideration, but I can see that the line of thought is for an overall reduction of penalties for a first offence. Personally, I think it is out of the way to impose imprisonment for a first offence.

The Premier: A magistrate would not impose it unless he was absolutely satisfied it was necessary.

Mr. MANNING: As the Premier is prepared to meet us halfway in this matter, I am prepared to do something along those lines also.

Amendment put and passed.

Mr. MANNING: I move an amendment—

That the word "one" be inserted in lieu of the word struck out.

Amendment put and passed.

Mr. MANNING: I move an amendment—

That the word "six" in line 23, page 16, be struck out and the word "three" inserted in lieu.

Amendment put and passed.

Mr. MANNING: I think we should still leave in the Bill the fine of £500, but I shall be pleased to see the imprisonment term reduced to six months. Therefore, I move an amendment—

That the word "twelve" in line 26, page 16, be struck out and the word "six" inserted in lieu.

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

Title—agreed to.

Bill reported with amendments.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

In Committee.

Resumed from the 23rd September. Mr. Moir in the Chair; the Minister for Labour in charge of the Bill.

The CHAIRMAN: Progress was reported after the member for Mt. Lawley had moved, in Clause 3, to strike out the word "proclamation" in line 23, page 2.

The MINISTER FOR LABOUR: This Bill has been submitted to bring the provisions of the Act up to date and as a result of a strong request made by the Civil Service Association. There was doubt as to whether employees of the State Electricity Commission came within the jurisdiction of the Act, and, at the instance of the Civil Service Association, it was desired that the Transport Board also be mentioned.

Those two instrumentalities have been mentioned in the Bill, and the Public Service Commissioner and the Crown Law Department agree that instead of continually or progressively, as the years go by, introducing amendments and setting out a particular additional instrumentality, it would be advisable to insert a provision in the Act to enable the Government of the day, or the Governor, to issue a proclamation when it was desired to bring a particular body or instrumentality within the jurisdiction of the Act. I understand that the member for Mt. Lawley proposes to delete the word "proclamation" with a view to inserting some other word.

Hon. A. V. R. Abbott: "Regulation."

The MINISTER FOR LABOUR: As far as I am aware, the method used in the Bill is the correct one—that is, by proclamation. There is a certain amount of stability about a proclamation inasmuch as the Government of the day can issue a proclamation or can revoke it. On the other hand, with all due respect, the Governor could cause regulations to be issued and have full operation. A particular instrumentality, such as the Royal Perth Hospital, the Milk Board or the Library Board of Western Australia could be brought within the jurisdiction of the Act and an employee of one of the organisations promoted. A fellow-employee could lodge an appeal and the Promotions Appeal Board could be in the course of hearing it. Yet, if Parliament met, a member of either House could, within ten to 14 days, move to disallow the regulation. That would be most unsuitable and the Government would have to issue another regulation or introduce an amending Bill.

The Minister for Railways: What would happen to appeals that had been heard and decided in the meantime?

The MINISTER FOR LABOUR: That would raise a legal technicality, because the question would arise whether the appeal board was legally entitled to hear the appeal. In the circumstances, I think the hon. member should not press the amendment. The Bill has been introduced for the purpose of clarification and to obviate the necessity for regularly introducing amendments to the Act. If members look at the definition of "department," they will find that a number of departments are already enumerated. I suggest no member would disagree that the employees of any Government department

should not have the right to submit their claims to a responsible appeal board. I cannot agree with the hon. member's amendment.

Hon. A. V. R. ABBOTT: The Minister's argument is largely correct, and one with which I agree. But this is the lesser of two evils. It is a question of whether Parliament should not keep some control over this matter. There are two ways of keeping control; one would be by insisting that it be done by Act of Parliament on each occasion. I agree that this is a rather cumbersome procedure and would cause some delay.

The only other method is by regulation. The objections put forward by the Minister to such a procedure are correct. It might cause considerable inconvenience and possibly some confusion. But it cuts both ways. The day might come when the members sitting on the Government side would disagree to some particular appeal board being cut out without their being able to have some say in the matter. So might the people concerned. As the Minister said, the Government of the day might think fit in its discretion to do so.

The Minister for Labour: But the appeal board cannot be eliminated except by Act of Parliament.

Hon. A. V. R. ABBOTT: Oh, yes, it could. Subsection (2) of proposed new Section 5A reads as follows:—

> A proclamation made under the provisions of Subsection (1) of this section may from time to time be revoked or varied.

The Minister for Labour: Yes, but the appeal board cannot be eliminated.

Hon. A. V. R. ABBOTT: I know the entire appeal board cannot, but anything that might be added could be taken out. Any Parliament would act in a responsible manner and would not exercise its jurisdiction, particularly when the Government of the day had seen fit to impose this by regulation. I have no strong views on the matter. I thought it should be made clear to the Committee, which has two alternatives, one of which could be very awkward, to say the least.

On the other hand, there could be an equally awkward situation if the Government did not, in the opinion of this Chamber, exercise a full sense of responsibility, because we have no jurisdiction over a proclamation. It may be necessary to adjust some matter; to bring some Act in or to disallow a regulation. This is purely a question of administration. I daresay if I were in the Minister's place, I would suggest it be done by proclamation. But as a member of the Opposition I would like it done by regulation, and I feel sure the Minister would think along similar lines were he on this side of the House. Some members on that side do not like government by regulation, much less government by proclamation.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—JURY ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it insisted on its amendments Nos. 1 and 2, now considered.

In Committee.

Mr. Moir in the Chair; the Minister for Justice in charge of the Bill.

No. 1. Clause 4, page 2—Delete the words "twenty-one" in line 18 and substitute the word "thirty."

The MINISTER FOR JUSTICE: I move—

> That the Assembly continues to disagree to the amendment made by the Council.

As I said before, a woman who is 21 years of age is at least equal in intelligence to a man of that age. If we agree to the amendment it would be an insult to women. A woman 21 years old generally has far more stability than a man of that age and we should not differentiate between the two. It would be unreasonable to provide that a woman should be 30 years of age and a man 21 before they were eligible to sit on a jury. The reason we gave is that there should be consistency in this matter, and I am still of that opinion.

Hon. Dame FLORENCE CARDELL-OLIVER: I disagree with the Minister entirely.

The Minister for Justice: I am surprised at the member for Subiaco.

Hon. Dame FLORENCE CARDELL-OLIVER: It is possible that some women who are 21 years of age may be able to deal with cases that come before them. Some may, but the majority may not. The Minister has said that if a man of 21 is able to do so, why should not a woman be? I do not think that a man of 21 is able to either. But where there is one wrong we should not add to it and make two. I want women to be on juries. I have been on a jury, and I know exactly what happens. I was over 21 at the time and, as I have said before, I got eleven men to agree with me. I was one out of eleven, and I was over 21. I hope this Bill will go through because I want women to be on juries; I think they should be there.

The Minister for Justice: You do believe in the differentiation between a woman and a man, intellectually, morally and otherwise?

Hon. Dame FLORENCE CARDELL-OLIVER: Intellectually and otherwise men of 21 and women of 21 are different.

The Minister for Justice: Which way?

Hon. Dame FLORENCE CARDELL-OLIVER: It is a woman's prerogative to say "No" and a man's to try. Has the Minister got it? A woman is there to try to preserve the morality of the nation; that is not the case with men.

The Minister for Justice: That supports my argument.

Hon. Dame FLORENCE CARDELL-OLIVER: But a woman of 21 years of age is better able to look after her children at home—and she should be having them at that age—rather than be out sitting on a jury. I must apologise, Mr. Chairman, I am not very well and I cannot say as much as I would like to. The other day I saw the following in a newspaper:—

> Since 1919 every British subject, male or female, in the United Kingdom has been liable for jury service, and there has been no outcry about it.

Hon. J. B. Sleeman: Did you see what the Liberal conference did in Brisbane the other day?

Hon. Dame FLORENCE CARDELL-OLIVER: The hon. member and I have had this out before.

The Premier: Ah, ha!

Hon. J. B. Sleeman: What did the Brisbane Liberal conference say?

Hon. Dame FLORENCE CARDELL-OLIVER: Years ago we thrashed out the question as to whether a person should have any income qualification in order to be able to serve on a jury. It was a Labour woman who said that every British subject in the United Kingdom, male or female, had been liable for jury service since 1919. I served on a jury in England after 1919, and I had to have a status in the country in order to be able to do so. It is wrong to have either men or women on juries who are under the age of 21. If we provide now for women to be able to serve when they are 30, but not before, the day may come when we shall be able to have the same provision for men.

I know that the member for Fremantle will agree with me that men of 21 are not quite responsible, either. I want women to be on juries, but not until they have had some experience of life. What chance is there for a woman who has had to obtain an education, and who then marries young and has a couple of children, to obtain all the experience she should have of men and women before serving on a jury? Do not members think that even 30 years of age is a very young age for that purpose?

The Minister for Justice: A woman of 30 would have a larger family than a person of 21.

Hon. Dame FLORENCE CARDELL-OLIVER: So she stays at home, and looks after them, and does not want to be on a jury. A woman needs to have passed the age of having a family in order to have gained an experience of life. She needs to have had young children growing up, and to be aware of what, with their diverse sentiments, they are likely to do.

The Minister for Justice: You are going to reduce the usefulness of women if they cannot start serving until after they are 30.

Hon. Dame FLORENCE CARDELL-OLIVER: Women are the mothers of men, and they know very much more about what children are likely to do, and can gauge better what is right or wrong when they are older. When women are very young, they make decisions which they would not make if they were ten years older. If members opposite said what was in their minds, I think they would agree that a woman of 30 would have much better judgment than one of 21.

Mr. McCulloch: Would that apply to those of 61?

Hon. Dame FLORENCE CARDELL-OLIVER: I am over 61, and I can judge many members opposite much better than when I was 30.

The Minister for Works: But from a different angle.

Hon. Dame FLORENCE CARDELL-OLIVER: A man of 30 is a much better judge than one of 21. Look at some of the nitwits of 21!

The Minister for Justice: I know quite a few of 30.

Hon. Dame FLORENCE CARDELL-OLIVER: I trust that members opposite will be logical and reasonable, and that they will agree to the inclusion of women on juries at 30 rather than at 21.

Mr. WILD: I strongly support the Council's suggestion. We know that men of 21 can serve on juries today; but would any of us say that, when we were that age, we had any great sense of judgment? If I had my way, no man would be allowed to serve on a jury until he was 30. When it comes to women, let members think of their own daughters. I have one of 23.

The Minister for Justice: What about England?

Mr. WILD: I know nothing of the jury system there. There may be isolated cases of a young girl of 21 or 22—or a young fellow—who is well read and who may have knocked about the world and is thus able to give a considered judgment. But a person of 30, or 31, or 32 is more

likely to give a balanced opinion. It is absolutely wrong to expect that from young folk of 21. I shudder to think that my daughter, if she were still 21, might be called to sit on a jury. While I have a lot of respect for my daughter, who is well educated and well read, I realise that many other factors have to be taken into consideration when it is a question of her sitting on a jury, perhaps trying somebody for his life. I hope that members—and particularly the married men who have daughters—will give this matter further thought.

Mr. BRADY: If members are practical in regard to this matter, they will realise that juries do not sit every day, but are chosen for special cases. They then have to possess certain qualifications.

Hon. A. V. R. Abbott: Women will not have to.

Mr. BRADY: Special qualifications are required of jurors at present. From my observation, the average juror is well over 30 years of age. I have sat on juries, and have seen them picked; and I venture the opinion that not more than 4 or 5 per cent. of jurors would be under 30 years of age.

Hon. A. V. R. Abbott: Do you think the qualification has something to do with that?

Mr. BRADY: That may be so; but I think that, in the main, those who select juries try to ensure that they are drawn from a responsible section of the community. As far as the inclusion of women on juries is concerned, I do not know whether members realise that many nurses must see and hear quite a lot that is not seen or heard by the average man.

Hon. Dame Florence Cardell-Oliver: Men should be 30, too.

Hon. A. V. R. Abbott: Medical men are not liable for jury service. Perhaps nurses should not be.

Mr. BRADY: I am talking about what young women may see and hear, and I contend that young women in the nursing profession would be aware of worldly matters.

Hon. A. V. R. Abbott: Not before 21.

Mr. BRADY: Yes. A reading of this morning's paper would lead to the conclusion that young women in New Zealand are beginning to learn a lot of things before they are 21—so much so that legislation is being introduced in the New Zealand Parliament. Young women in the medical profession, and those in legal offices, must have a pretty broad conception of life. Quite a number of young women are becoming solicitors, and we have women in the law courts who are well under 30. Yet there is an attempt to create the impression that young women should be 30 before they know what is going on in the world. I am inclined to believe that it would be most educational, and of great assistance to some young mothers if, before they had big families, they discovered by jury service what goes on in the world.

A lot of young married women go through life with a misconception of what occurs; and if some of them could sit on juries and hear what takes place, the experience would assist them in bringing up their children. They would be able to advise their children to watch for certain dangers into which they were likely to drift, and to be careful of certain company and difficulties associated with social contacts, and so on. They could pass their knowledge on to others. I am inclined to believe that the statement in another place that the average young woman of 21 is, in many respects, much more sensible than the average man of that age, is correct. We may be fortunate that that is the case.

By and large, dealing with the matter on its merits, and leaving out party politics, I cannot see that any great harm would accrue from having women on juries when they are under 30 years of age. As a matter of fact, only a very small percentage of those under 30 would find their way on to juries. Such women are not likely to hear or see anything worse than does the average nurse, or the average young woman in a legal office, or one who is studying for the legal profession. We would do the right thing by women if we allowed them to serve on juries and take part in the responsibilities associated with jury service from the age of 21 onwards.

Mr. O'BRIEN: I was pleased to hear the member for Subiaco say that she would agree to women being on the jury, but I differ from her on the question of age. I am of the opinion that a woman of 21 years of age is equal to a man who is 21. Men of that age serve on juries, and, consequently, I believe women of the same age are entitled to that right. They have the right at that age to vote.

Hon. A. V. R. Abbott: You do not want to give them the same rights.

Mr. O'BRIEN: I differ from the member for Mt. Lawley. They are entitled to the same rights as men have.

Hon. A. V. R. Abbott: But you would not give them the same rights.

Mr. O'BRIEN: A woman at the age of 21 years can say, "No" and "Yes," the same as a man can. If she is called upon to serve on a jury, she is quite capable of saying whether the person is guilty or not guilty. I disagree with the amendment.

Hon. A. V. R. ABBOTT: I look at this from the point of view of a man who is being tried.

Hon. J. B. Sleeman: Or a woman.

Hon. A. V. R. ABBOTT: Yes. We must ensure that justice is done both to the community and to the person being tried.

The Minister for Justice: The jury system in England has not been a failure.

Hon. A. V. R. ABBOTT: It has not been altogether a success. The community usually prefers persons who are over 21 to represent them in Parliament. I do not know one of that age who is a member of this Chamber; yet I doubt if any less responsibility is required in regard to a man who is being tried than is necessary here.

The Minister for Justice: Pitt was 21.

Hon. A. V. R. ABBOTT: I think he was. I feel it would not be unreasonable to make 30 the age for all jurors, both men and women. The member for Murchison said he did not want any distinction, but when I tried to put them on the same basis, he would not agree.

The Premier: Would there be much likelihood of there being a jury at any time where the majority would be under 30 years of age?

Hon. A. V. R. ABBOTT: No, it would be very unlikely, but one juror can place the accused in the unpleasant position of having to be re-tried—possibly three times. People, no matter what their age, are conditioned in their mental outlook to some degree, but our inhibitions become less affected as we become older. We start off, when we are very young, with strong views, but the older we get—

The Premier: Sometimes our prejudices become stronger.

Hon. A. V. R. ABBOTT: Not on the average. I can picture the Premier being, as a young man, very dogmatic and emphatic, and sincerely believing in what he said. Now he is comparatively mellow.

The Premier: You would not mind being tried by me?

Hon. A. V. R. ABBOTT: I certainly would not, but most certainly would have challenged the Premier at the age of 21, had he been on the jury panel, because I feel he would have been too emphatic in his point of view. We would not be doing any harm in this instance if we accepted the idea of the Legislative Council. We are not depriving a woman of any privilege. I have never heard a juryman say he wanted to act as a juror. Most of them regard it as an unpleasant and essential duty. Women can repudiate this duty, and I think most will. On the other hand, I feel that youth today is very wilful and that people at 30 would not dream of doing things that they would do at 21. When men are being tried for sexual offences, we want people who are as staid as possible to act; and a woman of 30 would have more knowledge of the opposite sex than would a younger woman.

The Minister for Justice: If you made it 40, she would have still more knowledge.

Hon. A. V. R. ABBOTT: She might have less then because I think that at 30 her mind is very active. I would like the Committee to regard this matter purely from the point of view of what is best for the criminal and the community. On the average we get a more balanced opinion at 30, both from men and women, than we do from younger people. For women to assume this responsible duty, 30 years of age is quite young enough. Therefore I suggest that the Minister does not insist.

Mr. McCULLOCH: The member for Subiaco said that when she served on a jury in England in 1919, there was no age limit put on the women. The argument revolves around the question that a woman at 29 years of age is not as intellectual as a man of the same age.

Hon. Dame Florence Cardell-Oliver: Do not be silly!

Mr. McCULLOCH: No one can tell me that is correct. The question has really become political, but it should not be a political one. At no time would any jury be composed wholly, or in the majority, of women or men under the age of 30 years. Before a person is chosen to go on a jury, he or she can be challenged. It is absurd to say that the female is less intelligent than the male. My opinion is that we could get illiterate males who would not be capable of serving on a jury, and we could also get illiterate females who would not be capable of so serving. Why should the female be put on a different age basis? I cannot understand it. A female at 21 years of age is more attentive than a male.

Hon. A. V. R. Abbott: Do you think a male at 21 should be on a jury?

Mr. McCULLOCH: Certain males would not be capable of serving on a jury at 21. A woman is quite as intellectual as a man, at any age. I would say that women are equal in status to men from the day they are born to the day they die.

Hon. A. V. R. Abbott: The public do not think they are such good politicians.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. B. SLEEMAN: I think we should continue to disagree with the Council's amendment. It seems to me that we are not making any attempt to secure equality for both sexes. Every person of the age of 21, whether male or female, should be entitled to sit on a jury as a right. The last people we want on the jury are those who would apply for that right.

Hon. A. V. R. Abbott: We are not dealing with that amendment.

Hon. J. B. SLEEMAN: No. I know, but every person of 21 years of age should have the right to sit on a jury. I have a newspaper cutting here, and one would almost

think that its contents had been voiced by those members who sit on the other side of the House. The article reads—

> Poor chap. He thinks he is broad-minded; but scratch the surface and you find a mid-Victorian patriarch, coat-tails, side-whiskers and all, zealously striving to protect the chaste ears of his wife and daughters from the tales of depravity that are aired in court.
>
> (And this from the man who sticks to his seat on the five-thirty because he says that women can no longer claim special privileges as the weaker sex.)

We have heard similar remarks expressed here tonight, such as, "My daughter of 21 should not be allowed to sit on a jury", but members have only to enter any Police Court in this city and they will see girls taking down the evidence of the most sordid cases that could ever appear before a court. If they are capable of listening to such cases, surely they are capable of sitting as members of a jury. It seems strange that such remarks should be made by members sitting on the Opposition side, in view of what is reported in this newspaper cutting dealing with a meeting of Liberal women held in Brisbane, which reads—

> Women Liberals Beat Men on Female Jury List Vote.
>
> Brisbane, Mon.: Women delegates won the support of the Liberal Party State Convention for automatic inclusion of women in the jury list. The motion was carried on a show of hands among a predominantly female audience against strong opposition by men. It read:—
>
> > We strongly urge that women of voting age be automatically included on the jury list, and in murder and sex cases it should be compulsory to include women in the jury.
>
> Liberal Women's Council chairman Mrs. J. Voller said if women were entitled to vote they should also be able to serve on a jury.

These remarks were not expressed at a socialist gathering, but were made during a Liberal conference. If they can carry it in Queensland, we can carry it here. A woman of 21 has just as much commonsense as a man of the same age.

Question put and passed.

No. 2. Clause 4—In Subsection (1) of proposed new Section 5A add a further paragraph to stand as paragraph (c) as follows:—

> (c) notifies in writing the Resident or Police Magistrate of the district in which she resides that she desires to serve as a juror.

The MINISTER FOR JUSTICE: I continue to disagree with this amendment. I still think there is need for women to serve on a jury, and I think the member for Subiaco will agree with me on that.

Hon. Dame Florence Cardell-Oliver: I do.

The MINISTER FOR JUSTICE: If that is so, I move—

> That the Assembly continues to disagree to the amendment made by the Council.

Hon. A. V. R. ABBOTT: I suggest that we should agree to the Council's amendment, because I think it is very logical. When we are granting women the option to serve on a jury, why should we put the State to unnecessary expense and the necessity for so much organisation, merely for the purpose of ascertaining the names of those who desire to serve? Would not the simple way be to make a note of those who desire to serve? If we do not agree to the Council's amendment, numerous lists would have to be compiled, checked and notices sent out, followed by the issuing of summonses to those who had not complied with the notices.

The Minister for Justice: You do not agree that women should serve on juries?

Hon. A. V. R. ABBOTT: Of course I do. I introduced a Bill to implement that principle.

Hon. Sir Ross McLarty: Of course you did! You are a champion of women's rights!

The Minister for Justice: Why should a woman have to write in to apply for the right to serve?

Hon. A. V. R. ABBOTT: Does the Minister for Justice mean to say that they have not the commonsense or ability to ask for what they want?

The Minister for Justice: Do you mean to say that men would not make application to serve?

Hon. A. V. R. ABBOTT: Yes, I do say that they would not make application to serve and, in fact, 90 per cent. of the men try to avoid the duty.

Mr. Lawrence: And the same thing applies to women.

Hon. A. V. R. ABBOTT: Yes, but although men have to serve, we are giving women the option.

The Minister for Justice: Provision would still have to be made for women to serve on juries.

Hon. A. V. R. ABBOTT: Material provision would have to be made for them to serve in courts of law, but we would not have to compile long lists of the names of all women that do not want to serve, which would entail the expenditure of a great deal of money.

The Minister for Justice: What is the use of worrying about money?

Hon. A. V. R. ABBOTT: The Minister does not worry about money?

The Minister for Justice: Well, why worry about money as far as men are concerned?

Hon. A. V. R. ABBOTT: How many times has the Minister been approached to try to get a man exempted from serving on a jury? However, in the case of women, they will need only to write in to gain exemption.

Mr. Lawrence: Do you mean to say that because of the cost, women should not be given equal rights with men to serve on juries?

Hon. A. V. R. ABBOTT: I am not saying that. I am merely saying, "Give them the option to serve." That is what we are doing. But why not give those women who desire to sit on a jury the right to do so?

The Minister for Justice: Do you know that all women's organisations have been in touch with me, stating that they do not want women to write in in order to serve on a jury?

Hon. Dame Florence Cardell-Oliver: Will the Minister give me the number of those women's organisations?

Hon. A. V. R. ABBOTT: I do not think the Minister is right. Have all the women's church organisations applied to the Minister?

The Minister for Justice: All women who are concerned with juries.

Hon. A. V. R. ABBOTT: All women are concerned with juries. Have all the R.S.L. women auxiliaries written to the Minister?

The Minister for Justice: I have been approached by half-a-dozen women's organisations.

Hon. A. V. R. ABBOTT: What are they? They are like many men's organisations which are composed of only a few people. Does the Minister, because of his own whim, desire to put the State to a great deal of unnecessary expense, when that money could be put to good use in the provision of infant health centres and so on.

Mr. Lawrence: You are off the beam. Stick to the subject.

Hon. A. V. R. ABBOTT: That is the subject. The hon. member has been out in the country lately and has had too much sun.

Mr. Lawrence: Do not shake your head too much or it might fall off. I think you have had too much sun up at Exmouth Gulf.

Hon. A. V. R. ABBOTT: Mr. Chairman, I think the Committee is getting a little disorderly.

The CHAIRMAN: It will not get disorderly if the hon. member addresses his remarks through the Chair.

Hon. A. V. R. ABBOTT: I submit to you then, Mr. Chairman: Are you prepared to put the country to unnecessary expense? I suggest you are not.

The Premier: The Chairman is impartial.

Hon. A. V. R. ABBOTT: Yes, but I can see he is my way, and I will leave it at that.

The MINISTER FOR JUSTICE: The member for Mt. Lawley said that because of the cost involved women should not be compelled to serve on juries.

Hon. A. V. R. Abbott: I did not say that.

The MINISTER FOR JUSTICE: The hon. member implied that. If women are entitled to serve on juries, what right have we to say that they should be compelled to write and ask for permission? If that were to apply to women, why not apply the same principle to men? Usually, the member for Mt. Lawley is fair in his arguments but, to my surprise, he has wasted many words this evening. He says that women should be given the right to serve on juries, yet all the remarks uttered by members opposite indicate that they do not want women to serve on juries; they want to compel women to ask for permission to serve, by which action they would be subject to prejudice.

Hon. Dame Florence Cardell-Oliver: Why not have a referendum on that?

The MINISTER FOR JUSTICE: The hon. member preaches one thing and practises another. Only tonight she said she was in favour of women serving on juries.

Hon. A. V. R. Abbott: Your Government is not game to make it compulsory.

The MINISTER FOR JUSTICE: And yet she argues against that very principle! If women are given an opportunity, they will serve on juries. The various women's organisations have asked for it, and I am only submitting their request. This Bill seeks to put women on the same basis as men.

Hon. Dame FLORENCE CARDELL-OLIVER: Nearly every year a similar Bill has been introduced, and the same argument arises. Ever since I have been in Parliament I have been in favour of women serving on juries, but I want it to be on a fair basis. It seems that the Government is determined that this Bill will not be passed. If they desire to give women a fair chance, they should agree to women of 30 and over being eligible, and not on a compulsory basis. When I was in England, this was compulsory and application for exemption had to be supported by a doctor's certificate. I had to serve.

The Premier: Why?

Hon. Dame FLORENCE CARDELL-OLIVER: Because I was suitable. However, members opposite do not want this Bill to go through.

The Premier: That is absolutely untrue.

Hon. Dame FLORENCE CARDELL-OLIVER: It seems that members opposite are determined that this Bill shall not go through.

Question put and passed.

Resolutions reported and the report adopted.

Assembly's Request for Conference.

The MINISTER FOR JUSTICE: I move—

> That the Council be requested to grant a conference on the amendments insisted on by the Council, and that the managers for the Assembly be the Hon. A. V. R. Abbott, Hon. J. B. Sleeman and the mover.

Hon. J. B. SLEEMAN: I rise again to voice my protest at the procedure of seeking a conference with another place. Although I have been mentioned as one of the managers, I do not think we will get very far. In the past we have wasted many hours on such conferences. If one of the managers decides to dig his heels in, nothing can be achieved. The time has arrived to seek some other method of settling these differences. If there is need for conferences, let it be on a different basis.

Question put and passed, and a message accordingly returned to the Council.

BILL—RADIOACTIVE SUBSTANCES.

Second Reading.

Debate resumed from the 14th September.

HON. C. F. J. NORTH (Claremont) [7.52]: This Bill deals with a new subject of great importance. The previous Bill dealt with human rights, but this one deals with science. The Bill has had a very distant origin. We were told by the Minister that it came from the Federal Government through Dr. Earle Page. I found, however, that it originated from the students of the University of Western Australia. One student in the Liberal movement of that university was responsible for this Bill in its initial stages. That is of some interest because it is said by members opposite that Liberal and Country Party members are not in favour of boards or increase of controls.

The Labour Party is charged with being in favour of increasing controls and creating more boards, although we were told by the Premier that he, for one, felt there were already too many boards in existence. Even if the opinions of political parties vary on this subject, individual members from all parties do not want more boards or controls than are necessary. Yet here is a case of a young Liberal having initiated a Bill, which will inflict a further control on the community! Is it possible to avoid this? I feel not. The Bill should be supported here because it has received support from everybody outside the Chamber.

It seems that we are living in an age when science and the inventions of the present generation are forcing us gradually into a police State. We may not like it, but that is what is happening. To give an illustration, today and last Tuesday as I was driving to this House I passed 16 constables on motorcycles, one after the other. They were all watching me driving along the road to see that I obeyed the traffic regulations. That would have been unheard-of 20 years ago. That is a form of police control which has been brought about by the invention of the motorcar.

In the Bill we are asked to introduce another control, and for that reason I sent copies of it to a number of interested parties to ascertain their reactions. It was sent to the Chamber of Commerce, the Chamber of Manufactures, to doctors, dentists, retailers and two manufacturers of chemicals—Faulding & Co. Ltd. and Felton Grimwade and Bickford Pty. Ltd—to the University of Western Australia, and to the young student who originated the move, because he was working on radioactive isotypes at the University. None of those interested parties found any objection to the Bill. They could not see one word wrong in it, which shows that although they will have to be subjected to one more control, they realise the need for it.

I would like to remind the House of two or three things that happened since this Bill was introduced. Firstly, I refer to an article from "The West Australian" of the 18th September, reading—

> Atomic Power Can Preserve the World's Food.
>
> News comes that atomic energy may soon rival the modern quick-freeze in the preservation of food. This follows the important discovery that many foods keep for months when exposed to atomic radiations.
>
> Potatoes keep firm and fresh for nine months or more. Meats particularly are now being investigated. It might yet be the answer to our beef export problem.
>
> This is another example of the way atomic energy is coming into our lives and building up a credit side, which is growing at tremendous speed.
>
> In every university in Australia, and in many big research laboratories, work is underway on the useful adaptations of atomic radiation.
>
> It is the same all over the world. At a recent conference at Oxford, no fewer than 700 British scientists, all engaged on peaceful applications of atomic radiation, discussed their varied problems.

Optimists say that we are gradually passing from the dark age of atomic energy.

Pessimists say—well, you know what they say.

That illustrates that there will be a great many uses for this substance as time goes on.

The Bill deals with the control of radioation of atomic energy and the apparatus dealing with its emanations. It provides that the Minister may appoint a council of experts to advise him, and these experts will be given power to delegate duties to others if they cannot cope with all the problems. There is another provision giving inspectors power to go into all kinds of premises, factories, homes and retail establishments, to ascertain whether people are using such apparatus or radioactive substances. Yet another provision empowers the Minister to license people to use such substances and apparatus. Doctors and dentists are permitted to operate the apparatus to take x-ray photographs of their patients.

Mr. May: Lawyers are not permitted to use it?

Hon. C. F. J. NORTH: There are many of them in Parliament, and they mostly deal with matters of law; but this Bill concerns science. Apart from the taking of x-ray photographs, permission must be obtained by others from the Minister, through his council, by way of a licence to use this apparatus. These include assistants working in shoe shops who have to take the x-ray photographs of the feet of customers. It is, however, no longer permitted in beauty salons. I believe that x-ray had been used for depilation by beauty specialists. They will be prevented from so doing if the Bill is passed.

Of course the difficulty is that this, being a new measure, is really experimental and probably has a long future ahead of it. Not only will the powers sought by the Minister be needed but as time goes on there will probably be a great extension of the need for control over these new substances and types of apparatus.

"The West Australian" recently published an article indicating the progress that may be expected in that it may be possible to export from Britain a complete atomic power plant so that in the near future we might have these complete plants arriving here by steamer to provide power in those parts of the country which the mains of the State Electricity Commission do not serve. If that came to pass, it would probably call for further control to meet the circumstances. As to the Bill in general, I feel that the House cannot do otherwise than support it, though in the Committee stage some small amendments in the wording may be advisable.

THE MINISTER FOR HEALTH (Hon. E. Nulsen—Eyre—in reply) [8.2]: I thank the hon. member for his remarks on the Bill. I appreciate the importance of the measure, and he also has emphasised that fact.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Brady in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Interpretation:

Hon. C. F. J. NORTH: The definition of "radioactive substance" refers to the maximum prescribed concentration and the preface to the clause states, "In this Act, unless the context or subject matter otherwise requires." Then in the definition of "sell," after referring to the supplying, dealing in and disposing of these substances, there follow the words "sale," "vendor" and "purchaser" have corresponding meanings. In order to give the definition a clear meaning, I move an amendment:

That after the word "have" in line 30, page 2, the words "mutatis mutandis" be inserted.

The MINISTER FOR HEALTH: The words prefacing the clause govern the whole of the clause and make it sufficiently clear. The draftsman agrees with me that the words proposed to be inserted are quite unnecessary, but as their insertion will do no harm, I propose to accept the amendment.

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

Clauses 5 to 12—agreed to.

Clause 13—Application for licences:

Hon. C. F. J. NORTH: Subclause (4) provides that the Minister may at any time during the currency of a licence revoke or vary any condition of it. This would only be done in the interests of safety, and therefore I move an amendment—

That after the word "may" in line 15, page 8, the words "in the interests of safety" be inserted.

The MINISTER FOR HEALTH: I oppose the amendment as it will restrict the powers of the Minister, and I do not think the hon. member desires that. An applicant may not be a fit and proper person to hold a licence. One of the main purposes of the measure is to control dangerous substances and anything in the interests of safety would be the first consideration. The draftsman considers that the amendment would fetter the exercise of the Minister's discretion.

Hon. C. F. J. NORTH: The question is whether the Minister, having granted a licence, should have the power to revoke

or vary any condition of it. Of course if, during the currency of the licence, some new development occurred, the Minister should have the power to vary the conditions, but otherwise he would not need to vary them. Provision is made later in the Bill for an appeal, but only in regard to the renewal, suspension and cancellation of a licence and not in regard to the varying of conditions.

The MINISTER FOR HEALTH: The Minister would only revoke or vary conditions of a licence in the interests of safety. My advice is that the words proposed to be inserted would reduce the discretion of the Minister and that would not be desirable. As a layman it seems to me to have no meaning. But, according to the draftsman, it has a restrictive meaning. I therefore cannot agree to the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 14 to 16—agreed to.

Clause 17—Regulations:

Hon. C. F. J. NORTH: In view of the position, particularly in regard to definitions, where the Minister agreed to my proposal, the situation in this case is reversed, and so I will not move any further amendment.

Clause put and passed.

Clause 18, Title—agreed to.

Bill reported with an amendment.

BILL—PLANT DISEASES ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th September.

MR. OWEN (Darling Range) [8.18]: When introducing the measure the Minister pointed out that it contains two separate amendments, both having application to fees payable in respect of compulsory baiting for fruit-fly. I will deal with each of them on its merits. For the benefit of members I would point out that orchard registration and other means of finding money with which to combat fruit-fly are by no means new.

Provision for orchard registration was made in the original Plant Diseases Act of 1914, but I do not think it was implemented. An amendment was passed in 1935 to provide for orchard registration fees and to create a fruit-fly eradication organisation. The orchardists, through the Western Australian Fruitgrowers' Association, had asked for legislation to make it possible for growers to pay the fee into a fund for use in an endeavour to eradicate fruit-fly. That provision in the Act was later amended to provide for a fee of 1s. 6d. per acre for all orchards in the State. In 1942 it was again amended to provide for a fee of 2s. per acre and 2s. for each backyard orchard.

The fund was created and built up by that means for the specific purpose of combating fruit-fly but it was not until the Act was amended in 1946 that provision was made for fruit-fly baiting schemes. I want members to understand that the provision for orchard registration fees at 2s. per acre and 2s. per backyard orchard is apart and separate from that section of the Act which was brought into being in 1946.

In that year there was introduced a Bill to amend the Plant Diseases Act of 1914-1939, and it provided that after a poll was taken a committee was to be set up to organise the scheme for the compulsory baiting within the prescribed area. The committee was given the following powers—

> (1) For the purposes of this Act, to establish and administer a fund which shall consist of—
>
> Firstly—such advances, if any, as the Fruit Growing Industry Trust Fund Committee, constituted under the Fruit Growing Industry (Trust Fund) Act, 1941, may, in its discretion but with the approval of the Minister, make to the committee under this Act;
>
> Secondly—moneys received from charges for services rendered in respect of the baiting of orchards under the scheme;
>
> Thirdly—contributions made to the fund under this Act; and
>
> Fourthly—penalties imposed upon persons convicted of any offences under this section, which penalties notwithstanding the Fines and Penalties Appropriation Act, 1909, are hereby declared to be payable into the fund.

It will therefore be seen that any committee set up after a poll of growers could collect money under those four headings. When that measure was introduced in 1946, I was pleased to support it because I had had almost a lifetime of experience of the endeavour to control or eradicate fruit-fly.

At that time it was suggested that the growers of the south suburban area, extending from Maddington through to Armadale and covering Bedfordale and part of the Roleystone district, were anxious that the scheme should be introduced there and I, for one, thought it would be interesting to see if such a scheme could be effective. I mentioned then that I thought the south suburban area would be a good one in which to try the scheme because it contained a considerable number of backyard orchards, some semi-commercial orchards and a number of big commercial orchards.

The 1946 measure provided that the committee should have power—

> To fix a scale of charges to be paid by and to demand payment from the owner or occupier of any such orchard for the baiting carried out by or on behalf of the committee: Provided that the maximum charge in respect of orchards of one acre or more shall be 3s. per acre or part of an acre for each and every baiting and, in respect of orchards of less than one acre, shall be ¾d. per tree or fruit vine baited for each and every baiting. The committee, with the approval of the Minister, may fix a minimum charge of 6d. per baiting in respect of orchards of less than one acre.

During the debate on the second reading of the measure I said I felt there would be difficulty in making the 3s. per acre cover the cost of the baiting scheme. I stated that if the Government could see its way clear to contribute towards the cost on a £ for £ basis, we would be sure to achieve a better control of fruit-fly and have a greater chance of eradicating it from the State. In the end it was shown that 3s. per acre was not sufficient, as the large number of non-commercial and semi-commercial orchards in that area made the cost of baiting so much higher. Where every backyard orchard had to be baited the cost, of course, obviously rose accordingly.

When the scheme was put into operation in the south suburban area, the Fruitgrowers Association considered that it was in the nature of an experiment and made available a sum of, I think, £200 to help the committee get the scheme under way. The Government also contributed a subsidy. The scheme was reasonably successful, but fairly expensive and in view of the degree of success achieved there the Donnybrook growers appealed for a poll which was successfully carried, with the result that a scheme was put into operation in that area. Down there it has been highly successful and has resulted in almost a complete control of fruit-fly in the Donnybrook area.

As costs increased it was felt that the scheme was in jeopardy, and the committee asked that the fees be increased. In 1949 the maximum fee per acre for baiting was increased from 3s. to 6s. and for backyard orchards it was increased from ¾d. per tree to 1½d. per tree or plant, or a minimum of 1s. per baiting, whichever was the greater. That gave much more life to the scheme because it was felt that these charges, plus the subsidy paid by the Government, would enable the scheme to carry on successfully and at least control the ravages of fruit-fly in both the south suburban and Donnybrook areas.

In 1951 the eastern hills districts felt that they could successfully run a scheme and asked for a poll of growers. This poll resulted in more than 60 per cent. of the growers being in favour of such a scheme. A committee was formed and the scheme embraced the districts of Glen Forrest, Mundaring, Parkerville, Sawyer's Valley and Mt. Helena and that scheme has been carried on more or less successfully ever since.

Under the provisions of the Act it is necessary to hold a poll of growers every three years. The south suburban scheme came up for review in 1951 and resulted in more than 60 per cent. of the growers being in favour of it. In Donnybrook a majority of growers were also in favour of a continuation of the scheme and in June of this year, when the south suburban scheme came up for further review, 90 per cent. of the growers in that area agreed to a continuation. A poll was also held in the eastern hills area and growers there were also in favour of their scheme being continued.

In the eastern hills and south suburban areas the fees charged have been the maximum—that is 6s. per acre. I understand that in the eastern hills districts they will be able to carry on and show no loss at all. But, on last year's operations, although excellent work was done by the committee in the south suburban area, the scheme showed a slight loss. The figures supplied to me—some of these figures were given by the Minister when he introduced the Bill—show that 190 commercial orchards and 1,055 non-commercial orchards were baited in the south suburban area. The fees collected from the 190 commercial orchards were £1,933 and £1,080 was collected from the non-commercial orchards; or a total collection of £3,043.

The cost of baiting the 190 commercial orchards was £1,880 and for the 1,055 non-commercial orchards it was £2,786, or a total of £4,586 for the whole scheme. The fees collected amounted, as I intimated previously, to £3,043. As the Minister mentioned, when he introduced the Bill, the Government has been paying a subsidy of £1,500 for this particular scheme in the south suburban district so that the total fees received, including the subsidy, was £4,543. As the cost was £4,586, the scheme showed a slight loss of £43; which is not much.

I understand that only £48 has not been collected and of that £26 is from non-commercial orchards. So members will see that the committee has done a remarkably good job in that district. The work of the committee is carried out on a voluntary basis but the office expenditure and incidentals have amounted to approximately £500 over the six years that the scheme has been in operation. That means, in effect, that under 2 per cent. of the costs are the result of administration.

As the Minister said, the position is likely to be aggravated in the next few years and it was not proposed to increase fees for

the areas with one to six trees. They will still pay 1s. or a minimum of 2d. per tree. The number of properties with one to four trees total 340 and those with five to six trees number 150. There was an increase in the number of small properties last year. As members can readily appreciate, a number of new houses are being built in the area and the residents like to plant a few fruit trees. The figures show that approximately 250 new properties were registered last year and it is more than likely that another 250 will be planted with fruit trees next year. Most of those are in the Armadale, Kelmscott, Maddington and Gosnells districts.

Hon. Sir Ross McLarty: Are those commercial orchards?

Mr. OWEN: No, non-commercial orchards. The figures for commercial orchards are more or less static, but those regarding the number of backyard orchards show a large increase. That will greatly add to the cost of carrying out the baiting scheme which showed a loss of approximately £43 last year. The committee did not ask for an increase in fees, but requested the Government to increase the subsidy slightly to cover the small loss.

Under the Bill it is proposed that the fees shall be increased to 10s. per acre. I want members to realise that 10s. per acre is for each baiting, and to control fruit-flies successfully it is necessary to have a minimum of one baiting every six days while the fruit is approaching maturity, and for two weeks after the fruit has been stripped from the tree. The average number of baitings in a commercial orchard would be from nine to 10, and at a cost of 10s. per acre per baiting it would mean a cost of £5 per acre per annum. In the same way, the fees charged backyard orchards are for each baiting and the figures given must be multiplied by nine or 10.

As I mentioned previously, the south suburban area is made up of commercial, semi-commercial and a large number of backyard orchards and the scheme is proving costly, particularly to the commercial orchards. One orchardist in the south suburban area—he is the largest—paid £114 last year to the scheme. In addition, because he grows a lot of soft fruit—and as all practical orchardists in fruit-fly areas will agree, during the period of ripening of soft fruit one baiting per week is not sufficient—he baited his orchards himself for a number of months during the year. Therefore his costs would be much more than £114.

Under the new scale of charges, as proposed in the Bill, his costs would be increased to £180, which is a considerable sum. It is estimated that if he baited the orchard himself he could do it at a much cheaper rate and it would involve approximately a fortnight's work for one man with the necessary plant. This would mean that he could do the baiting on his orchard at approximately half the cost—that is £80 to £90 for the whole season. In effect, that grower is subsidising the small backyard orchardist to the extent of £90 to £100 per annum.

Commercial growers have been quite happy to pay comparatively heavy charges to ensure that those who grow fruit in that area have their trees baited at the proper times. But I feel that if these increased fees are agreed to, the commercial growers will rebel. They feel that they are already supporting the backyard grower sufficiently. If this increase in fees is sanctioned, I consider it will be likely to jeopardise the south suburban scheme at the next poll. As I mentioned earlier, it is necessary to hold a poll every three years to see if growers are in favour of its continuation. If the commercial orchardists vote against it, the scheme will go out, and those growers will have to bait their own trees. But the fact that the non-commercial orchardist is not baiting, will make it much more difficult to control fruit-fly in those areas. It could also cause the breakdown of the other schemes in the Donnybrook and eastern hills areas.

At present I do not think the committees controlling those schemes will make use of the power to increase their fees. In my opinion, they will carry on with the fees as they are at present, namely 6s. per acre or less. But who knows? With the change of committees it could easily be put up to 10s. Growers in those areas would become discontented with the arrangement and would be likely to withdraw from it. Accordingly the schemes would also fall flat. It would, too, prejudice the formation of any new schemes in other districts. Other districts have been contemplating holding a poll to enable them to form a committee and carry on a scheme, but if the growers there are told they might be charged a fee of 10s. for each baiting, I am sure they will not be in favour of putting such a scheme into operation.

Consequently, we have to consider this fruit-fly problem not just as a local matter. It is really a problem that affects the whole of the State because it could jeopardise the whole of the fruit-growing industry which, besides providing a living to many orchardists themselves, also contributes a good deal to the timber and transport industries, besides which it provides a considerable amount of overseas credit on the quantity of fruit exported from these shores. This might also affect the tomato industry, which means so much to the Geraldton district. So far fruit-fly has not been reported in tomatoes in this State, but in a severe outbreak of Mediterranean fruit-fly in America some 25 years ago, it was reported that they were infesting tomatoes. Accordingly if fruit-fly is allowed to get out of hand in the areas where

it is now well controlled, I think the fruit-growing industry in the State will be jeopardised.

I would like to give some figures for the south suburban area to show what the scheme has meant to growers there. Prior to the scheme, the number of cases from that area that were condemned in the metropolitan markets was 398. After the scheme came into operation in 1948-49, it was reduced to 171, and then to 63 for the whole season. In 1950-51, there was some difficulty in getting suitable labour to run the baiting scheme, and the figure moved up to 117; but in the 1951-52 season it was right down to 36 cases, and last year, 1953-54, the number of condemnations in the metropolitan market was down to six cases and, incidentally, four of those were from one backyard orchard.

So it will be seen that the scheme has meant quite a lot to the south suburban area. It has meant almost the complete eradication of fruit-fly; certainly 100 per cent. control in the Donnybrook area, and a high degreee of control in the eastern hills district. I desire to oppose that part of the Bill providing for an increase of up to 10s. an acre per baiting. I think it is very dangerous, and I would ask the Government to consider a slightly increased subsidy to cover any increased cost. Last year the margin between revenue and cost was merely £43. If there must be an increase, I ask that it be shared over all the sections—even those with one to six trees.

Some members may think it a very heavy cost to impose on backyard orchards. Admittedly it is, but I would point out that in controlling disease or pests, the man who is not in the industry commercially must be prepared to pay his way. I would point out, also, that in the control of rabbits, although the landowner in town-site areas does not have to pay into the vermin fund, he is not permitted to keep rabbits without a licence, and he is penalised to the extent that his children may not keep them as pets. That, of course, is necessary because if everyone were allowed to keep rabbits, their control would be made very difficult.

Accordingly, even though the backyard orchardist has only one or two trees, he should be made to carry his share of the burden. Even though the Government has subsidised the south suburban scheme to the tune of £1,500 a year and the other schemes to the extent of £1,000 and £800 respectively, we must look at the matter from the angle that if there were no scheme, I know from experience that the backyard orchardist would not gather any fruit from his trees. I have seen it year after year, particularly in the south suburban area, and those who dwell in the metropolitan area know that it is difficult to harvest fruit without its being infested with fruit-fly.

The backyard orchardist has received great advantage from this scheme. If he has only one tree, he could quite easily, on a statistical average, get one case of fruit, which on present-day values would be from 10s to 30s. That is from one tree. So the fees he would be charged, even if he had to pay the minimum 1s. 3d. per baiting, would still leave him somewhat better off. Of course, the man with six trees could keep himself in fruit for the whole season, and the fees charged him would not be out of proportion to the advantage he would receive from the workings of the scheme.

I do feel, however, that the increase of up to 10s. per acre should not be allowed to go through. It could be the means of all the schemes now operating falling through; it would certainly prohibit the formation of new schemes being launched in other fruit-fly districts and it would be a great disadvantage to the commercial orchardist, to the backyard orchardist in those areas, and to the fruit-growing industry as a whole. Accordingly I must oppose that portion in the Bill.

There is another provision in the measure, which, as the Minister explained, is designed to expedite the recovery of fees through the courts by streamlining the procedure. At present it is necessary for the chairman of the committee to prove that a certain person is the occupier of a particular orchard; it is necessary to make a search of the title, or to check with the local authority as to whether he is a ratepayer and can be considered as the occupier. Those costs, of course, are added to any fines that must be paid by the defendant.

As suggested by the amendment in the Bill, the chairman will simply have to aver that a particular person comes under the ambit of the scheme and the cost to the defendant will be lessened. This will not make any difference to the collection of the fees because in practically all instances the defendant pleads guilty and pays up. It is regrettable that that step has to be adopted and that he has to be taken to the court, but it is designed to streamline procedure and thus reduce the cost to the defendant. I oppose the first amendment in the Bill but support the second.

MR. WILD (Dale) [8.57]: I join with the member for Darling Range in opposing the amendments contained in the Bill. I do so in the main on the same grounds as outlined to the House by the hon. member. I would like to add one or two observations, however, particularly in regard to what the industry means to this State and what it will mean if the growers decide—and it is in their hands every three years—whether in view of the charges that can be levied—admittedly by a committee of their own—it would pay them to carry on

with the scheme or go back to where they were before and do their own baiting. It seems to me that high charges were never the intention.

This can be seen if we go back to 1914 when the Plant Diseases Act was first put on the statute book. I read the speech of Hon. T. H. Bath, who was then Minister for Lands and Agriculture, and it is clear that it was not the intention that this scheme should be supported entirely by the growers. In 1946 an amendment was made to the Act which gave local autonomy to the growers to declare through a poll whether they should have a fruit-fly baiting scheme in which it was compulsory that their orchard be baited and for which they had to contribute a certain amount of money. Already there has been one lift to the original charges, and the one we are asked to consider now will raise the charges to the order, taking the commercial growers and the small backyarder collectively, of approximately 60 per cent.

I think we can link fruit with most of our other primary products, and say that, with increased costs, we are gradually killing the goose that lays the golden egg. Is anybody going to deny that primary products are entirely the basis on which the economy of the country rests? It is all very well to talk about the industries that we have in Western Australia. I am all for them if they fit into the economy of the country. But immediately we find that we cannot sell our produce overseas, or that we have had a bad year, just what happens to the economy of the country? Before we know where we are, we are half way into the throes of a depression. At the present time, we are having trouble with our wheat, and wool prices are unfortunately drifting back a little. We cannot sell our eggs overseas, and our fruit is in exactly the same category. Shall we be able to consume all these goods ourselves, or shall we start a programme of no production?

Last year, the fruit industry brought to this State £2,383,000 by way of returns from exports. From that we realise that the industry means a lot to this State. In the last three or four years, the cost of fruit cases has gone up by 100 per cent. The member for Darling Range knows what that means, because he uses hundreds of cases per year. Then the manures required for orchards have increased in price from 50 to 100 per cent., or more. If orchardists want piping or require labour, they have to pay extra for them. What happens as a result? The increased prices have to be built into the cost of the cases of fruit.

When our growers come to export their fruit, obviously they try to get back what they have had to put into its production, plus a small margin of profit for themselves. But the stage is being reached when that cannot be done. Overseas there is buyer resistance. People there can purchase more cheaply from California and other places, and consequently they ask why they should buy fruit from Australia and pay more for it. As a result, we do not have the sales of fruit that we should, and slowly away goes the economy of the fruit industry; and the economy of the State goes with it.

So I would draw the attention of members, and particularly of the Government, to what I have said on two or three occasions this session when speaking of increased charges to primary producers: that we are just killing the goose that lays the golden eggs, and it is time we got our heads out of the clouds, and realised that we must be able to produce articles—whether they be primary or secondary products—that can compete on the markets of the world.

At the last poll in the south suburban district—a district entirely within the electorate of Dale—there were 1,052 people eligible to vote. It is interesting to note the number who exercised their right. It was 164, of whom 146 voted for the scheme, 17 were against it, and one vote was informal. Of the 146 who were in favour of the scheme, I suppose it is fairly reasonable to assume that the preponderance were commercial growers, of whom there are 157 who have over three acres each.

I am not denying that the growers themselves think that this is quite a good scheme. It has proved very successful. I will not go over the figures again, because they have been given by the member for Darling Range. It is significant that where inspectors were condemning up to 300 cases of fruit per year, the figure was reduced to six cases last year. When that is realised, I think everyone will agree that the scheme has been most successful. But the cost of that scheme must be in keeping with what the grower will get back for his fruit. I will tell the Premier—who, I have no doubt, is representing the Minister for Agriculture this evening—that many of these growers will rebel against the scheme if increased charges are imposed, when it is realised that only 164 out of 1,052 exercised their vote.

The Premier: Do you know why a bigger percentage did not vote?

Mr. WILD: If we deduct the 157 from the 1,052, we have left the people who have only a few trees. In the main, they are people who are not dependent on fruit for their livelihood. They have anything from six to 20 trees; or they may have half-an-acre with 50 trees. They are what might be termed St. George's Terrace fruit-growers. They are men who grow a few trees and hope to reap a few

shillings from them. But I say emphatically that they are no good to the industry, because they are not in it full-time, and are not mainly dependent on fruit. But the 157 to whom I have referred are engaged in the industry for a living; and they are vitally interested, and have been paying the major portion of the funds that have been provided to continue this scheme.

The Minister for Health: What does the scheme cost per case?

Mr. WILD: I cannot say. But in the 1953-54 season, the fees provided by growers totalled £3,043, to which was added £1,500 donated by the Government, bringing the total receipts to £4,618. As the member for Darling Range said, at the end of the year a margin of £40 odd was shown. From that, one can say that the scheme cost roughly £4,560 to maintain. If we are going to have these increased charges, I have no doubt that the growers will feel—and one or two of the large growers have expressed this view to me—that, while they would agree that the scheme has been excellent, in view of what they have to do themselves in addition to the scheme, they could not and would not face the possibility of having to pay something more—in the case of the commercial men—than 6s. per acre per baiting.

At the moment we have a very good committee in the south suburban fruit-fly baiting district; but who is to say that in the next two or three years the committee will be just as responsible? The Minister will probably say that this matter is in the hands of the committee, which only needs to charge 6s. But if the Act provides that 10s. may be charged, there will be nothing to prevent an irresponsible committee from saying that the amount shall be 10s. But the main point is that here we have an industry that is of great benefit to the State. When Mr. Bath introduced the parent Act in 1914 there was no suggestion of the grower putting in anything at all; but each time there has been an amendment of the Act, there seems to have been a tendency to want the grower to pay more and more.

I am sorry that the Minister is not present. I want to point out that when the previous amendment was passed in 1949, he was sitting over here. At that time, the fees were to be raised from 3s. to 6s., and the Minister thought differently then from what he thinks now he is sitting on the Government side of the House. On that occasion he said—

> Therefore I think the Minister is justified in seeking some increase on the present charges for baiting services, but not to the extent that the Bill, if I interpret it correctly, will make possible. In my opinion, if the provisions of the Bill are included in the Act, it will place a most unfair burden upon some producers, particularly those who have less than one acre, and there a great number of those people.

In this amendment the Minister wants to bring in not all of those 1,052 people—I am divorcing from my mind the commercial men, of whom there are 157—but of the 1,052, he wants to bring approximately 600 under the very proposal he opposed in this Chamber when he sat on this side. So at that time he adopted exactly the same argument I am advancing this evening. He did not agree then, any more than I agree this evening, that the grower—particularly the big man—should be called upon to bear any more burden under the scheme.

Last year, or the year before, the committee went to the Minister for Agriculture and asked him for a subsidy for the scheme. The sum of £1,500 was granted. I have no doubt that this year the Minister has said to himself, "I am not going to give any more than £1,500 to subsidise the scheme, so I shall give growers an opportunity to charge their own men more money." And when they come to him —he admitted in his second reading speech that he had no intention of cutting the amount down—he will still give them £1,500. But if they do not raise the fees, and the scheme costs £1,750, the position will be the same as obtains with the Grants Commission when it says that, if the State does not raise railway fares, an amount will be cut out of the grant. I do not think it is fair. If ever there was a scheme that was of great benefit to the people of this State, it is the fruit-fly baiting scheme; and we have come to a sorry pass if the Government of the day, irrespective of its political colour, cannot afford to subsidise, on a £ for £ basis, the fellows who are providing the major part themselves.

Other industries are being subsidised, and I am not opposed to that. One can consider Wundowie. That is in the interests of the economy of the State, and is helping to produce something for our benefit. We were told not long ago that pig iron is now being exported from Wundowie. So the stage has been reached where the efforts of the Government over the years in subsidising that industry are coming to fruition. Is it any less reasonable to suggest that the fruit-growing industry should, to some degree, be subsidised to eradicate a menace which is not of the growers' making?

The member for Darling Range would be aware that most of this menace comes from the backyards—and in large part the city people are responsible—people with two or three trees, and probably fig-trees, which are amongst the greatest menaces we have so far as fruit-fly is concerned. And the poor old grower in fruit-growing districts has to wait for the fruit-fly to come along, and then try to do his

best to eradicate it! He has to continue doing that year after year. People outside the scheme are constantly contributing to the menace; yet growers have to pay in trying to eradicate it. I do not think that is fair.

Because this is such a valuable industry, surely the Government could afford to give the south suburban committee more than a measly £1,500 on a £ for £ basis. Seeing that last year the fees provided by growers totalled £3,043, at least £1,500 should be provided; and if it is necessary to ask for another £250 or £500, a niggardly attitude should not be adopted, because this is an industry which will contribute to the economy of the State. I oppose the second reading.

THE PREMIER (Hon. A. R. G. Hawke—Northam) [9.15]: I do not profess to be an expert in connection with this matter, but it does seem to me that the people who have most to gain from the maintenance of a scheme of this kind are the commercial growers. They are the ones whose very existence, as producers, depends on keeping fruit-fly down to an absolute minimum.

According to information given to us earlier this evening by the member for Darling Range, the operation of the fruit-fly baiting scheme in the district with which we are mainly concerned in the Bill, has been very successful indeed. I think he told us that in the last complete year for which figures are available, only six cases of fruit from the south suburban district were condemned in the metropolitan markets, and that four of those six cases came from one backyard orchard.

Obviously if the operation of this fruit-fly baiting scheme in the south suburban district has been as successful as the figures given to us by the member for Darling Range would indicate, then the commercial growers are very much concerned, I should think, in maintaining the scheme at its present level of effectiveness. If the present scheme were to lose some of its effectiveness, then the people who would lose most would be the commercial growers.

Mr. Owen: They are already subsidising the smaller growers.

The PREMIER: That might be so, but the taxpayers of the State, in turn, are subsidising the commercial growers.

Mr. Owen: No. They are paying their way under this scheme.

The PREMIER: I very much doubt whether all commercial growers are paying their way under the scheme.

Mr. Owen: On the figures, they are.

The PREMIER: I think this State is subsidising the commercial growers. In any event, they undoubtedly have most to lose, and therefore they should be very greatly concerned to maintain the existing scheme at its present level of effectiveness. However, it is my desire that the Minister for Agriculture should have an opportunity to study the speeches of the members for Dale and Darling Range, and I have arranged, therefore, with "Hansard" to make copies of those speeches available to the Minister so that he may have an opportunity of studying what has been said.

It is my intention this evening to try to have the Bill approved at the second reading stage. If that be done, the Committee stage will not be taken until the Minister for Agriculture has returned from his present visit with the Governor General of Australia to the south-west portion of the State.

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

Ayes	15
Noes	14
Majority for	1

Ayes.	
Mr. Andrew	Mr. McCulloch
Mr. Brady	Mr. Moir
Mr. Graham	Mr. Nulsen
Mr. Hawke	Mr. O'Brien
Mr. W. Hegney	Mr. Rhatigan
Mr. Jamieson	Mr. Sewell
Mr. Johnson	Mr. Sleeman
Mr. Lawrence	*(Teller.)*

Noes.	
Mr. Abbott	Mr. North
Mr. Court	Mr. Oldfield
Mr. Doney	Mr. Owen
Mr. Manning	Mr. Watts
Sir Ross McLarty	Mr. Wild
Mr. Nalder	Mr. Yates
Mr. Nimmo	Mr. Hutchinson
	(Teller.)

Question thus passed.

Bill read a second time.

BILL—HEALTH ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 14th September.

MR. HUTCHINSON (Cottesloe) [9.23]: The Bill in its present form has certain objectionable principles, but when the amendments that the Minister for Health has placed on the notice paper are given effect to, these features will be overcome. I want to thank the Minister for the assistance he has given me, and for the machinery he put into operation to overcome the sections of the Act which were objectionable to the purposes of the Bill. It appeared that had the Bill not been amended it would have had an adverse effect on pharmaceutical chemists; and that was not the intention of the measure. The amendments will clear up that position.

The Minister for Health: It would affect them adversely in their prescriptions.

Mr. HUTCHINSON: Yes. The Bill is one for which there is a real need because it has been found that there is a necessity for the licensing and control of the manufacture of basic therapeutic substances. The objectionable feature in the Bill that is to be remedied by the Minister's amendments lies in the fact that no distinction is made between basic therapeutic substances, which it was intended should be brought under the provisions of the measure, and compounded therapeutic substances made up by pharmaceutical chemists, and so they were brought within the purview of the Bill.

The measure seeks to be complementary to Commonwealth legislation and, as I said earlier, to aid in the safeguarding and control of the manufacture of therapeutic substances. The first few clauses of the Bill, up to Clause 7, when the necessary amendments are made to a certain portion of the interpretations, are more or less consequential, and the new part of the Bill introduces the control and licensing of the manufacture of therapeutic substances. I find myself in complete agreement with the Bill, as it will be altered with the Minister's amendments.

I would like to say at this stage that I, too, have an amendment on the notice paper. It does not change the purport of the Bill, but it can be viewed in an academic fashion although it has a real practical value, as I see it. The Bill amends a certain section of the principal Act, and it enables me to try to bring in an amendment which, I think, is essential. However, that is a matter for the Committee stage. I have pleasure in supporting the Bill.

THE MINISTER FOR HEALTH (Hon. E. Nulsen—Eyre—in reply) [9.39]: I thank the member for Cottesloe for his kindly expressions. He did bring to my notice the all-embracing clauses which affect the chemists and also the medical practitioners. My amendments will relieve the position to which he drew attention. The Bill, which is an important one, is a protective measure similar to others that will be introduced this year. It will also have the effect of bringing the Health Act more up to date.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Moir in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 3 amended:

The MINISTER FOR HEALTH: I move an amendment—

> That after the word "use" in line 23, page 2, the words "and which is prescribed under Division 3B of Part VIII. of this Act to be a therapeutic substance" be inserted.

As has been pointed out by the member for Cottesloe, the Bill is all-embracing and, to some extent, restricts chemists in the carrying out of their prescriptions. It also embraces medical practitioners who require some relaxation. This amendment, which was brought to my notice by the member for Cottesloe, will relieve the position.

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

Clause 5—agreed to.

Clause 6—Section 216 amended:

The MINISTER FOR HEALTH: I move an amendment—

> That before the word "Physiologist" in line 14, page 3, the words "or a" be inserted.

The amendment will mean that instead of having two, either one only will be needed.

Amendment put and passed.

Mr. HUTCHINSON: I move an amendment—

> That a new paragraph, to stand as paragraph (b), be added as follows:—
>
> > Deleting the word "two" in line 3 of Subsection (2) and inserting the word "three" in lieu; and inserting in line 4 of Subsection (2), after the word "requirements" the words, "one of whom shall be a representative of the drug manufacturers."

The amendment seeks to increase the number appointed to the advisory committee which is constituted under Section 216, Division III of the Act. At present the advisory committee shall consist of the commissioner, the Government Analyst, a bacteriologist and, as a result of the amendment just passed, a physiologist, and three other persons cognisant of trade requirements, one of whom shall be a representative of trade manufacturers who shall be appointed for a period not exceeding one year but shall be eligible for reappointment.

It is pertinent to point out that there is no representative on the advisory committee who has any knowledge of the manufacture of drugs, yet the Bill, which is extremely important, is vitally concerned with the manufacture, licensing and control of drugs with a view to safeguarding public health. In the interests of public safety, it is therefore logical to have a representative of the drug manufacturers appointed to the advisory committee. This committee is often referred

to by the various houses concerned as the "Food Standards Advisory Committee." I have seen this term used on many occassions in correspondence. Actually, it is a misnomer and it tends to push drugs into the background.

The amendment has no political implications and I hope the Minister will agree to it. After discussing the matter with many drug manufacturers, I gained the knowledge that they had not been concerned in the past about having representatives on this committee because they did not consider it was their prerogative, but when I suggested this move they realised how beneficial it would be.

The MINISTER FOR HEALTH: I have been in touch with officers of the Health Department and the Parliamentary Draftsman in regard to this amendment and they do not consider it is necessary. They say that of this committee of five there are three trade representatives who are drawn from the Chamber of Manufactures and the Chamber of Commerce. Those two chambers are quite free to nominate a druggist as a representative on that committee if they so desire. However, it must be remembered that the Act also covers the sale of drugs. In the circumstances there is no necessity to increase the number on the committee beyond five. I know of only two drug manufacturers in the State.

If the Chamber of Manufactures and the Chamber of Commerce thought it necessary that those two manufacturers should have representation, they would have appointed one of them to the committee. The section which is deprived of representation is the retailers. According to my advice from the Medical and Crown Law Departments, this amendment is not necessary. I agree with that advice. There are only two drug manufacturers and they are members of the Chamber of Manufactures. The committee should not be cluttered up with a larger representation.

Mr. HUTCHINSON: Under the principal Act five representatives are appointed to the committee, two being persons with a knowledge of trade requirements. One of them is Mr. Ashton, representative of the Chamber of Manufactures. He has done sterling work in assisting to safeguard public health with respect to the manufacture of foodstuffs.

The Minister for Health: He has had vast experience, is just and impartial.

Mr. HUTCHINSON: The other representative is Mr. Muddleton, a recent appointee. He is an analytical chemist working for a large wholesale food manufacturing firm. He is engaged to check on canned goods, bottled foods, etc. He has brought a fresh outlook to the advisory committee. He is young, with undoubted ability and possesses specific knowledge along a definite line which would be of use to the committee.

The Minister for Health: There is no reason why he should be lost.

Mr. HUTCHINSON: I would not like to see either of these men go. There is no reason why the committee should not be increased.

The Minister for Health: Do you agree that we should have representation from the sellers?

Mr. HUTCHINSON: The Bill has been introduced to license the manufacture of basic therapeutic substances. Although only two firms are engaged in this work, it is nevertheless an important business. We should ensure a high standard of manufacture and prevent backyard factories. This matter is so important that the Commonwealth has initiated this measure, and the State Government has supported it. It is equally important that a representative of the drug manufacturers should be on the committee. The only aim is to safeguard the health of the public and to ensure that the view of the manufacturers is placed before the committee. I can understand the attitude of the Health Department and the Crown Law Department that a committee of five is sufficient, but when the two present representatives possess such experience and knowledge, neither should be lost. There should be no objection to a third appointment.

Hon. A. V. R. ABBOTT: I support the amendment.

The Minister for Health: This is a uniform measure in all States.

Hon. A. V. R. ABBOTT: I understand this advisory committee deals with other matters than those the Commonwealth intended. It deals with foods and drugs which have nothing to do with the Commonwealth's suggestion.

The Minister for Health: A similar Bill has been introduced in all States on the representations of Sir Earle Page.

Hon. A. V. R. ABBOTT: I doubt whether food was included in the draft Bill.

The Minister for Health: There is no use doubting because the Bills are all complementary.

Hon. A. V. R. ABBOTT: I wonder. The Minister said that the committee is already in existence, so it cannot be affected by the Bill. New matter has been introduced to come under its jurisdiction, namely, therapeutic substances. The two representatives on the committee are experts on food.

The Minister for Health: There are three technical officers on the committee. If they consider it fair to have representation from the drug manufacturers, there is nothing to stop them from expressing their view.

Hon. A. V. R. ABBOTT: We all agree that it is essential to have advice from the experts on food manufacture.

The Minister for Health: If there are two experts on food at present, there will have to be a change. Why have two such experts?

Hon. A. V. R. ABBOTT: It would be an advantage to have a representative from the manufacturers of therapeutic substances.

The Minister for Health: There is already representation from the Chamber of Manufactures.

Hon. A. V. R. ABBOTT: Not in that regard. How could there be when an entirely new section has been introduced?

The Minister for Health: This will only apply for 12 months because the committee will be changed every 12 months.

Hon. A. V. R. ABBOTT: The Bill proposes to enlarge the subject matter and it is only fair to appoint another representative to the committee. The provisions cover therapeutic substances which are new; they cover food, and the manufacture and retailing of food. There is a very vast scope, and it would be advantageous to have another representative from the drug manufacturers. Advice should be obtained not only from departmental officers, but also from interested parties outside.

The Minister for Health: It can get that at present.

Hon. A. V. R. ABBOTT: Only along certain lines. The representatives who can give expert advice on the canning of food can hardly be expected to be experts on the manufacture of drugs.

The Minister for Health: There is no need for them to be experts.

Hon. A. V. R. ABBOTT: Is the Minister prepared to accept advice from a person who is not an expert on such matters?

The Minister for Health: If the Chamber of Manufacturers saw fit to appoint a representative of the drug manufacturers, there is nothing to stop it. Why make it specific?

Hon. A. V. R. ABBOTT: I do not want it specific. I am suggesting that an amendment can be made to provide for the appointment of an additional member to the committee.

The Minister for Health: Let us give this a trial for 12 months.

Hon. A. V. R. ABBOTT: I think the Minister is being a little obstinate.

Mr. COURT: I support the amendment. The Minister said he was seeking to obtain uniformity. I can understand that in relation to the main provisions, but this is not a question of obtaining uniformity because the existing provisions of the Health Act bear no relation to the law in the other States. In New South Wales, the basic composition of the committee is nine members with one and possibly up to three additional members.

The Minister for Health: You cannot compare New South Wales with Western Australia in the matter of the manufacture of drugs.

Mr. COURT: On the New South Wales committee are the president of the Board of Health, a professor of chemistry of the University, a bacteriologist, a legally qualified medical practitioner, a medical officer of health of the combined metropolitan sanitary districts, a senior analyst in the Public Health Department, a representative of the Pharmacy Board, a representative of the Chamber of Commerce and a representative of the Chamber of Manufactures. In addition, there may be not less than one and not more than three people who are conversant with trade requirements. In view of the major amendments proposed by the Bill, the amendment of the member for Cottesloe is reasonable to ensure that the interest which is so important to the Minister in the administration of the Act is properly represented.

The MINISTER FOR HEALTH: I consider that the proposed committee would give fair representation. We provide for the Chamber of Manufactures and the Chamber of Commerce, and surely if they considered it necessary, there could be a representative of the drug manufacturers! If we are to have representatives of every section, why not a representative of the seller of drugs?

Mr. Hutchinson: That would be covered by the Chamber of Manufactures.

The MINISTER FOR HEALTH: This is a small committee.

Hon. A. V. R. Abbott: Too small.

The MINISTER FOR HEALTH: The members could be changed each year and we should give the proposal a trial.

Hon. A. V. R. Abbott: Do not you think you are being a little obstinate?

The MINISTER FOR HEALTH: We have provided for representation of the Chamber of Manufactures and the Chamber of Commerce.

Hon. A. V. R. Abbott: The Act does not provide that. It merely provides for two members without mentioning them.

The MINISTER FOR HEALTH: They could represent the interests of the druggists. The seller is covered by the Act, but he has no direct representation. Let us give this proposal a trial and, if an amendment is deemed necessary next year, I shall support it.

Mr. HUTCHINSON: I make a last appeal to the Minister. The two other members mentioned in Section 216 shall be persons cognisant of trade requirements, and I tried to point out the value of the two persons at present on the advisory committee.

The Minister for Health: I am not disputing that.

Mr. HUTCHINSON: But that still leaves a gap if we do not have a representative of the drug manufacturers. The member for Mt. Lawley suggested that I would be unwise in specifying a representative of the drug manufacturers and that I should propose three instead of two representatives. I would be prepared to do that on the understanding that one of them would be a man with a knowledge of drugs. The member for Nedlands told us of the composition of the advisory committee in New South Wales and showed how many persons were on that committee.

The Minister for Health: New South Wales has a population of 3,000,000 and we have just over a half-a-million.

Mr. HUTCHINSON: But I dare say that our population increase since the Act was first introduced has been proportionate to that of New South Wales. The New South Wales committee is appointed under a Pure Foods Act, not under the Health Act. The weakness here is that food and drugs are grouped with health, and I should like to see separate control. In the interests of public health, I consider there is need to have a representative of the drug manufacturers.

The Minister for Health: If that proves so within 12 months, you will have another opportunity to move in this direction.

Mr. HUTCHINSON: It seems a pity not to do it now. Possibly the Minister feels he should adhere to the advice of the Crown Law Department and the Health Department, but he has advanced no valid reason against increasing this very small committee from five to six, and by so doing adding to its value. If we bring down a Bill to deal with the licensing and control of drugs, then it is important in the public interest to see that the manufacturers are represented on the advisory committee. Even at this late stage, I hope the Minister will change his mind.

The Minister for Health: I compliment you on your effort.

Hon. A. V. R. ABBOTT: If the Minister were logical in his argument, I would not rise to speak.

The Minister for Health: Your advice to me is to stick to my Bill.

Hon. A. V. R. ABBOTT: No, not on this occasion. The Bill deals purely with the licensing and control of therapeutic substances. Should there not be some expert advice from those who do the manufacturing?

The Minister for Health: Do you not think it is fairly reasonable as the seller comes under the Bill.

Hon. A. V. R. ABBOTT: The seller does not come under the Bill.

The MINISTER FOR HEALTH: Yes, he does. The draftsman says that the Act does not just cover the manufacturer of food and drugs, but the seller of them.

Hon. A. V. R. Abbott: Read the Bill. Do you not know your own Bill?

The MINISTER FOR HEALTH: I know my own Bill, and the seller does come under it.

Hon. A. V. R. Abbott: Surely the Minister can point out the clause which contains that provision.

The MINISTER FOR HEALTH: The seller is liable.

Hon. A. V. R. Abbott: It is not in the Bill.

Mr. Hutchinson: It comes under the Pharmacy and Poisons Act, does it not?

The MINISTER FOR HEALTH: I know that this committee already advises the Minister under the Act in connection with the sale of drugs, but this is something new, namely, the licensing of premises in connection with the manufacture of drugs.

Hon. A. V. R. ABBOTT: There are only two representatives of the trade on this committee. Why not have three? The mover of the amendment is prepared to accept three. If tomorrow, or the next day the Minister finds some good reason for altering it, the alteration can be made in the other House, or on recommittal here. Why not make it three, now?

The Minister for Health: We can alter it to three, if necessary, in the other House.

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

Ayes	13
Noes	15
Majority against	2

Ayes.	
Mr. Abbott	Mr. North
Mr. Court	Mr. Oldfield
Mr. Doney	Mr. Owen
Mr. Manning	Mr. Watts
Sir Ross McLarty	Mr. Yates
Mr. Nalder	Mr. Hutchinson
Mr. Nimmo	*(Teller.)*

Noes.	
Mr. Andrew	Mr. McCulloch
Mr. Brady	Mr. Nulsen
Mr. Graham	Mr. O'Brien
Mr. Hawke	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Sewell
Mr. Lawrence	*(Teller.)*

Amendment thus negatived.

Clause, as previously amended, agreed to.

Clause 7—Division 3B added to Part VIII:

The MINISTER FOR HEALTH: I move an amendment—

That the words "therapeutic substances" in line 29, page 3, be struck out, and the words "a therapeutic substance" inserted in lieu.

Amendment put and passed.

The MINISTER FOR HEALTH: I move an amendment—

That after the word "purpose" in line 42, page 5, the words "and prescribing a substance to be a therapeutic substance" be added.

Mr. HUTCHINSON: I am in agreement with the amendment which, like that which preceded it and the first moved by the Minister, is for the purpose of excluding pharmaceutical chemists from the provisions of the measure in regard to the manufacture of compounded therapeutic substances, and to distinguish them from the manufacturers of basic therapeutic substances from which the compounded preparations are made.

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

Title—agreed to.

Bill reported with amendments.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LABOUR (Hon. W. Hegney—Mt. Hawthorn) [10.25] in moving the second reading said: This is a measure which has been introduced periodically over the years since the principal Act was first passed some 40 odd years ago. Members will agree, generally, that it is essential to keep pace with modern trends and that, in view of the present increased cost of living, certain amendments to the Act are necessary.

As the principles of workers' compensation have been expounded by the appropriate Ministers of various Governments over the years, I do not propose to go into a mass of detail this evening but rather to address my remarks to the main provisions of the present measure. I would say, however, that on many occasions Western Australia has led the way in the field of workers' compensation, but unfortunately in recent years—more particularly during the last 12 months—we have lagged a great deal behind most of the other States of Australia in this respect.

When members examine the position in the other States of the Commonwealth, I think they will agree that there is urgent need for a review of the legislation in this State. Before dealing with the provisions of the measure, I would remind members that last year a strong attempt was made to liberalise the provisions of our present Act, but unfortunately the attitude adopted by members of the Opposition in another place was responsible for thwarting the efforts of the Government to raise workers' compensation in this State to the standard at which we thought it should operate.

Hon. A. V. R. Abbott: Valuable suggestions were put forward, but you would not accept them.

The MINISTER FOR LABOUR: That is not so, although certain suggestions were put forward. Incidentally, it was said that before the Government introduced a measure of this character, certain individuals should have been approached and advised. At this stage, I have no hesitation in saying that this Government will introduce its measures after due consideration of all the circumstances, and without being subject to any pressure from any direction.

Hon. A. V. R. Abbott: Did you not consult the Trades Hall in connection with this Bill?

The MINISTER FOR LABOUR: I make no apology for consulting the organisation of which I have been a member for many years because, as Minister, I would obviously try to implement the policy upon which I was elected to Parliament. I make no apology for that, but if anyone tells me that should the Government desire to get anywhere in regard to workers' compensation I must consult Bill Jones, Jack Brown or some other interested party, he has another think coming. That was done last year. I sound that note on this occasion to indicate that, as the Minister for Labour and charged with the responsibility of introducing measures of this nature, I am not going to be browbeaten by any particular member of Parliament—

Hon. A. V. R. Abbott: No one attempted to browbeat you.

The MINISTER FOR LABOUR: —of either House. I am not referring to the member for Mt. Lawley. In regard to the measure introduced last year, members may recollect that the definition of "dependant" provided for any employee whose dependants were overseas, and after a period of five years the injured worker would not be entitled to claim allowances for such dependants. It is proposed to extend the definition of "dependant" to provide that where a system of reciprocity obtains, the worker who is injured in this State, and whose dependants reside overseas, even though a period of five years has elapsed, shall be paid the appropriate allowance for his dependants.

Furthermore, the Bill provides that not only will the dependants be entitled to the allowance where the worker dies as a result of injury, but he shall also be entitled to the allowance on behalf of his dependants who are living overseas in cases of injury where death does not result. Members will note that there are three

paragraphs to cover the position. I thought that it might be covered by one amendment, but the Crown Law Department advise that the most effective method of covering the position is that which appears in the Bill.

I think everyone will agree that a measure of this nature would not be complete without a provision covering workers travelling to and from work. As far as I am concerned, on each occasion that a Bill to amend the Workers' Compensation Act is introduced I shall include a provision such as this until such time as it is incorporated in the Act. I shall not explain in detail the provisions of the clause and it is sufficient for me to say that it is almost identical with that introduced in previous years both by this and the previous Government. It was introduced by the member for Mt. Lawley and the member for Stirling when they were in charge of the Workers' Compensation Act.

In the present Act the definition of "worker" covers any person receiving not more than £1,250 a year and it is proposed to increase that sum to £2,000. For permanent and total incapacity the present amount under the First Schedule is £2,100. In the Bill last year it was increased to that figure from £1,750. But members will appreciate that our efforts to increase the Second Schedule payment proportionately, and to bring the lump sum payment under that schedule into line with the payment under the First Schedule, were refused. We tried to get the amount increased to £2,800, but we finally had to agree to a sum of £2,100 for workers who were permanently and totally incapacitated.

The Bill provides for a maximum amount of £2,800 for permanent and totally incapacitated workers and provides for proportional increases of Second Schedule payments. It is proposed in the Bill to increase the amount payable to the widow on the death of a worker, from £1,800 to £2,500 and to increase the allowance for dependent children, where death results from injury, from £60 to £75. It is proposed further to increase the percentage of average weekly earnings payable from 66⅔ to 75 per cent.

With regard to the amount of weekly payments, I might say that the present figures are £8 a week maximum for a worker without dependants and £10 for a worker with dependants. The Bill provides for £9 and £12 16s. respectively It provides also that where a worker is in receipt of weekly payments, the present figure of 12s. 6d. for a dependent child shall be increased to 16s. and for a dependent wife from £1 16s. to £2 10s. a week; but the maximum will be £12 16s. per week for a worker with dependants.

Hon. A. V. R. Abbott: What is it for the worker without dependants.

The MINISTER FOR LABOUR: It will be £9. It further provides that the allowance to an injured worker for travelling for medical treatment shall be increased from 15s. 6d. per day to £1, or the maximum is to be increased from £4 16s. per week to £6 per week.

There is great justification for these improvements and in Queensland—reference was made to this when we were discussing the State Government Insurance Office Act Amendment Bill—the total amount payable was increased, as from the 10th May last, from £1,750 to £2,800. In New South Wales there is no limit.

Hon. A. R. V. Abbott: This will be the maximum.

The MINISTER FOR LABOUR: Yes. In Victoria the amount is £2,800; in Tasmania, it is £2,340 and in special cases the judge may award a sum up to £4,500. I am open to correction, but in South Australia the Act was amended since our Bill was introduced last year and their total is now £2,250. I want members to understand that in Western Australia, under the Second Schedule—that is, if a man loses both eyes or an arm and a leg and is totally incapacitated—he gets only £1,750.

As regards weekly amounts, the present allowances for workers without dependants in other States are as follows:—

New South Wales—£8 16s.
South Australia—£8 15s. or 75 per cent. of average weekly earnings, whichever is the lower.
Tasmania—£9, or 75 per cent. of average weekly earnings, whichever is the lower.
Western Australia—£8 or 66⅔ per cent. of average weekly earnings, whichever is the lower.

With regard to a worker with dependants, the amounts are as follows:—

New South Wales and Victoria—£12 16s. or average weekly earnings, whichever is the lower.
Queensland—Average weekly earnings.

That could be a figure well above the basic wage. Continuing—

South Australia—£12, or average weekly earnings, whichever is the lower.
Tasmania—£11 5s. or average weekly earnings, whichever is the lower.
Western Australia—£10 or average weekly earnings, whichever is the lower.

The allowances granted for a wife in each of the States are—

New South Wales—£2 10s.
Victoria—£2 8s.
Queensland—£2 10s.
Tasmania—£2 5s.
South Australia—£2.
Western Australia—£1 16s.

The allowance for each child under 16 years, for the various States, is as follows:

New South Wales—£1.
Victoria—16s.
Queensland—15s.
South Australia—15s.
Tasmania—£1 2s.
Western Australia—12s. 6d.

It will be noticed that the progress made in the other States in regard to compensation payments made to workers leaves Western Australia somewhat behind and it has been suggested that the time is overdue for reasonable increases to be made in this State.

Hon. A. V. R. Abbott: Have you any figures relative to the other States in connection with the definition of "worker"?

The MINISTER FOR LABOUR: In Victoria it is £2,000 and in Queensland the previous amount of £1,250 has been increased.

Mr. Perkins: What do you anticipate will be the percentage rise in premiums?

The MINISTER FOR LABOUR: I am glad the hon. member has raised that point because I have asked the manager of the State Insurance Office to conduct a check over a period of months and he has suggested that the approximate increase will be about 22.5 per cent. However, even if the figure were higher than that, are we prepared to place on the statute book a measure that has reference to social services legislation and which will be comparable with those operating in other States of Australia, or are we to adopt the attitude that, because of some increase in premiums, these increased allowances should not be granted? It has been suggested that insurance premiums are a charge—

Hon. A. V. R. Abbott: Against costs and industry.

The MINISTER FOR LABOUR: That is so, but they are also an offset against profits. With regard to taxation, what the employer loses on the merry-go-round he gains on the swing.

Mr. Perkins: Does your Government care what effect this will have upon industry?

The MINISTER FOR LABOUR: That is the cry raised on every occasion. I have heard that plea made when 48 hours was the standard working week and there was a demand for a 40-hour week. When people worked 60 hours a week there was agitation to have the hours reduced to 56 and the same argument was raised in opposition. If one reads any literature on the life of Lord Shaftesbury and other leading men who were closely associated with reforms in the 19th century, it will be noted that there were many people who stated that if child labour were abolished the country would be ruined; that if the working week were reduced from 60 hours to 56, the country would be ruined and the employers would become bankrupt; but that has not been the case. When the argument was on to reduce the working week from 48 hours to 44, the cry was raised that industry could not stand it. Now we have a 40-hour week.

Hon. Sir Ross McLarty: How much further can it be reduced?

The MINISTER FOR LABOUR: Time alone will answer that. In fact, there are many civil servants who have been working only 38 hours a week for many years. If we are going to hesitate about granting a reasonable measure of justice—

Hon. A. V. R. Abbott: Everyone supports that view.

The MINISTER FOR LABOUR: —when workers are injured in the course of their employment, I think that Parliament will adopt an entirely false attitude. The question to be considered is whether a worker who is injured and incapacitated sufficiently to prevent him from carrying on his employment, is entitled to receive compensation during the period of his incapacity.

Hon. A. V. R. Abbott: Everyone agrees with that.

The MINISTER FOR LABOUR: In making a comparison, and looking at the other side of the picture, if a person is injured in a traffic accident and he makes a claim for damages, in some instances the court grants approximately twice the amount that we are asking to be awarded to an injured worker under this legislation.

Hon. A. V. R. Abbott: The only difference is that in a traffic accident the individual pays the damages.

The MINISTER FOR LABOUR: The individual gets it from somewhere if a judge awards damages to an injured person.

Mr. Court: That is where negligence is proved.

The MINISTER FOR LABOUR: That is so, but it is a question of awarding damages to the person who has been injured. If a worker is injured in the course of his employment, he should not be penalised by not being paid reasonable compensation whilst he is unable to work; and if he is permanently and totally incapacitated, he should be entitled to receive compensation for the loss of his earning power.

Mr. Perkins: Suppose we forget about the cost to industry, what do you consider should be the benefits figure under the Workers' Compensation Act? I take it that you consider the present figures to be insufficient.

The MINISTER FOR LABOUR: With Cabinet's approval, very likely I should multiply all the lump sum compensation figures by three. However, what we have tried to do is to bring down a Bill so that there will be a favourable comparison between our rates and those operating in the Eastern States. If members care to examine the figures applying in the other States with those payable in this State, they must agree that there is ample room for improvement to bring our rates into line with those that are paid in other parts of the Commonwealth. At this stage I would like to point out that I intend to place on the notice paper an amendment in regard to funeral expenses. I should have really included a reasonable increase in regard to funeral expenses, but I will take the opportunity of doing that in the Committee stage.

Hon. A. V. R. Abbott: Before you sit down, would you tell us if this deals with natives at all?

The MINISTER FOR LABOUR: I am very pleased that the member for Mt. Lawley has raised that. The impression has gained ground that the Workers' Compensation Act does not apply to natives. That is entirely wrong. The member for Mt. Lawley is a highly qualified legal practitioner, and if he reads the definition of "worker" in the Workers' Compensation Act he will find there is no restriction relating to natives or any other section of the community.

The determining factor is the annual rate of remuneration, which is £1,250. A worker is a person receiving not more than £1,250 a year; it is, briefly, where an employer-employee relationship applies. Under the Native Administration Act which I am not entitled to discuss, there is a restrictive provision that employers who employ natives, that is full-bloods or half-bloods of less than 21 years of age and employ them on a permit and pay into a medical fund, shall not be entitled to liability under the Workers' Compensation Act. I direct the hon. member's attention to the fact that there is a provision in the Native Welfare Bill to eliminate that outmoded idea. I move—

That the Bill be now read a second time.

On motion by Hon. A. V. R. Abbott, debate adjourned.

House adjourned at 10.52 p.m.

Legislative Council

Wednesday, 29th September, 1954.

CONTENTS.

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

QUESTIONS.

TRADE UNIONISTS.

As to Number Registered.

Hon. A. F. GRIFFITH asked the Chief Secretary:

How many trade unionists are registered in—

(a) the metropolitan area;

(b) the country;

(c) the Goldfields?

The CHIEF SECRETARY replied:

At the 30th June, 1954, there were 88,823 trade unionists registered for the State. Separate figures for the areas referred to are not kept.

AGRICULTURE ESTIMATES.

As to Unexpended Amounts.

Hon. C. H. HENNING asked the Minister for the North-West:

Re Item 3, page 74—Minister for Lands and Agriculture—Estimates of revenue and expenditure for the year ending the 30th June, 1955—

What was the detail of expenditure provided for in the 1953-54 Estimates that was not carried out, in part or in full?

The MINISTER replied:

In addition to the £96,904 shown in the printed Estimates as actual expenditure in 1953-54 under Division No. 37, Item 3,