

Legislative Council

Tuesday, 24th November, 1953.

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

ASSENT TO BILLS.

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

- 1, Supply (No. 2), £9,000,000.
- 2, Hospitals Act Amendment.
- 3, Dairy Industry Act Amendment.
- 4, Collie Club (Private).

QUESTION.

RAILWAYS.

As to Disposal of Old Steel Rails.

Hon. L. C. DIVER asked the Chief Secretary:

(1) Will he inquire of the Minister for Railways whether he is aware that a considerable demand exists in rural areas for old steel rails for making motor passes?

(2) Will he inform the House of the quantity of old rails which the department has stacked at various places at the present time?

(3) Will the Minister give an assurance that any surplus of old rails will be made available at competitive prices to farmers who require them?

The CHIEF SECRETARY replied:

(1) Yes.

(2) Small quantities of scrap rails are at various places and details could be collated if necessary. The only considerable

quantity at any one place will be those being recovered from the relaying of the Narnagulu-Walkaway section. Opportunities will be available for local authorities, pastoralists, etc., to purchase these.

(3) Applications from farmers for old rails are invariably met if the ruling price is acceptable to them.

BILL—FIREARMS AND GUNS ACT AMENDMENT BILL SELECT COMMITTEE.

Report Presented.

Hon. C. H. Henning brought up the report of the select committee, together with a typewritten copy of the evidence and the correspondence referred to in the report.

Ordered: That the report and recommendations be printed.

On motion by Hon. C. H. Henning resolved: That the consideration of the Bill in Committee be made an Order of the Day for the next sitting.

BILLS (3)—THIRD READING.

- 1, Matrimonial Causes and Personal Status Code Amendment.
- 2, Rural and Industries Bank Act Amendment.

Passed.

- 3, Administration Act Amendment (No. 1).

Returned to the Assembly with amendments.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Report of Committee adopted.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT. AMENDMENT.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 4 amended:

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

That in line 4 of proposed new Sub-section (1) after the word "business" the words "other than life assurance" be inserted.

The amendment is to ensure that the activities of the State office shall not include the carrying on of life assurance. This business is adequately and efficiently catered for today by the great mutual societies. With ordinary insurance business there is a certain risk, but the life assurance offices take on an obligation which is bound to arise, because, sooner or later, the policy-holders have to die.

Hon. C. H. SIMPSON: I oppose the inclusion of life assurance among the functions of the State office. The vast majority of life assurance offices in Australia are mutual concerns, and they carry on their business most efficiently. They have tremendous capital, and again and again have supported the Government by providing money for loans that have been launched for one purpose or another. I cannot see that anything is to be gained by the State entering a field that is adequately catered for. The present companies are not essentially profit-making concerns. I hope the Committee will agree to the amendment.

Hon. C. W. D. BARKER: I oppose the amendment. I cannot see any reason why the State should not be in competition with the private companies in regard to life assurance.

The CHIEF SECRETARY: Although we would like to see the provision regarding life assurance retained in the Bill, I am not going to oppose the amendment.

Amendment put and passed.

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

That in line 5 of proposed new Sub-section (1) after the word "Act" the words "and subject thereto" be inserted.

This is more of a drafting amendment to make quite clear that the operations of the office shall be carried on subject to the Act. I understand there were occasions in the past—many years ago—when the activities of the office went a bit beyond the Act.

The CHIEF SECRETARY: I think the words would be redundant because it is obvious that anything done under the Act would be subject to the Act. But if the hon. member persists, the amendment will not do any harm, and I do not raise any violent objection to it.

Hon. H. K. Watson: I do not think it can do any harm.

Amendment put and passed.

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

That in lines 7 and 8 of paragraph (b) all words after the word "business" be struck out.

I think that full power is contained in the first part of that paragraph. If business is to be undertaken, it should be conducted in a like manner to the general business carried on by other persons already engaged in that business.

The CHIEF SECRETARY: This will be a hat trick for the hon. member because again I do not intend to raise any objection to the amendment. I do not think it will in any way affect the position.

Hon. H. K. Watson: I cannot allow the opportunity to pass without sincerely thanking the Chief Secretary.

Amendment put and passed.

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

That paragraph (c) be struck out.

I would point out to the Chief Secretary that the motto "If you are on a good thing stick to it" is a good one. This paragraph proposes to empower the State office to act as an agent in the State for a State insurance office or department of any other State of the Commonwealth. I think that paragraph should be deleted from the Bill.

The CHAIRMAN: I suggest that Mr. Watson give consideration to the fact that the word "and" appears at the end of paragraph (c). I think it would be necessary, to make logical reading, to retain that word.

Hon. H. K. WATSON: Very well. I agree with your ruling, Mr. Chairman.

The CHIEF SECRETARY: I intend to take Mr. Watson's advice and as I am on a good thing, I propose to stick to it. Consequently, I intend to oppose the amendment. There is an identically worded provision already in the Act and it has been there since the 1945 amendment; it is desirable that that provision should remain. Its main purpose is to enable us to act as agent in respect of claims which arise in regard to furniture and motor-vehicles damaged in transit and owned by persons travelling from one State to another. When claims arise in Western Australia, we handle them as agents for the other State offices and the converse applies.

It is far more convenient to people who became permanently domiciled in Western Australia to have their claims attended to by the office here rather than be forced to enter into correspondence with the State offices in the other States. It would be a retrograde step if the paragraph were struck out and for that reason I oppose the amendment. If it is necessary we could compromise on this amendment by substituting the words "the settlement of claims" for the words "any of the insurance business carried on by that office or department".

Hon. H. K. WATSON: I think the suggestion is quite a reasonable one, particularly in view of the Chief Secretary's explanation that, in principle, this provision is in the principal Act. Therefore, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The CHIEF SECRETARY: I move an amendment—

That in lines 7 to 9 the words "any of the insurance business carried on by that office or department" be struck out with a view to inserting the words "the settlement of claims" in lieu.

Hon. L. CRAIG: As the Chief Secretary has already accepted the deletion from the Bill of provision for life assurance

it is necessary that the State should not act as agent for any life assurance office, so I propose to move an amendment which would constitute a proviso.

The CHAIRMAN: Order! I would first like the Chief Secretary to make clear what words he desires to strike out.

The CHIEF SECRETARY: I desire to strike out all the words after the word "that" in line 6 of paragraph (c) of proposed new Subsection (1) down to and including the word "department" in line 9 of that paragraph.

Hon. A. F. Griffith: Before we strike out these words, I think certain words should be inserted.

The CHIEF SECRETARY: I am prepared to accept the suggestion of Mr. Craig and, at the appropriate time, I will move to insert the words "the settlement of claims other than life assurance" in lieu of the words struck out.

Amendment (to strike out words) put and passed.

The CHIEF SECRETARY: I move an amendment—

That the words "the settlement of claims other than life assurance" be inserted in lieu of the words struck out.

Amendment put and passed.

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

That in lines 9 to 12 of proposed new Subsection (4) the words "and notwithstanding any Act to the contrary a stipendiary or resident Magistrate may be appointed to and act in the position of a referee" be struck out.

I do not think the magistrate should be at the beck and call of the general manager of a life assurance company; and except for his occasional appointment as a Royal Commissioner, he should not be taken from his lawful duties.

The CHIEF SECRETARY: It is unusual to take exception to the appointment of a magistrate, but I am prepared to accept the amendment.

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

Clauses 5 and 6—agreed to.

Clause 7—Section 7 amended:

Hon. L. CRAIG: I think my amendment will now be consequential.

The CHAIRMAN: We had better take them in sequence.

Hon. L. CRAIG: Very well. I move an amendment—

That subparagraph (ii) of paragraph (a) of proposed new Subsection (6) be struck out.

Amendment put and passed.

Hon. L. CRAIG: I move an amendment—

That in lines 6 and 7 of paragraph (a) of proposed new Subsection (7) the words "and the State Government Life Assurance Fund" be struck out.

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

Clauses 8 and 9—agreed to.

Clause 10—New section added:

Hon. L. CRAIG: I propose to vote against this clause. It deals entirely with life assurance.

Clause put and negated.

Clause 11—New Section 7D added:

Hon. C. H. SIMPSON: I propose to vote against the clause. There is reference to this on the notice paper so that members of the Committee who are interested can see what it means. It deals with the schedule, which is concerned with purely administrative matters. The effect of the proposed new section would be that the rights and powers of the State office could be widened and the penalties increased merely by an Order-in-Council without the need for obtaining prior approval by Parliament. This Chamber has always been unwilling to allow regulations to be gazetted without having the right to consider their effect and, if necessary, move for their disallowance. By rejecting the clause, we shall retain the power to disallow a regulation of which we may not approve. Under the powers conferred by the Act, the State office could make regulations that would have the effect of creating unfair competition with other offices.

Hon. L. CRAIG: Members should carefully consider the schedule before recording a vote, because provision is made for Government officials to act as agents for the State office and it also contains a reference to life assurance. It is quite clear that any Government official may, with the concurrence of the Public Service Commissioner, be appointed an agent for the State office. I assume that no extra remuneration would be paid to such an officer, and therefore the State office would be competing on an entirely unfair basis.

Hon. N. E. Baxter: Would he not be allowed commission?

Hon. L. CRAIG: It would be tantamount to using the taxpayers' money in order that business might be obtained for the State office. Such competition would not be fair to the established companies. If agents are required, let the State office appoint outside people and pay them the usual commission.

The general manager is to be empowered to determine the premiums to be charged. That is a tremendous power to give to one man. Then provision is made in the schedule for property to be

acquired and disposed of upon such terms and conditions as the general manager thinks proper—again a tremendous power to give to one man.

Hon. H. HEARN: He could become an estate agent.

Hon. L. CRAIG: No mention is made of reference to the Minister or to the Public Service Commissioner. Further, the general manager may reinsure the whole or portion of a risk accepted by him in respect of an account created under the Act with any one or more of the other accounts.

The CHAIRMAN: Is the hon. member speaking to the schedule?

Hon. L. CRAIG: Yes; I am pointing out the power proposed to be given to the general manager. Where a large sum is involved, the practice of insurance companies is to apportion it out and, in some instances, a cover for more than a certain amount is automatically reinsured with other companies in order to spread the risk. The schedule further provides that the office shall prepare and transmit to the Minister for presentation to Parliament statements of accounts certified by the Auditor General, and the Auditor General shall audit the accounts. That work would cost the State office nothing. If the cost of auditing the books were made a charge on the funds of the State office, I would have no objection.

The Chief Secretary: That will be done.

Hon. L. CRAIG: Then I withdraw my objection. My desire is that the State office shall pay all rates and taxes, etc., including auditors' fees, so that it will compete on a fair and equitable basis.

Hon. H. HEARN: I agree with Mr. Simpson. For good or ill, we are extending a State enterprise, and, rather than adopt a schedule that would give the general manager this power for all time, I would prefer to see it done by regulation so that there would be at least some semblance of parliamentary control. For that reason, I oppose the clause.

Hon. H. S. W. PARKER: For many years, members of this Chamber have inveighed against regulations and contended that the requisite provision should be made in the Bill. I regard the schedule as tending to limit the power of the general manager. If there were no schedule, the State office could do anything at all under the power already granted it.

Hon. C. H. SIMPSON: You agree, then, that regulations are necessary?

Hon. H. S. W. PARKER: No, because the provisions in the schedule are, in effect, regulations. Although I am opposed to the whole measure, I favour the retention of the schedule. It has been suggested that public servants acting as agents for the State office should be paid a commission. There would be a risk of grave evil arising from that, because they could be

running around doing insurance business instead of attending to their own jobs. If they received no commission, they would not care two straws about getting business for the State office. I think the Auditor General should be recouped. I do not know how his fees would be arranged in comparison with those of a private firm, and I would like to see provision made for a private accountant instead of the Auditor General.

Hon. A. F. GRIFFITH: In discussing this clause we must refer to and read the schedule.

The Chief Secretary: Why?

Hon. A. F. GRIFFITH: Because this clause refers to the schedule. Will the Chief Secretary tell the Committee whether the State Insurance Office intends to remunerate its agents for new business?

The CHAIRMAN: Members will have opportunity of discussing the schedule later.

The CHIEF SECRETARY: I do not care whether this clause is passed or not, as the schedule will remain and we can iron out these points when discussing it.

Hon. C. H. SIMPSON: I am glad to hear the Chief Secretary's statement, and I do not think it matters whether this clause is struck out or not; but it could give the general manager power to make regulations that, on being approved by Executive Council, would have the force of law without either House of Parliament having the right to allow or disallow them, and that would be wrong. We should retain the power to examine regulations and keep our right to disallow them should we see fit. I hope the Committee will vote against the clause.

Clause put and a division taken with the following result:

Ayes	....	....	....	11
Noes	....	....	....	14
Majority against				3

Ayes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. N. E. Baxter	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. L. C. Diver	Hon. R. J. Boylen
Hon. G. Fraser	(Teller.)

Noes.

Hon. L. Craig	Hon. A. L. Loton
Hon. Sir Frank Gibson	Hon. J. Murray
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. H. Hearn	Hon. J. M. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. R. Welsh
Hon. L. A. Logan	Hon. J. Cunningham
	(Teller.)

Clause thus negatived.

Clause 12—New Section 7E added:

Hon. C. H. SIMPSON: I move an amendment—

That Subsection (1) of proposed new Section 7E be struck out, with a view to inserting a new subsection.

This provision sets out that the State Insurance Office is prepared to pay those taxes from which, as a Government agency, it would, in the ordinary course of events, be free. If an ordinary insurance office pays those fees, the Government office should be able to do likewise. If this amendment is agreed to, I propose to move for the insertion of the words that appear under my name on the notice paper.

The CHIEF SECRETARY: I am prepared to accept the amendment but will move an amendment on the amendment which the hon. member proposes to move.

Amendment put and passed.

Hon. C. H. SIMPSON: I move an amendment—

That the following new subsection be inserted:—

(1) The office shall from time to time pay to the Treasurer such sums as the Commissioner of Taxation deems to be the equivalent of the amounts which would be payable by the office by way of income tax, payroll tax, social services contributions and other taxes under the provisions of any Act whether of the State or the Commonwealth as the office would become liable to pay if it were a person liable to pay taxation or make contributions under such Acts.

The CHIEF SECRETARY: I move—

That the amendment be amended by striking out of the proposed new Subsection (1) the word "person" and inserting the words "public company" in lieu.

Hon. L. Craig: The words "limited liability company" would probably be better.

Hon. C. H. SIMPSON: I am in agreement with the amendment.

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

Hon. L. CRAIG: I move an amendment—

That Subsection (6) of proposed new Section 7E be struck out.

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

Clause 13—New Section 7F added:

Hon. C. H. SIMPSON: I intend to vote against this clause because I think the intention is that the State Insurance Office shall have no advantage over its competitors. If the employees of an ordinary insurance office are liable, it is only right that the officers of the State Insurance Office should similarly be liable.

The CHIEF SECRETARY: A great deal of objection was raised in another place to this proposed new section, and as the

Minister did not have in mind to deprive some individuals of their legal rights, he made arrangements to have a new section drafted. I have placed an amendment on the notice paper which embraces the new section to be inserted in lieu of the one now appearing in the Bill. I therefore move an amendment—

That proposed new Section 7F be struck out and the following inserted in lieu:—

7F. Where the Minister, General Manager or any person whomsoever acting under the directions of the Minister or the General Manager enters into a contract or does any act or deed in good faith for the purpose or intended purpose of carrying out the provisions of this Act, the Minister, General Manager or person as the case may be is indemnified by the office against any damages, costs, losses and expenses which the Minister, General Manager or person may incur or become liable to pay by reason of the contract entered into or the act or deed done by him.

Hon. C. H. SIMPSON: May I ask the Chief Secretary whether this proposed new section will bring both the officers of private companies and the officers of the State Insurance Office on to the same level?

The Chief Secretary: I understand that is so.

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

Clauses 14 and 15—agreed to.

Schedule put and negatived.

Title—agreed to.

Bill reported with amendments.

BILL—LOCAL AUTHORITIES, ROYAL VISIT EXPENDITURE AUTHORISATION.

Returned from the Assembly without amendment.

BILLS (2)—FIRST READING.

1, Royal Visit, 1954, Special Holiday.

2, Veterinary Medicines.

Received from the Assembly.

BILL—LICENSING ACT AMENDMENT. (No. 2).

Second Reading.

Debate resumed from the 19th November.

HON. C. H. SIMPSON (Midland) [6.7]: I secured the adjournment of the debate to allow Mr. Parker, who is more acquainted with the Licensing Act than I

am, the opportunity to address the House. As he is not quite ready, I shall offer some observations on points which have occurred to me in a brief examination of the Bill. It provides that bona fide travellers be given consideration on Sundays, and for certain concessions to be extended to the Goldfields area, which area is defined. It also provides for bottled beer to be sold on Sunday mornings in any hotel in that area.

When the amendments to the Act were passed last year, consideration was given to the incidence of drinking throughout the State, to the question of practices which have grown up in some districts, and in particular to regularising the trading hours which have been adopted in most of the districts in the State for what is called "the morning session" and "the afternoon session." In the Act as framed, outside the metropolitan area the two sessions are regularised at from 11.30 a.m. to 12.30 p.m., and from 5 p.m. to 6 p.m. It was recognised that the hours might be varied in certain areas.

At that time the Attorney General made it clear that he would consider the question of hours on the Goldfields and that the Licensing Court would be given power to amend the standard hours set out in the Bill. I believe that was done. Curiously enough, no provision was made in the Act for bona fide travellers to obtain liquor on Sundays. It was set out that bona fide travellers traversing 50 miles on a week-day could demand a drink outside of the trading hours, but the Act made no provision for travellers to have that concession on Sundays. I believe there is perhaps some justification for travellers to receive some convenience of that kind, and I shall vote for the second reading in the hope that we will thrash out an equitable method of meeting the needs of the bona fide traveller.

I visualise difficulties in connection with the selling of bottled beer on Sunday. It was the intention of the framers of the amendments last year to avoid selling bottles on Sunday. They took the view that it was quite possible for those who wanted bottles over the week-end to make the necessary arrangements on some other day of the week. They saw danger in the indiscriminate selling of bottles on Sunday and therefore provided that the liquor must be consumed on the premises.

Under the clause embodied in the Bill, an applicant may purchase two bottles of beer between 10.30 a.m. and 12.30 p.m. on Sunday from one hotel, and do the same in the next. He could finish up with a case of beer. This is entirely contrary to the intention of the legislation. The amendments in the Bill were drafted to meet the general trend of public opinion. Some members have expressed the

view that if concessions are to be granted, they should not be confined to the Goldfields.

I believe that most of the pressure in favour of the present amendment comes from Kalgoorlie, which is a relatively nice town to live in, very much pleasanter than other outback places in the outer Goldfields or isolated centres in the agricultural districts. Many of the residents in hot districts like Mullewa and Yalgoo would be only too glad to live in Kalgoorlie, where there is a swimming pool and other amenities. I support the second reading so that the question of the bona fide traveller being catered for will be considered, but I reserve my decision as to my attitude on certain other points dealt with in the measure.

HON. H. S. W. PARKER (Suburban) [6.13] I disagree with the previous speaker. I oppose the Bill. A very good case was put up in that Kalgoorlie being a very hot centre, the residents were entitled to cold bottled beer on Sundays, but I can see no reason why they should not use coolers. People who can afford to buy two bottles of beer on Sunday can surely afford a refrigerator.

Hon. C. W. D. Barker: What objections can you offer to people buying bottled beer on Sunday? You cannot possibly tell me any reason!

Hon. H. S. W. PARKER: I am not attempting to convince Mr. Barker; I am putting my views, and indicating why I shall vote against the Bill. We have gone at great length into the question of how the sale of liquor on Sunday should be controlled. An amendment dealing with that phase was duly passed. I cannot see any disadvantage to the people at Kalgoorlie. Residents there can use coolers because of the rapid evaporation in that area, but in places like Port Hedland people cannot keep anything cool unless it is in an ice chest.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. S. W. PARKER: I was referring to the conditions existing in Port Hedland and Kalgoorlie. I find that this Bill covers Port Hedland, Roebourne, Kimberley, and so on, because they come under the definition in the principal Act. Nevertheless, I am still opposed to the Bill. The argument put forward was that the idea was to eliminate casual drinking in hotels on Sundays and to confine it to persons taking away a cold bottle of beer to enjoy at home in comfort. That, however, is not the intention of the hon. member who introduced the Bill, and I cannot see any need to extend the provisions of the Act to provide for the supplying of bottled liquor.

I think that it would be a grave nuisance to residents, because there are many people who cannot be in a street on a hot

day without taking the top off a bottle of beer and consuming the liquor on the spot, or in a park under the shade of a tree, or in a motorcar; and that would be an offence. I fear that the number of offences of this kind would increase tremendously if we allowed people to take away bottled beer on Sundays.

Hon. E. M. Heenan: What the Bill proposes was, for many years, an unwritten custom on the Goldfields.

Hon. H. S. W. PARKER: There have been so many unwritten customs on the Goldfields! There was one some years ago, when it was considered no offence to steal gold because it was being taken away from the English shareholders. I see no reason why the law should be different on the Goldfields from what it is anywhere else.

Hon. E. M. Heenan: It has been.

Hon. G. Bennetts: Would there be any objection to taking two bottles of beer and tipping them into a billy-can and taking it away?

Hon. H. S. W. PARKER: I do not know; but I think a fellow would be foolish to buy two bottles of beer and tip it into a billy-can, unless he had some ice. I object to liquor being taken away from hotels on Sundays. I think we have gone as far as we should go by allowing hotels to remain open on Sundays, without permitting them to supply bottled beer. Those people who cannot afford to buy an ice-chest in which to put beer bought on Saturday nights, cannot afford to buy the beer. It would be better if they saved the money and bought ice-chests; and we should encourage them to do that.

Hon. E. M. Heenan: Where would you get ice at Menzies?

Hon. H. S. W. PARKER: I can give the hon. member the addresses of many merchants who sell automatic machines for making ice.

Hon. E. M. Heenan: What do they cost?

Hon. H. S. W. PARKER: From £45 upwards. Whatever the cost, it would be better for the housewife if, instead of one or two bottles of beer being bought on Sunday, the money were set aside for the purchase of an ice-chest.

Hon. E. M. Heenan: Pensioners would be interested to hear that.

Hon. H. S. W. PARKER: They cannot afford to buy bottled beer on Sundays. We should remove the temptation from pensioners.

Hon. R. J. Boylen: You would not mind their having an occasional one, would you?

Hon. H. S. W. PARKER: Let them have it during the week. I see no reason why people should not buy a bottle of beer for a pensioner and give it to him. With regard to bona fide travellers, we tightened up the provisions a couple of years ago, and I see no reason to alter it.

Hon. C. W. D. Barker: Soften your heart a bit!

Hon. H. S. W. PARKER: So long as I do not soften my head, that is the main thing. I ask the hon. member to take that into consideration when he is voting on this Bill. Let him not allow his head to be softened, or his heart; but let him vote for the good of the people. I feel sure it would be for the good of the great majority of people if hotels were closed entirely on Sundays. To alter the provision regarding the bona fide traveller would be to insert the thin edge of the wedge, and many abuses would arise. I am unable to support the Bill.

HON. J. M. A. CUNNINGHAM (South-East) [7.36]: I do not intend to speak at great length, because I have made my position quite clear when dealing with similar questions in the past. I propose to support the Bill, primarily because I am keeping in mind the circumstances applying to my district. I cannot see any great danger or harm in a man's being able to take home one or two bottles of beer to drink during the afternoon, after having spent the permissible time imbibing in the hotel in the morning.

Hon. H. Hearn: Why not apply it to the whole State?

Hon. J. M. A. CUNNINGHAM: I am not averse to that. I do not think that people on the Goldfields have greater virtues than those elsewhere. It has been proved that when reasonable drinking hours are provided and there is no repression, there is no abuse. If the same conditions were extended throughout the State, far less harm would be done than is being done today on account of the repressive conditions that exist. I have no aversion to these provisions being extended to other parts of the State, but the Bill is intended primarily to apply to the Goldfields.

I do not agree with those who say that there is no difference between the Goldfields and other parts of the State. Kalgoorlie, and Wyndham, and Perth are entirely dissimilar areas; and if they were in different countries, varying laws and rules, and conditions would apply because they are in different climatic regions.

Hon. N. E. Baxter: There are different conditions applying to them now.

Hon. J. M. A. CUNNINGHAM: Yes; but the conditions are not sufficiently wide. On the one hand we have a dry, tropical climate; and, on the other, a temperate climate; and where there are conditions such as those prevailing at Kalgoorlie, I see no harm in a man's taking home a bottle of beer to drink with his lunch on Sunday. I do not agree that an alteration of the provisions along the lines suggested would lead to chaos. People would not be allowed to remain longer in hotels and swill or guzzle beer, but they would be encouraged to leave because

they would know they could obtain two bottles to take home with them and enjoy in the quietness of the Sunday dinner hour, with their wives and families. I see no harm in that; on the contrary, I see nothing but good in it. I support the Bill.

HON. N. E. BAXTER (Central) [7.40]: I intend to oppose the second reading. Apart from the Minister for the North-West, I suppose I have had more experience of the liquor trade than any other member in the Chamber, though only for a couple of years. I have been closely in touch with the drinking public. I can see quite a lot of harm arising from this measure, and very little good.

Hon. E. M. Heenan: How many years have you spent on the Goldfields?

Hon. N. E. BAXTER: None; but that does not make any difference. The first part of the measure refers to bona fide travellers. Under the Act, which was amended a couple of years ago, there is no place, except the Goldfields, where there is not one licensed house within 50 miles of another; the longest stretches are from 14 to 20 miles. Under present transport methods, there is no bona fide traveller who would not be able to obtain a drink during both of the Sunday sessions at home hotel or wayside licensed premises.

It would be very hard to prove that a person was not a bona fide traveller and that he had not slept 50 miles away the night before. Visitors would be strangers to the licensee. It would not be possible for him to prove that they had not slept 50 miles away, and it would not be worth a candle to obtain the services of a policeman with a view to trying to secure proof. The Act provides that such people may be given a limited number of drinks. But unless the licensee is steely-hearted, he agrees to give them three or four, or perhaps half a dozen; and his Sunday is gone.

Conditions in the country being what they are, a publican gets very little free time on Sunday mornings under present trading hours, and with stock-taking and the weekly cleaning-up to be done; and if he is to be worried on Sunday afternoons with bona fide travellers, he will not get any rest. His only free days during the year are Anzac Day and Christmas Day. With this clause in the Act, he could say goodbye to the rest of the year. I do not think it fair to ask publicans to accept this sort of stipulation.

I can see evil in the provision covering the supplying of bottled beer to customers on a Sunday. Outside the 20-mile limit, there are very few people who cannot obtain sufficient beer on Saturday to meet their requirements for the next day. Surely, if they wanted a bottle of beer so

badly on a Sunday they would have friends with a refrigerator or ice-chest in which they could put the bottles. It is a poor excuse to say they have no method of keeping it cool on Sunday.

Another problem is the policing of the provision. It is all very well to say that a person shall not get more than two bottles; but a customer gets two bottles, and asks a pal to get a couple for him, and he finishes up with a stock of beer. He might end up with a dozen bottles. Being connected with the trade, I know what would happen in my district. We have some pretty solid drinkers, and they are not satisfied when the session is over. They are always looking around with their tongues hanging out. The same thing exists in other districts.

Hon. G. Bennetts: The beer you sell cannot quench their thirst.

Hon. N. E. BAXTER: I do not think any beer sold would be an absolute thirst-quencher for them. They seem to have a thirst as deep as the sea. We would find that by the time the 5 o'clock session came on, many of the hardened drinkers would be under the influence of liquor. It is not very nice for that to happen in a country town, and it is a difficult matter for a policeman to handle. If he asks the publican how many bottles he has sold to a man, and the publican says he has sold him two, the policeman can do nothing about it. I cannot see any good in the Bill, but a boatload of harm. I cannot, by any stretch of imagination, support the second reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [7.48]: I support the Bill because it is warranted in respect of those parts of the State to which it will apply, if agreed to. It will not apply to the town where Mr. Baxter resides, and so will not affect his district. It is confined to the Goldfields licensing areas. No doubt there are some other areas that should be brought under it. Just imagine if today were a Sunday in Marble Bar! Today is the 33rd consecutive day in which a century has been registered there. The reading since noon in the hospital was 117 degrees; and at the Mining Registrars' Office, 125 degrees. In Perth, we might get a couple of days in the year beyond the century, and at Kalgoorlie there might be a dozen. Also, we always get a sea breeze down here; but not at Marble Bar, Nullagine, or Hall's Creek.

The people in those parts have no desire other than to get hold of a cool drink, whether it be a bottle of lemonade, beer, or anything else. They cannot move far from it—even if it is only water in a waterbag—in that heat. A lot of fellows in those parts are engaged on mining shows or stations. There are contractors

and well-sinkers working at a distance from the hotel. Bamboo Creek, where there is a mining centre, is 45 miles away.

Hon. H. Hearn: Does the Bill cover it?

The MINISTER FOR THE NORTH-WEST: Yes.

Hon. N. E. Baxter: It is only an hour's run.

The MINISTER FOR THE NORTH-WEST: No; it is a good two hours' run, because of the type of road there. In fact, it is so bad that I have always been advised not to tackle it in my car; so I have never been there.

Hon. H. S. W. Parker: Do you think they would come in for two bottles?

The MINISTER FOR THE NORTH-WEST: I do not say that; but I do say that they would come in for a drink, and I do not see why we should make criminals of them if they want to take away two bottles, or even 10 or 20 bottles. Surely the hon. member does not think that everyone, even in the city, complies with the Licensing Act to the letter. There are not sufficient hotels to meet the demand, so that the publicans, in the main, are keeping within the Act. But let us wait until the day comes when the position is the reverse, and we will then see how desirous they are to restrict hours of drinking, or to keep within the Act. They will not do it. Not all of them do it now. They all have their friends, and they infringe the Act in some way or other. Every time a man under the influence is served, the Act is infringed.

Hon. A. R. Jones: If you say people can get it now, why worry about this?

The MINISTER FOR THE NORTH-WEST: Why make a man a criminal to get it? Why make it harder for people, who will get it in any case, to obtain it?

Hon. N. E. Baxter: I would not say you are right there.

The MINISTER FOR THE NORTH-WEST: The hon. member said that when the 5 o'clock session commenced, a lot of customers would be intoxicated. If that is so, the publican is not supposed to have them on his premises, or to serve them.

Hon. A. F. Griffith: Surely the Minister's policy is not to make it easy for people to do something which they cannot now do legally.

The MINISTER FOR THE NORTH-WEST: My policy is not to make criminals of people.

Hon. A. F. Griffith: You said that they could do it now, so why not make it easy for them?

The MINISTER FOR THE NORTH-WEST: I said that the Act will always be infringed. I can remember that only a few years ago the sight of a policeman at Rockingham was abhorrent to a certain gentleman down there, and he would do

anything to keep them away. In recent years, he could not get enough of them to help him handle the traffic. That is the difference between the situation then and today. In the outback, and small mining towns, however, there is no difference. The publicans are still battling along, and how they keep going, goodness knows! The Bill is a reasonable measure. If there are other areas along the Wongan Hills line that do not come within this provision, but should, then let us extend it to cover them.

Hon. A. R. Jones: They do not want it.

The MINISTER FOR THE NORTH-WEST: How does the hon. member know? Who does not want it—the hotelkeepers or the customers?

Hon. A. R. Jones: I have asked a few of each.

The MINISTER FOR THE NORTH-WEST: I only said, "If they want it." It is up to the members concerned to find out the position. The people in my area would welcome the Bill. It is only a matter of two bottles of beer. How many kangaroos or ordinary workers have refrigerators?

Hon. N. E. Baxter: How many come in from the bush on Sundays?

The MINISTER FOR THE NORTH-WEST: Many shearing teams close to a town will come in at the week-end. They want to take a dozen back with them, and they get the dozen; and by so doing, they break the law. If they do not get it from a hotelkeeper, they get it from a gallon licensee.

Hon. N. E. Baxter: Do they not usually get a case?

The MINISTER FOR THE NORTH-WEST: According to the shearers' agreement, shearers are not allowed to take any liquor on to a station, so they would have a job to juggle a case of beer in front of the boss. I support the Bill.

HON. C. W. D. BARKER (North) [7.55]: I support the Bill. No one is trying to inflict this measure on the farming districts. It concerns only the Goldfields, where people live in conditions different from those that apply here. We must try by granting them these amenities, to keep them in those areas, where it is so difficult to live. Men in the mining districts work all hours and all days, including week-ends. Surely those chaps, when coming off shift on a Sunday, are entitled to have a bottle of beer. I can understand a hotelkeeper not wanting to sell bottles of beer, as he would sooner sell it over the counter in glasses and so get a little more for it; but I cannot understand anyone trying to deprive a worker of a couple of bottles of beer on a Sunday.

Hon. H. S. W. Parker: Even the pensioner was mentioned.

Hon. C. W. D. BARKER: We have been told that this will cause a lot of harm, chaos, drunkenness, etc. Well, why did those things not occur before the licensing hours came into force? Prior to those hours being fixed, it was, on the goldfields, an open slather from 6 o'clock in the morning until 11 o'clock at night; and they were law-abiding citizens. They did their work, had their drink, and went home.

Hon. H. S. W. Parker: Where did those hours apply?

Hon. C. W. D. BARKER: The pubs were open all day in Kalgoorlie. It was an unwritten law. There was no drunkenness then. These people are asking for a privilege to which they are entitled. Our liquor laws are out of date. It is time we woke up and lived in 1953 instead of in the days when we chastised people and treated them like children.

Hon. N. E. Baxter: If you believe that we should pay unionists double time, why should the publican work for nothing?

Hon. C. W. D. BARKER: There are times when, in businesses or hotels, the proprietor has to serve the public.

Hon. A. L. Loton: Do you believe in service stations opening on Sundays?

Hon. C. W. D. BARKER: Yes, in emergencies.

Hon. H. S. W. Parker: Is the matter of two bottles an emergency?

Hon. C. W. D. BARKER: No; but it is a necessity in the areas to which we want the Bill to apply.

Hon. A. L. Loton: It is not a necessity.

Hon. C. W. D. BARKER: It may not be in the area represented by the hon. member, but it is in the district mentioned in the Bill. We are not trying to inflict this upon the hon. member. It is mainly for the Goldfields. The Minister for the North-West told us what the temperatures were at Marble Bar. How would any hon. member like to be there on a Sunday, treading on his tongue, with a growth like moss on it, and not be able to get a drink? Surely the men there are entitled to a drink. If a person is half a mile from a waterbag, he is tonguing; never mind about a pub! Surely members are not going to deprive these men of a bottle of beer. What harm is there in the measure? I hope the House will agree to it.

HON. F. R. H. LAVERY (West) [8.0]: I am a bit like Mr. Bennetts, who said he was a wowser. I do not claim to be a wowser, within the full meaning of the term, but I do not drink beer.

Hon. A. L. Loton: That is obvious.

Hon. C. W. D. Barker: You do not know what you have missed.

Hon. F. R. H. LAVERY: I do not take any intoxicating liquor; but on one occasion I had a quarter of a bottle of wine, and ten minutes later I felt I could carry the Perth Town Hall on my shoulders. After that, I had sense enough to give it away. I do not drink, but that does not mean to say that I should endeavour to deprive any other person, who is prepared to pay for it, of the opportunity to have a drink of beer.

Hon. H. S. W. Parker: If you were in Marble Bar you would want a drink.

Hon. F. R. H. LAVERY: Members can mention all the anomalies in the different districts, but it does not get away from the fact that there are many people in this State—and I am referring only to this State—who do not drink beer just for the sake of drinking it. They drink it for divers reasons—the entertainment of friends, and so on. If, after a hard day's work, a man wants to buy a bottle or two to take home, he should be permitted that privilege.

I have a refrigerator in my home and it is paid for. If members were to look in that refrigerator they would find a certain quantity of liquor which I keep for any of my friends who enjoy it. What grieves me is the fact that members say a person should not have the right to get a couple of bottles of beer on Sundays, but they will agree to a provision which enables him to stand up at the bar, for three hours on a Sunday afternoon, pushing and shoving in his efforts to get a drink.

Hon. H. S. W. Parker: They ought to stop it.

Hon. H. L. Roche: It is not three hours.

Hon. F. R. H. LAVERY: Perhaps Mr. Parker is right in his remarks, and I may have been a little wrong when I mentioned three hours. But the fact remains that people who are able to get plenty of liquor themselves, and who are living in reasonably good conditions, do not make any allowance for others in the outback areas. I was born on the Goldfields and our President knew me as a child. I have worked underground in the mines, and I have worked among timber people. Because I know what goes on in those places, I interjected viciously the other night when Mr. Diver mentioned what people did in Kalgoorlie to get a drink of beer. In Kalgoorlie, Southern Cross, Westonia, and Bullfinch there is controlled drinking; the people in those places do not indulge in beer-swilling. Where a person can get a drink at his leisure, there is no drunkenness such as one sees in the city.

Hon. J. M. A. Cunningham: Statistics will support you there.

Hon. F. R. H. LAVERY: I thank Mr. Cunningham for his interjection; I intended to mention that fact. If the police on the Goldfields were here now and could be questioned, they would tell members

that there is little drunkenness on the Goldfields—and by “Goldfields” I mean such places as Kalgoorlie, Southern Cross, Westonia, and Bullfinch. The percentage of drunkenness in those places is infinitesimal when compared with that in the city.

Hon. H. S. W. Parker: You mean charges for drunkenness.

Hon. F. R. H. LAVERY: A short while ago my wife and I stayed at one of the hotels in Kalgoorlie for three or four days. In order to go to the dining-room we had to pass the main bar; and when we left the hotel my wife said that the place was a credit to the hotelkeeper because, while we were there, we did not hear any dirty language such as one hears, occasionally, in the main streets of the metropolitan area. I am no prude, but up there men drink their beer under decent conditions, and there is no need for them to swill their liquor. If people knew that they could take a couple of bottles home with them on a Sunday afternoon, how many of them would bother to go to the bar and drink?

Hon. N. E. Baxter: Plenty of them.

Hon. F. R. H. LAVERY: I could mention what I have seen in the city. I know that, some members will remind me of what I am about to say, when a measure is introduced dealing with the control of rents, but I would mention that where an Act is introduced under which people will be controlled—

Hon. H. Hearn: We only ask you to be consistent.

Hon. F. R. H. LAVERY: —they will find some way of breaking it. I am not in favour of drink, and I would not care if all the hotels in the State were closed down; my only regret would be that so many men would become unemployed.

Hon. L. C. Diver: That is why you referred to “divers” reasons.

Hon. F. R. H. LAVERY: This is a simple Bill. Why should members object to a person having the right to buy a couple of bottles of beer on a Sunday, if the hotels are open? If they were closed, I would not be pressing for them to be opened on Sundays; but as it is good enough for the fellow who lives round the corner to get half a dozen drinks, and make a fool of himself on a Sunday, it should be good enough for the person in the outback to be able to buy a couple of bottles of beer to take home with him on Sundays so that he can enjoy them with his family. It gives me much pleasure to support the Bill.

HON. H. HEARN (Metropolitan) [8.7]: I do not intend to delay the House long, but there are one or two aspects that strike me about this particular type of legislation. In the first place, I want to

congratulate the Goldfields on the energetic members that they have to represent them in this House. Undoubtedly we must realise that those members are doing their best to look after their constituents.

But I disagree entirely with the liquor question being dealt with by a private member's Bill. If this legislation is passed, other private members will be induced to introduce their own pet ideas concerning the licensing laws. A number of truthful statements have been made in the debate, but there have been others which have not been quite so true. Sooner or later there must be a radical change in our licensing laws, but we will not be getting anywhere if we allow private members' Bills—which are promoted in an effort to look after the well-being of certain districts—to influence us in our general attitude towards the liquor question. I am one who believes that, when the time arrives, this particular legislation should be dealt with as an all-party measure and not as a party measure. We will never get decent licensing legislation unless we divorce politics from the question.

Hon. F. R. H. Lavery: I agree with you.

Hon. H. HEARN: I say definitely that these Bills, introduced from time to time, all have a political flavour; they are introduced in an effort to curry favour with certain sections of the community. I have heard a lot about the North-West. I lived in Marble Bar for one summer, but I found the heat there no worse than some of that which we get in Perth. The heat is a little more consistent; but, by virtue of its consistency, one grows accustomed to it. The time may soon arrive when we will have to deal with the licensing laws as a whole, but in the meantime I strongly deprecate this sectional legislation.

HON. A. F. GRIFFITH (Suburban) [8.10]: I do not think anybody doubts that the speech Mr. Hearn made dealt with the crux of the matter. Licensing laws, and laws relating to s.p. betting, are questions which political parties drop like hot cakes.

Hon. H. L. Roche: They are both dynamite.

Hon. A. F. GRIFFITH: That is so.

Hon. E. M. Heenan: Is not that all the more reason why a private individual should try to do something?

Hon. A. F. GRIFFITH: No; because a private member takes only half a bite at the cake.

Hon. E. M. Heenan: Should we do nothing?

Hon. A. F. GRIFFITH: No; I do not agree with that either. If the hon. member would allow me, I could give him my views. I agree whole-heartedly that our licensing laws are archaic and it is time something was done about them. Over the years, the people of this country have

not educated themselves in this regard, and I can well remember, as a serviceman during the war, when the hotels were closed at six o'clock in Victoria. The people of that State, and the visitors, too, had only one desire—to get as many schooners of beer into their systems as possible in the shortest space of time. When servicemen obtained their leave passes and left the camp at 5 o'clock, the majority proceeded straight to Melbourne and, on arrival at 5.30, went to the nearest hotel. They drank as much beer as possible between 5.30 p.m. and 6 p.m., and then used to say, "Where else can we go to get beer now that the hotels are closed?"

Hon. F. R. H. Lavery: That is the point.

Hon. A. F. GRIFFITH: That is not a desirable state of affairs, and there seems to be little difference with the licensing laws we have in the State at the moment. It is time that some definite steps were taken to improve our liquor laws. I do not think that any harm would be caused if trading hours throughout the State were altered. But, of course, we cannot always legislate for the few who break the law or who make a nuisance of themselves. There is no doubt that between knock-off time, and the dinner hour in the evening, there is an awkward period for the women at home. Nothing annoys a woman more—and I am not speaking from personal experience—

Hon. H. L. Roche: How do you know?

Hon. A. F. GRIFFITH: I do not annoy my wife. But there is nothing that annoys a woman more than to have a meal cooked and ready for her husband at 6 p.m. or 6.30 p.m., only to find that, because he is in the hotel, he will not come home to eat it. So I think we could alter the trading hours and possibly close the hotels, for example, between 6.30 p.m. and 7.30 p.m. That would ensure that everybody went home for a meal at a respectable hour and would allow the hotelkeeper and his staff to have their meals under decent conditions. At the moment they are forced to have their evening meals in relays. Then, if it were so desired, the hotels could be opened again after that hour, or at some reasonable period during the evening.

I am loth to vote against the Bill because it might prevent people on the Goldfields—and as the Minister for the North-West envisaged, Marble Bar—from being able to buy a bottle of beer. I know Marble Bar well. I was there as a serviceman, and there is no doubt that the barometer knows how to keep over the century mark day in and day out. No doubt there are other towns in the North-West just as devoid of amenities as is Marble Bar, and there are few enough amenities in Marble Bar. Like Mr. Hearn, I feel that if we pass legislation like this, which is introduced by a private member, especially for the Goldfields, then we will have

other members introducing similar legislation which might be for the good of the Great Southern or some other place.

Hon. E. M. Heenan: Treat the Bill on its merits.

Hon. A. F. GRIFFITH: I am not sure that we are doing so. If this is passed, it will then be a case of, "We have done it once, so we must do it again." That is my view. Once we have established a precedent, we will be expected to do it again.

The Minister for the North-West: You think that conditions do not warrant this measure?

Hon. A. F. GRIFFITH: I did not say that.

The Minister for the North-West: That is what you meant.

Hon. A. F. GRIFFITH: If the Minister deduces that from my remarks, then he could not have been listening.

The Minister for the North-West: I have been listening.

Hon. A. F. GRIFFITH: Then the Minister could not have been understanding.

Hon. C. W. D. Barker: You should speak more clearly.

Hon. A. F. GRIFFITH: When Mr. Barker tells me what I must do, it will be time for me to resign. I will make up my own mind.

Hon. E. M. Heenan: Do you not think there is some merit in the argument that special conditions exist on the Goldfields?

Hon. A. F. GRIFFITH: I do; but then there will also be merit in the arguments put forward for the Great Southern area and for the Eastern wheatbelt, and so on; ultimately it will reach the metropolitan area. I definitely would not like to see bottled beer sold in the metropolitan area on Sunday; I would never give my vote for that. I do not want to vote against this Bill, because there are special considerations involved. I will be obliged to vote for the second reading and vote against the clauses which allow the sale of bottled beer on Sunday. Like Mr. Hearn, I feel that this problem of licensing laws should be taken beyond the party political basis and should be brought into Parliament for the good of the citizens of the State. If that were done, we would be getting somewhere. In the meantime, one political party which has the courage to bring down a Bill will be criticised, and capital will be made out of it, just as was done in another place last year. But if we could get together on this, and work out some sensible idea for liquor licences in this State, we would be a lot better off.

HON. H. L. ROCHE (South) [8.20]: I think the concluding remarks of Mr. Griffith are well worth taking heed of. I will vote for the second reading of the Bill, not because I believe in it, but because

through the agency of this measure, or other private members' Bills, we may be able to make the radical overhaul of our liquor legislation which circumstances warrant. I do not believe any Government will be prepared to face up to the issue of a thorough overhaul of the State's liquor legislation or the legislation controlling s.p. betting. If through carrying this legislation, the administration of the liquor laws become more difficult, then I think we may get to the stage where the leaders of the parties could possibly get together and reach some measure of agreement on legislation to be submitted to Parliament to rectify the present state of affairs.

I am not in favour of Sunday trading at all, except as it concerns a bona fide traveller. There is a provision in this legislation for a bona fide traveller; but Sunday trading was carried on previously, and is now applicable to the country districts. I do not think any harm will be done to the country districts if the provision is removed. But if it is to remain, it might just as well apply throughout the State. Perth might as well have it also. I do not think there is any need for it except as it affects the bona fide traveller. As I have said, I am supporting the second reading because it may help to bring about an overhaul of our liquor laws. I think it is wishful thinking on our parts to expect any overhaul or better legislation concerning liquor otherwise, but the carrying of this private member's Bill might assist us in that direction.

HON. R. J. BOYLEN (South-East—in reply) [8.23]: I will not delay the House very long in reply, because I think members have expressed their opinions very clearly. I do, however, wish to answer Mr. Baxter, because I think he made out a particularly good case for the Goldfields. During his remarks, he made reference to the clause dealing with bona fide travellers. That is the only clause which is not as applicable to the Goldfields as it is to the area in which Mr. Baxter has his hotel. But in the northern parts of Western Australia—north of the Goldfields districts—which are represented by Mr. Barker and Mr. Strickland, there are greater distances than 50 miles between hotels.

The Minister for the North-West: In some cases the distance is 300 miles.

Hon. R. J. BOYLEN: That is so; and this provision is a necessity for the travelling public. A good deal of travelling is done on Sundays, and I do not think it was the intention of the previous Government, when dealing with this legislation, to deprive the bona fide traveller.

Hon. N. E. Baxter: The bona fide clause would be a nuisance to the licensee.

Hon. R. J. BOYLEN: The hon. member did not want it; I am prepared to take his word.

Hon. N. E. Baxter: This clause does not refer to the Goldfields alone.

Hon. R. J. BOYLEN: The bona fide clause is for the State as a whole. I know it is hard for the publican to cope with some of his obligations, but there is no compulsion to run a hotel. The same thing applies to a chemist's shop; one has to educate one's customers. If the publicans trained their clientele properly, there would be less trouble. I have had the same difficulty, and it takes a little time to educate the public. Once they have been educated they will co-operate.

Hon. H. S. W. Parker: They get their two bottles on Sunday.

Hon. R. J. BOYLEN: Yes. The argument has been put up that they can be bought on Saturday, but there are many people who have no facilities for keeping beer cold. I think Mr. Parker said that they could put them in the cooler. I have not known a cooler to keep beer or anything else cold. It is impossible, of course, for some people to obtain refrigerators. There are many prospectors and pensioners concerned, and surely they ought to be given a little consideration. I venture to say that if limited quantities of bottled beer were sold in the morning session, there would be less drinking in the afternoon session. People would take their two bottles home and there would be less incentive to go back in the afternoon, because they would probably have one bottle with their lunch, and one later on in the evening. People who go to the hotel in the morning generally do not go back in the afternoon; at least it is not a long session by the standards of Kalgoorlie and Boulder.

Tomorrow I shall move to amend this clause so as not to have the hours made hard and fast. Members will recall that, early in 1952, the court gave an assurance that it would go into the question of the Goldfields district as defined and investigate the hours required. Unfortunately, though the people wanted the investigation in some districts, they were apathetic about giving evidence. Hours vary to a considerable extent in different sub-districts of the Goldfields as defined in the Act, so I will make the hours apply to the sub-districts in which the people live.

I would have no objection to this provision covering the whole of the State. Two years ago when I tried to have that done, many of the people speaking tonight opposed the Bill and said it was not wanted in the farming areas. I have been in several towns outside the Goldfields areas, and have seen the conduct in the hotels between 5 and 6 o'clock. It is quite differ-

ent to the conduct in the hotels on the Goldfields between 5 and 6. There is a tremendous rush on the counter, and sometimes people have to wait ten minutes before being served. If the hours were made more liberal, people would not drink as fast. I was in a country hotel recently and I could not get to the counter for a full ten minutes.

The working man knows how much he can spend, and he will spend what he can afford. Mr. Diver said that the working man could put 2s. or 3s. to good use by buying a refrigerator. There are men who will not content themselves with one bottle, and there are men who will not take the family into consideration and who are likely to spend their whole income at the hotel. We always have the few who abuse legislation of this kind.

It was not thought desirable by Mr. Hearn that this type of legislation should be introduced by a private member. He is not concerned with the Goldfields; but the other day, when he was interested in a certain type of trade, for which he wanted protection, I was prepared to give him my support, and I think he could at least consider the Goldfields people now. Mr. Simpson referred to the powers of the board. So far as the Goldfields are concerned, these powers have been in the Act for some time. The court has power now to either increase or decrease the hours on the Goldfields, and that applies not only to Sunday trading, but to week-day trading as well. The board can recommend to the Governor-in-Council that the hotels should not remain open until 11 o'clock.

A statement was made that the passing of this measure would lead to the indiscriminate buying of bottles of beer. I fail to see any likelihood of there being indiscriminate buying if the quantity is restricted to two bottles. If people desired to indulge in indiscriminate purchasing, they would buy their supplies on Saturday night, but by Sunday the beer would be pretty hot and there would be no advantage in their resorting to that sort of thing.

I am making no attempt whatever to get this provision applied to the afternoon session. I know what would probably happen in some centres if that were permitted; a few people would buy bottles and sit on the footpath and drink the beer there. On the Goldfields, it is a rare experience to see a person buying two bottles of beer. Generally the purchase is one bottle, and that is taken home.

The position in some of the country centres where the hours of Sunday trading are short is very difficult indeed, and I should not be surprised if some member moved an amendment with a view to securing an extension of the morning or afternoon session or even of both sessions in country centres. On one occasion when

I was in Mr. Diver's electorate, the point was put to me that hard-and-fast hours should not be stipulated as a place like Kellerberrin might find certain hours suitable whereas the same hours would not be favourably regarded in another town.

Hon. L. C. Diver: There is no provision for that in your Bill.

Hon. R. J. BOYLEN: The hon. member is quite at liberty to bring in a Bill to govern conditions in his own district. Mr. Baxter seemed worried about the licensees, but I point out to him that our duty is to consider the public.

Hon. N. E. Baxter: You want a 40-hour week for the workers and 80 hours for the boss.

Hon. R. J. BOYLEN: Those are not the hours that the hon. member works here. Mr. Hearn seemed to think that this measure had a political flavour. I cannot see where he got that idea. The people who come under the Eastern Goldfields district council and the Fremantle district council of the A.L.P. have all expressed an opinion, and there is very little doubt where they would stand. I have not heard of this matter having been discussed at union meetings and I have not received any requests from publicans advocating this step. The passing of the measure would make virtually no difference to the publicans because it is as easy to hand out a bottle of beer as to serve beer in glasses.

Hon. A. F. Griffith: What does the present Premier think about licensing.

Hon. R. J. BOYLEN: I do not know.

Hon. A. F. Griffith: You could have read it in the newspaper.

Hon. R. J. BOYLEN: He was referring to the question of making drastic changes to the whole of the Act, but that has nothing to do with me or with this Bill. I trust that members will support the second reading.

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

Ayes	.....	19
Noes	.....	6

Majority for 13

Ayes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. G. Bennetts	Hon. C. H. Henning
Hon. R. J. Boylen	Hon. F. R. H. Lavery
Hon. L. Craig	Hon. L. A. Logan
Hon. J. Cunningham	Hon. J. Murray
Hon. E. M. Davies	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. C. Strickland
Hon. A. F. Griffith	Hon. G. Fraser
Hon. W. R. Hall	

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. J. McI. Thomson
Hon. A. L. Lotoiu	Hon. A. R. Jones

(Teller.)

Question thus passed.

Bill read a second time.

**BILL—WORKERS' COMPENSATION ACT
AMENDMENT.***In Committee.*

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—Short Title and citation:

Hon. H. HEARN: I move an amendment—

That the following subclause be added:—

(4) This Act shall come into operation on a day to be fixed by proclamation.

This will make for the convenience of employers, insurance companies and the board because, when the Act is proclaimed, copies of the new measure should be available. On previous occasions, difficulties have arisen owing to there having been no copies of the new legislation available when the Act came into force.

The CHIEF SECRETARY: I accept the amendment. It will cause a little delay, but will bridge a gap that has caused inconvenience on previous occasions.

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

Clause 2—Repeal and re-enactment of Section 4:

Hon. H. HEARN: I have given notice of my desire to have certain clauses deleted simply to indicate my wishes. I appreciate that my course is to vote against such clauses. On the second reading, I stated my reasons for objecting to this clause, which is contrary to the ordinary usage of law. Legislation is seldom made retrospective. In addition, this provision would have the effect of delaying settlements. The loss ratio would increase enormously seeing that this liability had not been allowed for. To permit of an increase in outstanding claims would entail a considerable sum of money.

The CHIEF SECRETARY: I ask the Committee to retain the clause. In 1948 we agreed to retrospective weekly payments, and though this clause goes somewhat further by providing also for retrospective lump sums, members might well accept it. Otherwise we would have people on varying rates. One man might meet with an accident just prior to the proclamation of the legislation and thus, for the sake of a few days, he would be unfortunate; while the man who met with an accident after the proclamation would be on the higher rate.

Hon. N. E. Baxter: Why not make it retrospective for 12 months?

The CHIEF SECRETARY: We have in mind the man who is drawing compensation on a weekly rate and whose claim has not been settled. The provision is fair and reasonable, and I hope the Committee will agree to it.

Hon. L. CRAIG: The Chief Secretary has been open and fair about the implications of measures so far; but I feel that this clause would make the insurer's liability much greater, and therefore I must oppose it. There will always be the person who is unfortunate in matters of this kind, but I do not think we should make a measure of this nature retrospective.

Clause put and negatived.

Clause 3—Section 5 amended:

Hon. H. HEARN: I will vote against this clause. I feel that, with respect to paragraph (a) the present provision has proved entirely satisfactory, and I do not think that the interpretation of "worker" should be altered, as suggested in paragraph (b) by increasing the figure from £1,250 to £2,000.

The CHIEF SECRETARY: I hope the Committee will agree to this clause. The Government has been informed that a number of industries insure their executive officers, and for that reason I believe this alteration is necessary. Many of these people are receiving more than £1,250 per year.

Hon. L. Craig: Those officers can still be insured.

The CHIEF SECRETARY: Yes; but we think they should come under the Workers' Compensation Act.

Hon. A. F. Griffith: What percentage of people do you think would come within the category you mention?

The CHIEF SECRETARY: I have no idea, but I believe that many highly-paid workers would be affected.

Hon. H. Hearn: This would cost the goldmining industry £10,000 per year.

The CHIEF SECRETARY: I would be surprised if that were so.

Hon. H. Hearn: Take it from me, the figures are correct.

Hon. L. Craig: It is the principle involved.

The CHIEF SECRETARY: I maintain that any worker on salary or wages should be protected by the Workers' Compensation Act. Mr. Hearn said this provision would cost the goldmining industry £10,000 per year; but I think that figure would be substantially reduced after the first year, as the incidence of claims would be so small that the insurance companies would have to reduce the premiums considerably.

Hon. A. F. Griffith: What connection would this have with the maximum compensation payable?

The CHIEF SECRETARY: In what way?

Hon. H. Hearn: I think I can answer that for the hon. member.

The CHIEF SECRETARY: If the Committee will not agree to the £2,000, I hope it will agree at least to some figure higher than £1,250.

Hon. L. Craig: Is there not an obligation on some people to make provision for themselves?

The CHIEF SECRETARY: I think every one who works should be covered by the Workers' Compensation Act. If a man has private cover, that is his own business; but when he works for an employer, he should be covered by the Act.

Hon. H. S. W. PARKER: I think the figure of £1,250 is reasonable, and I believe that we should encourage people to do something for themselves. Anyone receiving £1,250 per annum has a good job and should make provision for himself. The Government does not say anything about providing cover for the hardworking small shopkeeper.

Hon. E. M. Davies: That argument was worn out years ago. That man takes out a policy and passes on the cost to the public, but the worker cannot do that.

Hon. H. S. W. PARKER: That is exactly what we are asked to do here. If we agree to the figure of £2,000, the employer will pass it on in the price of his goods. The Government says that we have now the cheapest insurance in the world. Why should not the man sought to be covered here take out a policy with the State Insurance Office? I think the £1,250 is ample, because workers' compensation is not an insurance against accident or a claim for damages for negligence, or anything like that. It is simply compensation. This means that the people pay, because industry passes on the cost. This has a serious effect in raising the price of goods; and, as a result, we cannot compete in overseas markets. A striking example of that was the Westclox factory in Victoria, which had to close because it could not compete with overseas prices.

Hon. N. E. BAXTER: I was rather surprised to hear the Chief Secretary say that a man who was not receiving £2,000 a year would not be a very high executive officer. From the Public Service list it can be noted that there are only one or two officers receiving £2,000 a year, and many are receiving £1,400 and upwards. Apparently, according to the Chief Secretary, they are not very high executive positions. I do not think those officers would be pleased to hear the Chief Secretary say that they are not occupying high executive posts.

The Minister for the North-West: But they are very good risks.

Hon. N. E. BAXTER: Perhaps so; but it is ridiculous to define a worker as one who is earning £2,000 a year. There is not one small business in 40 that earns the proprietor £2,000 a year.

The Minister for the North-West: But they would not work themselves.

Hon. N. E. BAXTER: The Minister knows quite well that they work harder than their employees.

The Minister for the North-West: Not always. Many farmers farm from the metropolitan area.

Hon. N. E. BAXTER: There might be a few, but the majority of farmers work harder than any of their employees. I will not say that all farmers are earning less than £2,000, but there are many people in small businesses who do not earn anywhere near £2,000 a year. If a worker on £2,000 a year is to be covered by workers' compensation legislation, why should not small shopkeepers be covered? This piece of workers' compensation legislation is the most scandalous in history.

Hon. E. M. HEENAN: We should approach this measure calmly. Workers' compensation has been accepted as part of our social legislation.

Hon. N. E. Baxter: And so has taxation.

Hon. E. M. HEENAN: The principle has been accepted that industry must be prepared to compensate those who are injured and suffer as a result of an accident at work. Two years ago, the amount stated in the definition of a worker was increased from £750 to £1,200. Prior to that I think it was £600, and in previous years it was much lower. Nowadays, the tendency is to give workers more protection, and that is extremely laudable. I hope the time will arrive when all workers will be covered by workers' compensation legislation, irrespective of the wages they earn. That is the goal we have to keep in mind. We must also remember that the value of money is depreciating. Today £1,250 is equivalent of only £400 or £500 earned by a worker not many years ago. In the mining and timber industries, and others there are many workers who earn over £1,250.

Hon. H. S. W. Parker: Do you not think they could take a little responsibility themselves?

Hon. E. M. HEENAN: No; they have the responsibility of caring for their families; endeavouring to obtain accommodation; paying medical expenses; and meeting all the other obligations that face a worker. I know from experience that a man who has a wife and several young children to maintain has very little over from an income of £1,250. The Minister has presented a case for at least some increase on £1,250, which members should accept. Perhaps one could argue against increasing it to £2,000 this year, but undoubtedly there is a case for raising the amount to some extent. I know that in the goldmining industry there are men who are earning more than £1,250, but they are just as prone to accident as they were when earning less. This is perhaps a question on which a compromise can be made, and I hope the Committee will agree to some reasonable increase in the amount.

Hon. H. HEARN: It should be understood that this provision applies particularly to the goldmining industry, and undoubtedly there are many piece-workers in that industry who earn up to £50 a week. It has been the practice of goldmining companies to insure all their workers, irrespective of what they earn. I want to point out to the Committee that the original concept of workers' compensation was that payments granted were not to be taken as a reward but were to tide a worker over a time of stress.

The previous workers' compensation Bill was introduced into this House and, in effect, it gave a new character to that legislation. Now we find that the Government is not satisfied with that charter, but is going to extreme lengths which, in a young State like Western Australia, cannot help but hamper industry. I know that some of these provisions have been copied from legislation in operation in the Eastern States, but, after all is said and done, many centres in the Eastern States are highly industrialised. No worker today needs to worry about where his next meal is coming from, because he is living in a prosperous age. I am all for the worker; but if a man who is earning up to £2,000 a year is to be covered by workers' compensation, there are many of us who would like to be included in the definition of "worker". I am not prepared to accept any compromise on the clause.

The CHIEF SECRETARY: I am pleased that the hon. member has endorsed my remarks about many men earning over £1,250 a year these days. He mentioned the goldmining industry and the cost that would be involved if this amount were increased, and now he has told the Committee that the goldmining companies insure all their workers.

Hon. H. Hearn: Up to £1,250.

The CHIEF SECRETARY: The hon. member said that the goldmining companies insured all their workers.

Hon. H. Hearn: I said they were insured up to £1,250, but there were many earning up to £50 a week.

The CHIEF SECRETARY: All those who earn over £1,250 a year do not come under the definition of "worker," and although insured under the Workers' Compensation Act, they have no right to appear before the Workers' Compensation Board.

Hon. L. Craig: But the insurance companies accept them as being on £1,250 a year.

The CHIEF SECRETARY: The men that are earning £1,250 can go before the Workers' Compensation Board, but a man who is earning over that amount cannot.

Hon. H. Hearn: They get the maximum compensation under the Act.

The CHIEF SECRETARY: If there is any dispute over the payment, they must accept what is granted to them. This clause puts all workers on the same footing, and permits them to approach the Workers' Compensation Board. Dependents are also involved under the clause; and if the Committee deletes it the other clauses dealing with dependants must go out too. All the clause seeks is to put back into the Act what was in it up to 1948.

Hon. H. Hearn: Which part of the clause are you dealing with now?

The CHIEF SECRETARY: Paragraph (a). If the Committee agrees to this clause, it will not be granting anything new. There is this vast difference: Prior to 1948, a resident of this country who had overseas dependants, was paid compensation if injured. We now propose that documentary evidence should be submitted showing that people are dependants. I ask members to decide on this point now, together with the definition of "worker" covering an amount up to £2,000. I urge members not to vote against the clause.

Hon. A. F. Griffith: How would the declarations be executed?

The CHIEF SECRETARY: The dependants have to show definite proof in the form of documents like bank drafts. That is a safeguard worthy to be considered.

Hon. L. CRAIG: I indicated a difference of opinion with Mr. Hearn over one paragraph of the clause. The clause should have been divided into two sections and debated separately. Regarding paragraph (a), dealing with dependants, I believe that, irrespective of whether they live in England, Australia, or Italy, if the breadwinner is killed in Australia, they should receive compensation until they can find some other source of income. The fact that they may not be Australians is not important. The safeguard in the clause provides that documentary proof has to be submitted, and this would be in the form of bank drafts or communications that money has been sent in the past. Unless they show proof of that, the dependants will not get an allowance.

With the large number of immigrants entering the country, some may be unfortunate enough to be killed in the first week of employment. The wives and children of these unfortunate ones should be classed as dependants. I would point out that the premiums for single workers are the same as for married workers, so it will not cost the employer any more for insurance whether the dependants reside in England, Russia, or Australia. This is a question of what is right. I support paragraph (a) of the clause, but I oppose paragraph (b).

The CHAIRMAN: It is the hon. member's prerogative to move an amendment when discussing a clause.

Hon. L. CRAIG: I am explaining the two sections of that clause. I would prefer to leave an amendment to some other member.

Hon. H. HEARN: I know Mr. Craig's opinions are contrary to mine. I would point out that the Chief Secretary is not correct when he says the clause is to insert something into the Act which was in it prior to 1948. Section 6(5) extends benefits to dependants living outside Australia, provided that the law of the other country permits dependants in Western Australia to claim reciprocal benefits. I cannot see any reason why that provision should be altered. I intend to vote against any amendment.

The CHIEF SECRETARY: I was not misleading members. Here is proof that a similar provision was in the Act before 1948.

Hon. L. A. Logan: Why was it taken out in 1948?

The CHIEF SECRETARY: I do not know. I fought to retain it. When the change was made, there was possibly some justification, because the provision might have been abused.

Hon. H. Hearn: So it can be abused again.

The CHIEF SECRETARY: From the experience gained since that time, we now come forward with the proposal to tidy the section and prevent abuses. I have great faith in the people responsible for drawing up the documentary evidence in other countries; I believe they are honest. If the documents were not genuine that would be discovered here. As pointed out by Mr. Craig, the same premium is paid for workers with dependants here and for those with dependants overseas. When companies accept premiums, they do not investigate whether the worker has dependants or not.

Hon. A. R. Jones: At present this applies only to countries with a reciprocal arrangement.

The CHIEF SECRETARY: No. The 1948 amendment was made on reciprocity. In recent years we have encouraged people to come here. They have worked and saved to bring their families out. If in the course of getting a home together they meet with a fatal accident, surely members will not deprive the dependants of compensation which the law of the State says they should receive.

Hon. N. E. Baxter: The law does not say that at present.

The CHIEF SECRETARY: It should. We encourage workers here under the guarantee that they are protected should they meet with an accident. If they are injured they get compensation; but if they are fatally injured, we say the dependants should not get anything. Is that the right attitude for a Parliament to take? The

majority of migrants come here before their families. They come here to make a new home.

Hon. L. C. Diver: Sometimes.

The CHIEF SECRETARY: The bigger percentage do.

Hon. N. E. Baxter: They come here because the conditions are better than those in their own country.

The CHIEF SECRETARY: They contribute to the wealth of Australia by coming and working here. We are not asking too much when we request that in the event of their being killed their dependants should be allowed to receive compensation.

Hon. L. CRAIG: There seems to be objection to countries with no reciprocal arrangements. Except for the English migrants, the others come here because the conditions in Australia are better. We should not penalise them but rather encourage them. They have to satisfy insurance companies, and the insurance companies will lose money by not being satisfied. Companies which pay out will satisfy themselves completely as to whether claimants in other countries are genuine dependants. I move an amendment—

That paragraph (b) be struck out.

Hon. F. R. H. LAVERY: The deletion of this paragraph will leave the figure at £1,250. I would like it to be as close to £2,000 as possible, but I think that sum is perhaps a little too high. Certainly a greater figure than £1,250 should be set. As the Chief Secretary said, a worker earning up to £1,250 can appeal to the board, but a man earning £1,251 cannot.

Hon. L. Craig: He is covered up to £1,250.

Hon. F. R. H. LAVERY: Yes. If the company says it will pay the claim, everything is all right. If it objects, the man can appeal to the board. But if he were earning £1,300, and the insurance company said it would not pay—

Hon. L. Craig: They do not say that.

Hon. F. R. H. LAVERY: If the company says it will not pay except on its conditions, the man has no appeal to the board. If the sum is increased to £1,500, he has a chance to appear before the board.

Hon. L. A. LOGAN: It seems to me that members are forgetting what a worker is and what his job represents. I contend that an employee is working for himself as much as for anybody else. His job is his industry. He goes out to protect himself and his family. If he earns more than the stated amount, it is his job to look after himself; and the sooner the worker realises that he is working for himself, the better off he will be.

I objected to the Bill at the second reading stage because of the 66 per cent. increase in nearly every direction. I pointed out that the increase in the basic wage was 16.5 per cent. or, if we had worked

on the basis of the extra 4s. 1d. that was not allowed in the September adjustment, the rise would have been 17.8 per cent. That would be an increase of £225 on the £1,250. I venture to say that had this Bill been brought in on those figures it would have received a much better reception. But what is one going to do with these ridiculous figures which provide that whereas the basic wage increase was 16.5 per cent., the benefits will be increased by 60 per cent.? It does not make sense.

With regard to the man who has been brought into the country from abroad and has been unfortunate enough to be injured or killed in industry, I believe there are certain circumstances under which his widow and family should be paid compensation. The Minister has given sound reasons for the retention of that provision, and I am prepared to agree to it. But I am not prepared to accept a standard of £2,000. The figure of £1,250 a year represents £24 a week. That is a lot of money in any man's language. If a man earning that amount or more is not capable of putting away a little for himself and his family, he is squandering it. I agree to the amendment.

Hon. C. H. SIMPSON: I hope the Committee will not agree to the amendment. We have to remember that increased charges are charges against industry; and one industry in particular in this State is going to feel the impact to a very great extent. I refer to the goldmining industry, which is passing through a very bad time and cannot afford undue increases in costs.

With regard to the provision concerning people from other places, we must realise that such individuals usually come from countries with low standards, and we have to remember that the benefits paid to their dependants would apply not only in the case of death, but also in the case of injury, and that again would be an increased liability against the insurance which must in time be reflected in increased premiums. I do not see how that can be avoided. In addition, we are loading the employer all the time with the responsibility of protecting his employees who, if they are earning the money stated here, can take out policies of their own which would effect the cover they desire to have for their dependants.

Hon. H. S. W. PARKER: I think Mr. Simpson misunderstood the amendment. If members vote for it, the result will be that the law will stand as at present. Whether the amendment be lost or not, we still have an opportunity afterwards to decide whether the clause shall remain or be deleted. I urge members to vote for the amendment.

Hon. A. F. GRIFFITH: I understood Mr. Simpson to assert that some additional cost would be involved. My assumption is that there would be no additional cost by way of insurance premiums.

Hon. H. Hearn: How do you assess that? After all, it catches up all the time.

Hon. A. F. GRIFFITH: Let me have some assurance from somebody who knows. Will there be an increase?

Hon. H. Hearn: Of course there must be! There will be a day of reckoning with regard to all these costs.

The CHIEF SECRETARY: There will be no difference in the premium paid, whether a man is married or single. The premium will be paid, and it is only after an accident occurs that the question of compensation will come into the matter.

Hon. C. H. Simpson: The extra compensation that must be payable will eventually be reflected in increased premiums.

The CHIEF SECRETARY: The premium will be charged without any knowledge of whether the person is single or married. What will happen in future? I can as easily say that there will be a reduction in premiums, as that there will be an increase, as was stated by Mr. Simpson. We do not know.

Hon. H. Hearn: If the liability increases, only one thing can happen.

The CHIEF SECRETARY: One would think that thousands of these persons are going to be killed! It would take a very large number to be killed before there was any difference in the premium rate. But at present there is no difference in the premium, whether the man is single or married. Do not let us assume what will happen.

Hon. H. Hearn: Why not? Businessmen have to.

The CHIEF SECRETARY: One can prove anything to oneself on assumption.

Hon. H. Hearn: Can you?

The CHIEF SECRETARY: Yes.

Hon. G. Bennetts: With the safety measures being adopted there will be fewer accidents than previously.

The CHIEF SECRETARY: I think the hon. member has something there. The only other point I wish to mention is that concerning the increase in the amount from £1,250 to £2,000. Mr. Hearn admitted that a number of men today who were drawing more than £1,250 were insured under the Workers' Compensation Act at the £1,250 mark. Such a worker cannot go before the Workers' Compensation Board, or sue his employer in a court. We want to give protection to that worker who is insured today, but not at the correct figure. He will then have full legal rights to go before the Workers' Compensation Board or take other legal action.

Hon. J. M. A. Cunningham: Has that happened often?

The CHIEF SECRETARY: There would not be a great number of workers in this category who would come under the Act, because they are not following hazardous employment such as the average worker is.

Hon. H. HEARN: I still hope that the Committee will not agree to the amendment, but will vote to delete the clause. We may be sending money, on the basis of the high standard of living that exists in Western Australia, to countries where the standard of living is much lower. In the case of a serious accident the amount received could mean practically a fortune to the recipients. This load will be on an industry, which today cannot pass on another 3d. of its costs.

The MINISTER FOR THE NORTH-WEST: I object to Mr. Craig's amendment. Mr. Hearn wants us to delete the whole clause. If the amendment is defeated, we cannot go back, and it will have the effect of giving new Australians different insurance coverage. A new Australian who comes from a country with similar legislation will be covered; whereas a new Australian who comes from a country where there is no reciprocal legislation will not be covered.

Hon. N. E. Baxter: That is different from what the Minister told us.

The MINISTER FOR THE NORTH-WEST: That is how the Act stands. The Minister wants to put them all on the same footing. Imagine our talking about reciprocal legislation when we get hundreds of thousands of workers coming to Australia! How many Australian workers would there be in the countries from which they come?

Hon. L. Craig: Not one.

The MINISTER FOR THE NORTH-WEST: That is so. This is of great importance to all new Australians who come here to work. I cannot see why one new Australian worker should receive treatment different from that received by another.

Hon. J. M. A. CUNNINGHAM: I cannot see justice in agreeing to pay compensation to a dependant who intends to remain domiciled in some foreign country. I would agree whole-heartedly if the money could be held in trust for the dependants should they ever succeed in coming to Australia.

The Chief Secretary: What is the use of the wife and children coming here if the husband has been killed?

Hon. J. M. A. CUNNINGHAM: I submit there is a great deal. The circumstances in which they were living induced the breadwinner to come to Australia; and I hope his intention was not just to milk the place and go back, but to remain here. The compensation the dependants would be entitled to would provide every reason for their coming here. They would get a good start. I cannot see the point of paying compensation to a woman who, in all probability, would never get the money, because her chance of getting even a portion of it, in the countries we have in mind, is limited.

The Chief Secretary: Do you think the insurance company would pay under those conditions? It is left to the company, which would safeguard the position.

Hon. H. HEARN: For the purpose of finally deleting the whole clause, I shall vote for Mr. Craig's amendment. I think I will have to do that because of the way the amendment is moved.

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

Ayes	....	....	....	16
Noes	....	....	....	8
Majority for				8

Ayes.

Hon. N. E. Baxter	Hon. A. R. Jones
Hon. L. Craig	Hon. L. A. Logan
Hon. J. Cunningham	Hon. A. L. Loton
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. S. W. Parker
Hon. A. F. Griffith	Hon. H. L. Roche
Hon. H. Hearn	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson

(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. R. J. Boylen

(Teller.)

Amendment thus passed.

Hon. H. HEARN: I again ask the Committee to delete the clause.

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

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

Ayes.

Hon. C. W. D. Barker	Hon. A. F. Griffith
Hon. G. Bennetts	Hon. E. M. Heenan
Hon. L. Craig	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. L. A. Logan
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. R. J. Boylen

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. H. S. W. Parker
Hon. J. Cunningham	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. H. Hearn	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. A. L. Loton	Hon. A. R. Jones
Hon. J. Murray	

(Teller.)

Clause, as amended, thus negated.

Clause 4—Section 6 amended:

Hon. H. HEARN: I think we will have to defeat this clause consequentially.

The CHIEF SECRETARY: I must ask members to vote against the clause because, as the other clause has been defeated, if this provision is struck out of the measure the status quo will be restored.

Clause put and negated.

Clause 5—Section 7 amended:

Hon. A. L. LOTON: I hope members will vote against this clause because I consider it is a "cradle to the grave" clause. It makes provision for employees to be covered in travelling from their place of employment and vice versa. I do not intend to use the word "worker", because it is employed by a certain section of the community for the purpose of vote-catching. This provision has been introduced on two former occasions and has been vigorously opposed, as I am sure it will be this time. Whose responsibility will it be to say that if an employee meets with an accident he was not lawfully deviating from the normal route to or from his work? It might be necessary for him to take his boots or clothing to be repaired, and therefore he is going on his lawful way to or from his place of employment.

This clause could easily lead to abuse, perhaps not wilfully but as a result of neglect and the employee saying, "It is not my responsibility; I am covered." Mr. Heenan took exception to the statement that an employee could take out a policy to protect himself. The cost of a personal accident policy is not very great; and, if a person took out such a policy, it would make him a little more careful when crossing the street, travelling in a car, and so on, if he realised that he carried some share of the responsibility to his employer, his family, and himself. I understand that as a result of similar legislation being introduced in the Eastern States, premiums have been increased by at least 6 per cent.; and I am sure that if a similar provision were introduced here, the same thing would happen. I hope members will reject this clause.

Hon. G. BENNETTS: I was surprised to hear the hon. member—

Hon. A. L. Loton: You need not be surprised.

Hon. G. BENNETTS: —saying that if a person had to insure himself to cover travelling to and from work he would be more careful. I do not think any person would become careless if he were covered by a policy taken out by his employer.

Hon. A. L. Loton: You have heard of people cutting off their fingers in order to get compensation.

Hon. G. BENNETTS: Similar provisions covered those working under the Commonwealth Railways, and I have not heard of any claim.

Hon. C. H. Henning: Then why do you want this?

Hon. G. BENNETTS: It is only fair. Workers, by their sweat, have been responsible for people enjoying large incomes, and it is only fair that those workers should be protected while travelling to and from their places of employment so that they can continue to render good service. I hope members will agree to the clause.

Hon. H. HEARN: Industry objects to covering employees at times when it has no control over their actions. That is the sum total of the employers' objection to this provision. As Mr. Loton said, this provision has been responsible for a 6 per cent. increase in Eastern States workers' compensation costs, and the figures are still increasing. We are responsible for our employees while they are under our control; but it is grossly unfair to say that the employer should be responsible for those employees while they are travelling to and from work. I was not surprised to hear Mr. Bennetts. He will be reported in the "Kalgoorlie Miner," and it is good election propaganda. But when we get down to honest-to-goodness facts, and we look at the economics of industry, we take a different point of view.

The CHIEF SECRETARY: I hope members will agree to the clause. If this were the House of Lords, the provision would be part of the law now, because this is the third time it has been introduced. Do not members think that on this occasion we should adopt the standards operating in another country?

Hon. H. Hearn: This provision is not operating in Great Britain.

The CHIEF SECRETARY: No; but it is the third time the provision has been introduced here, and it is time we brought Western Australia up to date. We pride ourselves on the fact that we are in line with the rest of Australia, but this provision is already an accomplished fact in Queensland, New South Wales, Victoria and Tasmania. The only States that have not fallen into line are South Australia and Western Australia. The Commonwealth adopted it.

Hon. G. Bennetts: It was in force when I was on the railways in Kalgoorlie.

Hon. H. Hearn: The Commonwealth has more money than employers.

The CHIEF SECRETARY: The only States that have not fallen into line are South Australia and Western Australia.

Hon. H. Hearn: And Tasmania.

The CHIEF SECRETARY: No. Tasmania, to the best of my knowledge, has this provision.

Hon. H. Hearn: No; Western Australia, South Australia, and Tasmania have not adopted it.

The CHIEF SECRETARY: It is time we brought ourselves up to date. All we are asking is for a worker to be covered from the time he leaves his home until he arrives at his place of employment, and vice versa. He is not going to a football match; he is going to his place of employment.

Hon. G. Bennetts: And that is his usual track.

The CHIEF SECRETARY: That is so.

Hon. H. Hearn: On an 80-miles-per-hour motor-cycle.

The CHIEF SECRETARY: He would not be making the journey if he were not going to work, so is it not reasonable that he should be covered? If he met with an accident for which somebody else was responsible, he would not be paid.

Hon. H. Hearn: It is the line of least resistance.

The CHAIRMAN: Order!

The CHIEF SECRETARY: If it is not due to the negligence of somebody else, he comes under this Act, and we ask that he be covered for that period. If members think the provision is too severe—and I have heard mention of men going in for a pot—I am quite prepared to insert the words "on his direct and uninterrupted journey." That would be a safeguard.

Hon. J. McI. Thomson: You could not police that.

The CHIEF SECRETARY: They have no difficulty in the other States. I think this is something that was promised to the electors.

Hon. A. F. Griffith: Do not start talking about promises.

The CHIEF SECRETARY: I will deal with promises only as they relate to the subject concerned. This is too serious a matter to laugh about. It is a genuine attempt to give the worker something to which he is entitled.

Hon. N. E. Baxter: How do you make that out?

The CHIEF SECRETARY: In my opinion, he is.

Hon. H. Hearn: It is a matter of opinion.

The CHIEF SECRETARY: That is so.

Hon. N. E. Baxter: You did not say "in my opinion."

The CHIEF SECRETARY: It is my opinion. Somebody suggested 6 per cent. But I doubt that there is that percentage payment in the States in which this operates.

Hon. H. Hearn: Do you query that?

The CHIEF SECRETARY: I do. Which State did the hon. member get this 6 per cent. from?

Hon. H. Hearn: From New South Wales and Victoria.

The CHIEF SECRETARY: What about Queensland?

Hon. H. Hearn: The figures were obtained from the thickly-populated States.

The CHIEF SECRETARY: It will naturally be so in the thickly-populated States. If a man is covered during his employment, why should he not be covered to and from work?

Hon. F. R. H. LAVERY: It seems to me that as soon as the word "worker" is mentioned, it is a signal for mirth.

Hon. H. S. W. Parker: Are we not all workers?

Hon. F. R. H. LAVERY: I am now referring to what Mr. Loton said. The word "worker" is distasteful to him. I know Mr. Loton to be a hard worker in his own industry, and for that reason he should not be so severe on the workers. I will quote a case that could happen in the Fremantle Harbour Trust. If a worker leaves the sheds and gets on to the roadway, he has no protection under the Act because he is out of the employer's control. But he is still inside the fence controlled by the gatekeepers at Cliff-st., and at the James-st. bridge, and I am not sure that he is not controlled by gatekeepers at the pedestrian bridges.

There was the case of a worker who knocked off at the correct time, rode his push-bike out of the gate, and was knocked down by a shunting train. He lost his legs, and a few days later he died. According to members, his dependants were not entitled to compensation; incidentally, they did not get it. While a worker is inside the gates of the industry concerned, he should be entitled to compensation. In the oil companies' premises there are buildings where workers have to change their clothes. They have to punch a clock and sign off. After they have done that, they are still inside the gate, and the gatekeepers see that they are not removing any articles belonging to the company. One of the men employed there fell off the bund wall on a stormy night and broke his leg. He got no compensation.

Hon. H. S. W. Parker: I saw a fellow play football and break his leg; he got no compensation.

Hon. F. R. H. LAVERY: I know of a instance of a young worker who was going to work on the back of a motor cycle. The police evidence was that the cycle was not travelling fast but, because of our terrible traffic regulations, a bus had to turn round on a street not wide enough for a horse and cart. The bus and the motor-cycle collided, and this young lad was killed while going to work. The young fellow with him lost his leg. One member said that should be covered by third-party insurance. I have here a case of third-party insurance where the worker gets absolutely nothing.

Hon. L. Craig: What has the employer to do with that?

Hon. F. R. H. LAVERY: Nothing; but I want him to have something to do with it. We have defeated the clause which provided for the family of a new Australian who may be killed in industry; and now members refuse to give the new Australian compensation if he gets knocked down going to or from work. We have the case of a man in Fremantle who was foreman of the painters employed by the State Housing Commission. He had a

motor-cycle which took him around in the ordinary course of his duties to inspect 600 or 800 houses of which he was in charge. One morning when he was going to work up the Highway, a vehicle turned in front of him and he was killed.

Hon. H. Hearn: Should the employer be made responsible for that?

Hon. F. R. H. LAVERY: Yes. The Premium Rates Committee, at no great cost to industry, could adjust its rates to cover such a contingency.

Sitting suspended from 10.30 to 10.50 p.m.

Hon. F. R. H. LAVERY: I was saying that in my view the worker should be protected under the Workers' Compensation Act on his way both to and from work. Over the years we have been told what such a provision would cost industry. Certainly it would cost somebody something, but its cost to industry would be passed on. Whenever the present Government puts forward a measure in this Chamber, the feeling of some members seems to be that everything it does is being done for political purposes. I was pleased the other evening to hear Sir Charles Latham say that this was a House of review.

The CHAIRMAN: The hon. member must keep to the Bill.

Hon. F. R. H. LAVERY: I am dealing with a review of the legislation now before us. I endeavour to deal with measures before this Chamber with an unbiased mind.

Hon. J. McI. Thomson: Why should not the employee cover himself to some extent?

Hon. F. R. H. LAVERY: The employee is trying to do so under the Hospitals Benefit Fund, but we want the worker covered under the Act, when travelling to and from work. I disagree with Mr. Hearn, who said that the cost to industry could not be passed on, as I know industry always passes on any added cost.

Hon. H. Hearn: What about the gold-mining industry?

Hon. F. R. H. LAVERY: I think that industry could bear any added cost from this measure better than some members would have us believe.

Hon. H. Hearn: I repeat that they could not pass it on, and that is true.

Hon. F. R. H. LAVERY: The quarterly abstract for 1951-52 shows that the value of gold produced was £9,725,343, and the dividends paid by the mining companies amounted to £1,000,469. In 1952 gold was produced to the value of £11,308,559, and dividends paid amounted to £1,079,371 or £79,000 more than the previous year. Do not always say that industry cannot meet some of the cost. If the worker were protected, in only one direction, either to or from work, that would be some improvement on the present position; but I hope this clause will be agreed to.

Hon. J. McI. Thomson: What about the industries that could not pay: goldmining and farming?

Hon. F. R. H. LAVERY: I am concerned about the worker. If he is maintained in good health, he can give industry what it requires of him, which is simply the best he can give. It is in the best interests of industry to keep him fit—

Hon. H. S. W. Parker: This is not a question of keeping him fit, but of paying him when he is not fit.

Hon. F. R. H. LAVERY: That is correct; and industry in the last few years has spent so much on safety measures, to that end, that conditions generally are now beyond the dreams of the average worker of even ten years ago.

Hon. H. HEARN: I wish to thank Mr. Lavery for providing me with illustrations that prove the point I have been trying to make in my opposition to this clause. He quoted the instance of the lad pillion-riding on a motor-cycle which was hit by a Fremantle bus, killing both the driver and the passenger. He then said he would like to relate that to the employer, who he thought should pay for the accident. That is what we object to. We have no control over how workmen journey to and from their homes. Even though they have motor-cycles and ride them foolishly, the employer is expected still to foot the bill in case of trouble. No one opposing the clause could give a better illustration than did Mr. Lavery of the danger of such a provision in our workers' compensation legislation. During my second reading speech I quoted a case of a factory girl who damaged a coccyx bone.

The Chief Secretary: Where is that?

Hon. H. HEARN: At the base of the spine. The medico gave her a week off because she said that her injury had been caused by the jolting of the tram. Tonight we have listened to a speaker who is endeavouring to introduce this clause into workers' compensation legislation, and no opponent could have provided better reasons for us to avoid such a catastrophe.

Hon. E. M. HEENAN: This is a most important clause and raises a challenge to people on both sides. Sooner or later industry will have to face up to its responsibility to insure workers on their way to and from work. I can understand Mr. Hearn and other speakers submitting the argument that industry is not able to afford that extra expense at this stage. The argument might be legitimate, but I have not heard any figures quoted to support it. On moral grounds, if it is reasonable to compensate a man for injuries that he sustains at work, it is also reasonable that he should be compensated for injuries that he might sustain to and from work. It is absolutely necessary for him to make these journeys, and some workers do get injured whilst travelling to and

from work. Their families suffer, no matter whether they are injured at work or whilst travelling to and from work.

Hon. H. Hearn: Why should industry have to pay?

Hon. E. M. HEENAN: It is a moral obligation on industry to do so. If industry needs men to keep its wheels turning, it is morally obliged to compensate workers whilst they are performing that duty, either at work or travelling to and from work. A worker, if he is involved in an accident, is not paid compensation automatically. He has to prove that there was no wilful negligence on his part. Yet we have the chief spokesman for industry in this Chamber telling us that a worker can drive his car or motor-cycle negligently and wilfully and, if he is involved in an accident, obtain compensation for injuries received. That is misleading the Committee.

Hon. L. A. Logan: How can he prove that he was not wilfully negligent if he is killed?

Hon. H. Hearn: I think Mr. Heenan is misleading the Committee now.

Hon. E. M. HEENAN: If the man is killed, his unfortunate widow receives no more than if he were alive. If he were alive he would have to prove that there was no wilful negligence on his part. If he is killed, the chances of the widow being granted compensation are greatly decreased, because the obligation is on her to prove that there was no wilful negligence.

Hon. L. A. Logan: How can she do that if she is perhaps a mile away from where the accident occurred?

Hon. E. M. HEENAN: If a man is killed on a mine, or in a workshop, his widow or dependants have to prove the case before they are granted compensation.

Hon. L. A. Logan: How can they do that?

Hon. E. M. HEENAN: By calling in a workman who was present when the accident happened. What other way could it be proved? If a man breaks his leg whilst travelling to or from work, under this clause he has to prove that there was no wilful negligence on his part. If industry and the State generally were passing through bad times, there might be an argument for voting against the clause; but, as far as I can see, industry cannot enjoy better times than it is enjoying now. Unfortunately the goldmining industry is struggling; but I cannot see how it can be argued that, because of that, the men working in the mines should not be granted adequate compensation. There is an onus on the Commonwealth to assist the goldmining industry and those engaged in it.

If members will read the clause carefully, they will see that it contains strict limitations. It is foolish for a member to

say that a man can get drunk and then claim compensation for an injury he has sustained as a result of an accident whilst travelling to and from his work. There is a strong case for this provision. Other States have adopted it.

Hon. L. Craig: Some.

Hon. E. M. HEENAN: Well, some. There is much merit in it. I do not know whether those States are more prosperous than ours, but I understand such a provision has been in operation for several years in some States. In the interests of all concerned, this provision will, sooner or later, have to be adopted in this State.

Hon. L. A. LOGAN: There is no need to argue this clause purely on the question of the ability of industry to pay. Some industries could afford it, but there are other industries which cannot even afford to pass it on. Do members consider that an employee should have coverage while he is going to and from work? If it is agreed that workers are entitled to such a safeguard outside the working period, it will cover the time of going to and from work. The worker is responsible for looking after himself and his family during the period of travelling. There are the medical benefits which give this cover for no extra charge; so it is unnecessary to pass the cost on to workers' compensation. A worker is paid for doctor's and medical expenses for injury during travelling time.

Hon. C. W. D. Barker: His family must live.

Hon. L. A. LOGAN: Yes. He did not get that assistance until some years ago. I ask whether it is the job of the employer to see that workmen are fit 24 hours a day.

Hon. E. M. Davies: It is of advantage to the employer.

Hon. L. A. LOGAN: It is just as much an advantage to the employee. The original concept of workers' compensation did not cover travelling. I see no reason why it should be altered now. It was said that a man travelling in a motorcar is covered by third-party insurance. It seems to me that money contributed to workers' compensation would pay because it might not be possible to claim under third-party provisions. This clause compels an employer to pay for something outside his jurisdiction. I have great regard for the worker—

Hon. E. M. Davies: I have not heard you express it this session.

Hon. L. A. LOGAN: I mix with workers every day. Eventually this law will react against the worker. It chiefly involves the increasing of costs in industries, and quite a number, such as dairying, have no hope of passing on the costs.

Hon. E. M. Heenan: Is dairying in this State worse than in New South Wales?

Hon. L. A. LOGAN: Infinitely worse. The figures given by Mr. Lavery relating to goldmining did not reveal the true story. Many of the little mines cannot pass on the cost because they are on the breadline. He referred to the position of the big companies.

Hon. F. R. H. Lavery: I quoted from the Statistical Review.

Hon. L. A. LOGAN: The hon. member gave the total figure. The small companies should have been included. It should be remembered that there are industries other than wool-growing.

Hon. C. W. D. Barker: That was the only instance I quoted, especially with wool at 8s. 6d. a lb.

The Minister for the North West: The cost on the price of wheat was passed on without trouble.

Hon. L. A. LOGAN: The figures on goldmining bear out the fact that the mines are becoming more selective. Ore that was small is left behind, and this tends to shorten the life of that industry. Many things have to be considered before rushing in and showering benefits on the worker. We have to be careful with the economy of the State.

Hon. E. M. DAVIES: A similar measure has been before the House on several other occasions and the debate that took place was similar to this one. In the last three sessions I have heard like measures debated. We were always told what it would cost industry. Many years ago, when it was proposed to extend workers' compensation to provide for five-eighths pay and £1 medical expenses, the very same arguments were used. Let us look at industry in years gone by.

We have passed through two wars, during which many inventions were discovered, and those inventions were brought into industry. Industry has progressively been mechanised, and machinery is producing more and more of the products. Industry has benefited as a result of mechanisation, and the worker has received some benefits. He is entitled to a share of the profit as a result of mechanisation. Industry consists of the erection of a building and the installing of machinery; but, more important still, it requires workmen to operate the machines and produce the goods to be disposed of at a profit.

All along, we were told that the employer had to bear the cost. Because industry requires labour, it established itself where there was a pool of labour, but that labour had to travel from its place of abode to the place of work. This travelling is necessary to carry on industry. Were it not for the pool, industry would not be able to carry on.

An industry has been started at Kwinana, and the company is providing the transport or paying the fares for the workers from Perth or Fremantle. That costs a fair amount, and naturally it would

be a charge on industry. The charge would not be as great if these men were insured under the Workers' Compensation Act and lived two or three miles from their place of work. Only in rare cases would a man meet with an accident when travelling to and from work. So the burden of the extra charge on industry would be infinitesimal. We were told that we are not encouraging industry, but industry is coming to Western Australia because there is land available. The people in charge of that industry did not raise the same argument as has been raised tonight.

Hon. N. E. BAXTER: The clause is like the doctor and the unwilling patient. There are people who do not care whether they are insured or not when travelling to and from work. The Government brought this measure in.

Hon. E. M. Davies: Your Government brought it in during the last session.

Hon. N. E. BAXTER: The previous Government brought down a similar Bill during last session, but I am not excusing it. I rub shoulders with working men every day of my life, and I have never heard one word to the effect that they want to be insured when travelling to and from work. The only place that is heard is here, where some Government prescribes for people who are not interested in being prescribed for. The average worker does not care two hoots about being insured. He has a certain amount of independence. For Heaven's sake, let us help him to keep it and encourage him to insure himself!

Clause put and negatived.

Clause 6—Section 7 amended:

Hon. H. HEARN: I move an amendment—

That in line 7 the words "eight hundred" be struck out.

We recognise that there should be some monetary adjustment to meet the depreciation of the £, but we feel that if the amount is increased from £1,750 to £2,000, the adjustment will be generous.

The CHIEF SECRETARY: I hope the amendment will not be carried. We are endeavouring to raise the maximum. Admittedly, the rise appears to be substantial; but when we take into consideration the value of money today, it is not as substantial as it seems. We believe that £2,800 is a reasonable figure. That sum already obtains in Victoria, and we understand that Queensland and one or two other States are this year amending their legislation along similar lines. It is only right that we should keep pace with the other States, so that workers here do not suffer in comparison with those elsewhere. I do not know what the comparisons are in connection with premiums; but, generally, costs—either by premiums or other

methods of payment—have more than favourably compared with those of other States, and I think it would be found that premiums here are lower than there.

Hon. E. M. DAVIES: I oppose the amendment, principally on the ground of human values. I think it is generally agreed that when a worker loses his life, a reasonable amount of compensation should be paid to enable his wife and family to be sustained during the ensuing years. In view of the value of money today, £2,800 would not go very far in that direction. Large amounts have been awarded by civil courts in recent years to relatives of persons who have lost their lives in accidents. Those courts have recognised human values.

Hon. H. Hearn: Damages awarded in courts have no relation to compensation.

Hon. E. M. DAVIES: I am not saying they have, but I am pointing out that those courts have recognised human values, and the amount that is necessary for dependants to sustain themselves.

Hon. H. HEARN: I would remind the Committee that damages awarded in Supreme Court actions have no relation to payment of compensation under this Act. With regard to money values, £2,000 today is, if anything, a little better from the purchasing point of view, than £1,750 was when some members who are opposing my amendment warmly supported the £1,750 in the Bill then before this Chamber. No one would under-estimate human values. But I am sure that none would say that, whatever compensation was paid in respect of a deceased person, industry was able to pay enough to make sure that the widow and dependants were able to be supported forever. When the pool supplied by industry through workers' compensation is exhausted, those good people who have suffered become eligible for Commonwealth social service benefits. Is it expected that industry should take the place of those social services? That is the tendency of the argument of Mr. Davies. Every member of the Committee appreciates the value of the human race and what we stand for, but it is to confuse the issue to expect industry to carry ultimately what has already been provided by way of Commonwealth social services.

Hon. H. K. WATSON: I support the amendment. The increase from £1,750 to £2,800 is in keeping with the provisions of the rest of the Bill; it is just extraordinary. There is room for argument as to whether monetary value has increased, even to the extent of £2,000. Practically all the clauses we have dealt with have been deleted. The Committee might do the same with the remaining clauses, and it looks to me as if we are going to finish with a Bill of about one clause.

Hon. H. L. ROCHE: I move—

That the Chairman do now leave the Chair.

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

Ayes	.....	12
Noes	.....	13

Majority against 1

Ayes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. H. Hearn

(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. J. Cunningham
Hon. A. F. Griffith	

(Teller.)

Motion thus negatived.

Point of Order.

Hon. J. M. A. Cunningham: I wish to inquire your ruling, Sir, on the position that arose just now. We had a motion which was not dealt with.

The Chairman: The motion had to be taken forthwith. No discussion takes place on the motion, "That the Chairman do now leave the Chair."

Committee Resumed.

The CHIEF SECRETARY: I wish to give figures in relation to two or three dangerous occupations in this State and Victoria. The rate for abattoirs in Western Australia is 34.3d. per cent. and in Victoria it is 77.6d. per cent. The Victorian premium is based on the figure of £2,800.

Hon. H. Hearn: It shows what the new legislation will do.

The CHIEF SECRETARY: The Victorian rate is that which is operating under the new legislation. The Western Australian rate is the present one. Even allowing for an increase of 50 per cent. it would still be approximately 51s. as against 77s. 6d. in Victoria. Another dangerous occupation is that of the aerated water factories. The premium in this State is 29s. as against 68s. 3d. in Victoria. Allowing for a 50 per cent. increase in our rate, it would be approximately 44s. as against 68s. 3d. The rate for asphalt and bitumen workers in Western Australia is 6s. per cent., and in Victoria it is 54.3d. per cent.

Hon. L. C. Diver: There is a catch somewhere.

The CHIEF SECRETARY: Those are the actual rates. The burden on industry in this State is much lighter than in the others. Even allowing for a 50 per cent.

increase, industry will still have a decided advantage compared with industry in other States.

Hon. H. HEARN: The Chief Secretary would not want to see the same spiral take place in insurance premiums in this State as has occurred in the Eastern States. One lot of figures the Minister gave us represents a forecast made by people who are anxious to see the legislation go through. Whilst I do not say they have not done their best to give us an estimate, I remind members that after all it is only an estimate; and I discount their figures because I do not think they have much bearing upon the amendment. If we have this difference in premium rates, compared with the Eastern States, let us keep some of it so that we can still continue to develop.

THE CHIEF SECRETARY: It is anticipated that, if the whole of the Bill, as introduced, went through, the increase in premiums would be only 46 per cent. A number of clauses in the Bill have already been taken out, so I was more than generous in allowing 50 per cent.

Hon. J. M. A. CUNNINGHAM: I support the amendment. Figures are always deceptive. Mr. Lavery, who said he had some knowledge of mining, quoted some figures. I can quote others for the period ended in September of this year, showing a return of £12,000,000 Australian and 26,500,000 dollars. Mr. Lavery mentioned dividends of £1,000,000 to shareholders in mining companies, but he did not mention that the wages bill in the same industry was in the nature of £5,000,000 and that stores, freights and so forth amounted to a further £5,000,000. Figures are always deceptive.

Hon. H. Hearn: You want the complete set.

Hon. J. M. A. CUNNINGHAM: Yes. With regard to the cost to industry, we are concerned for industry as a whole—the worker and the employer. We want to see prosperity. Mr. Lavery said he thought industry could pass on the burden.

Hon. F. R. H. Lavery: I said it could, at some cost.

Hon. J. M. A. CUNNINGHAM: Some mines in Western Australia could well afford to pass it on, at a great cost. They would have to take rich ore which would return big profits, but that would reduce the life of the mines, and therefore the employment of their employees. Certain mines are supporting townships in the desert, such as Mt. Ida, Laverton, and Big Bell. Some members know just how close those mines are to the limit and a 46 per cent. increase in one section of their costs might just turn the scales. Some members doubt that that is the position; but if those towns are thrown out of operation and the workers become unemployed, the members who voted in favour of the increased costs

would be the most unhappy men in the State to think that they had contributed towards the unemployment. I support the amendment.

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

Ayes	....	....	....	17
Noes	....	....	....	8

Majority against 9

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. A. L. Loton
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. A. R. Jones	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. R. J. Boylen	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. G. Bennetts
	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Progress reported.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till 7.30 p.m. today.

House adjourned at 12.8 a.m. (Wednesday).