

of acting chief mechanical engineer and allowed his superior to take out long-service leave when it became due. If Mr. Broadfoot is not compelled to take out his leave before he reaches the age of 65, an amount of £1,600 will have to be paid from the Treasury in lieu of 15 months' accumulated leave due to him because, according to the report of the Commissioner, this man is in receipt of a salary of £1,200 a year. That principle is entirely wrong, and it is undermining the system of long-service leave and making fish of one and fowl of the other. It is making a distinction between wages and salaried men and those holding high official positions. I propose later on to ask questions as to the extent to which this pernicious practice of allowing men not to clear leave due to them for a matter of something like 20 years has been allowed to grow. That is totally wrong in principle and unfair to all sections of the service.

I remember that when I left the service to enter Parliament I had to invoke the aid of my union—the Enginedrivers' Union—to get what I was entitled to. I could not obtain my rights by applying for them as an individual, but had to seek the assistance of the union. One point in dispute arose out of the fact that any man in the Railway Service who wants to try his fortunes in some other avocation is entitled, under a gentleman's agreement between the unions and the Commissioner, to 12 months' leave of absence. The experience I had immediately preceding my election to Parliament was not of a pleasant nature, and I did not know whether that unpleasant experience was likely to be continued when I was a member of the House. I thought, therefore, that I would safeguard my position by allowing myself 12 months' trial as a member of Parliament and, if I was not satisfied with the life, I could then go back to the work that I had done for 24 years. I made application for 12 months' leave, and it was refused, despite the fact that I had been elected by the people of Kalgoorlie to represent them in the House. At the same time other men who left to take over hotels were granted 12 months' leave of absence. That is the differential treatment meted out to various persons in the service.

The other matter concerned a pass to which I was entitled for my wife. The department quibbled over that. Yet we find

that the Chief Mechanical Engineer is able to accumulate his leave to the extent of 15 months. He has not taken long service leave for 20 years or annual leave for four years. That is the kind of thing that brings about discontent in the service. I hope that for the sake of the contentment of the service and in the interests of justice to all sections of the service, these men will be compelled to observe the holiday conditions, and that the Chief Mechanical Engineer will be retired from the service so that he may not be able to claim a lump sum of about £1,600 for accumulated leave to which he would be entitled eventually on leaving the service in the event of his leave not having been taken out prior to his reaching the retiring age of 65.

Progress reported.

House adjourned at 10.56 p.m.

Legislative Council,

Wednesday, 16th November, 1938.

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

MOTION—URGENCY.

Half-Castes and Relief Work.

THE PRESIDENT [4.34]: I have received the following letter from the Hon. E. H. H. Hall:—

Perth, 15th November, 1938. Sir, I desire to inform you that to-morrow, the 16th November, it is my intention under Standing Order

No. 59 to move the adjournment of the House to discuss a matter of urgency, namely, the eligibility of half-castes for relief work.

Will four members rise in their places to indicate their approval?

Four members having risen in their places,

HON. E. H. H. HALL (Central) [4.35]: In accordance with the notice I have given, I move—

That the House at its rising adjourn till Friday, the 18th November, at 2.30 p.m.

I am taking the opportunity provided by the Standing Order to draw attention to something that otherwise I would not be able to bring forward. On the 24th August last, when speaking on the Address-in-reply, and never dreaming that I would have to take the course I am adopting now, I drew attention to the fact that I had endeavoured to obtain approval for the registration of two half-castes to enable them to share in relief work. Before men can be employed on relief work, it is necessary for them to be registered. I had been requested by two men to assist them with the completion of their papers. Those papers were forwarded to Perth through the usual channel, the local police. In due course a reply was received to the effect that the applications of the men could not be approved. Coming to Perth in pursuance of my parliamentary duties, I made inquiries at the Marquis-street Employment Bureau and was informed by an officer that it was against the department's policy to employ half-castes on relief work. I then stated to the officer that I personally knew of three half-castes in Geraldton who had been registered relief workers for some considerable time. The records were looked up, and the names I gave were found to be registered as names of relief workers. The officer explained that the names had been registered at a time when office methods were not quite as rigid as they had become since. The three names were ordinary names, not in any way indicating that they were the names of half-castes. The officer gave me to understand that the fact of the three men being half-castes was not known until I stated it.

Hon. C. F. Baxter: Married men?

Hon. E. H. H. HALL: Yes. The two applicants whose applications had been refused knew that the other three men had been employed on relief work for a consider-

able period—a couple of years, I believe. On a Sunday morning some weeks later, answering a knock at my door I found there a man from Northampton named Corbett. He said, "I want to see you about a certain matter." I asked what it was. He replied, "Mr. Hall, I would like you to try to get me on relief work." I asked him what work he had been doing, and he stated he had been employed on farms round about Northampton, but that that employment had ceased and he had been put off. I said, "Look, Corbett, it is no use my taking your case up. I have already been told quite definitely by the Employment Bureau in Perth that half-castes are not eligible for relief work." Of course he fired off the same retort on me as the other two men. I said, "The department's explanation is that they did not know those three men were half-castes when they registered, and, any way, it has been decided not to grant registration to any more half-castes. Therefore it is useless my taking your case up." He put his hand in his pocket and said, "Well, what do you make of that?" And he handed me this letter—

Mr. D. Corbett, Northampton.

Premier's Department, Perth, 21st September, 1938. Dear Sir,—With reference to your letter of the 15th instant, I desire to advise you that it is not necessary for half-castes to obtain a permit from the Commissioner of Native Affairs before receiving employment with the Main Roads Department. If you lodge an application for relief work at the local police station, inquiries will be made and the case will be dealt with entirely on its merits.—Yours faithfully, J. C. Willecock, Member for Geraldton.

The letter bears Mr. Willcock's signature. In view of my experience with the department, and having read this letter, I naturally asked Corbett whether he would give me the letter so that I could make inquiries. On Monday morning I left home, arriving in Perth on Tuesday. I telephoned the Marquis-street office, and asked for the clerk who had given me the decision that half-castes were ineligible for relief work. I said to the officer, "You remember my speaking to you about some applications by half-castes a few weeks ago for relief work." He said he did. I then asked, "Have your instructions or regulations been altered in any way?" He replied, "No." I then said, "I will read you a letter that has been handed to me." I read the letter, and he seemed to be as surprised as I was.

He asked me to let him have the letter, and I replied that I could not, as it was not mine. I then told him, "As you have informed me your instructions have not been altered, I shall see the head of your department on the matter."

I saw Mr. Macartney, the head of the department, and asked him what the department's attitude was to granting relief work to half-castes. He replied, "We cannot have half-castes on relief work." I then told him of my interviews with the men, and informed him of the refusal of their applications and of the reasons given. Mr. Macartney replied, "Yes, that is quite right. Marquis-street has given you the correct information; there is no relief work for half-castes." I then produced the Premier's letter to Mr. Corbett, and asked him what he thought of it. He appeared to be just as surprised as I was, and asked me to let him have the letter. I told him I could not give him the original letter, but would supply a copy. I asked him, "What are you going to do about the matter?" I told these two men that their applications had not been approved. They are not bush half-castes; they are civilised and understand English as well as you and I do." I added, "On top of that, Corbett has received this letter from the Premier, so something will have to be done." Mr. Macartney then said to me, "I will endeavour to get them placed on farms in their own district." I realised the difficulty, and said, "All right, as long as you can get them some work."

I now have the assurance of the department that vacancies cannot be found for these men. The men visit me each week-end inquiring who is right—the Premier or the department. I kept in touch with Mr. Macartney, until finally he said the department could not find work for these men. I then asked him, "What are you going to do?" He replied, "I have given the matter considerable thought, and we will find work for the men." I then asked, "Can I return and tell them that?" He replied, "Yes, but we shall make inquiries into their circumstances in the same way as we do about white men, through the police. If the result is satisfactory, they will be treated in the same way as are white men." On my return I reported to the men. One rang me from Ajana; at least, he got a farmer to telephone me. I said, "I am pleased to be able

to tell you that the department has agreed to start the three men." Then I said we would have to await the result of the inquiries and suggested that they should get in touch with the Geraldton and Northampton police.

We waited for some time and, not receiving any word, I rang the Marquis-street office again and asked what the position was. I said that I had had Mr. Macartney's assurance that inquiries would be made and that, if the men were entitled to start work, they would be put on. The reply I received was that the papers had been sent to head office, and that I would have to see Mr. Macartney. I rang Mr. Macartney, who told me, "I am very sorry, but on further consideration I am forced to tell you that I cannot start these three men." I ask, what would any member of this House have done in similar circumstances? I realise fully the position that the department is facing, but surely we cannot stand for that kind of thing.

Hon. H. Seddon: Speak up a little, please.

Hon. E. H. H. HALL: Speaking on the Address-in-reply on the 24th August, I quoted the opinion of a person who was regarded by the "West Australian" newspaper as an authority. I do not know the gentleman, but his name is Dr. Donald F. Thompson. According to the "West Australian," Dr. Thompson, speaking of half-castes, said—

If men are not eligible for sustenance work and cannot get employment, are we going to claim that we are doing them or their wives and families any good merely by supplying them with rations?

I asked Mr. Macartney whether he could find work for these men on farms or stations, and if he could not and they were ineligible for relief work, what he would advise. He said, as I would have said had I been in his place, "Let them apply to the Department of Native Affairs for rations." That is what the men are doing. I know the father of one of the men, Cameron, and so does Mr. Drew. Fred Cameron is a fine young man. He is the father of five children, seven years, six years, four years, three years, and six months old. He has been able, up to the present, to earn his living around the Geraldton district, not in Geraldton itself. He is 32 years of age.

Last Saturday morning he came to my house and showed me the following ration bill:—

For two adults, father and mother (father aged 32, mother aged 26), 10 lbs. flour each, 1½ lbs. sugar each, 4 ozs. tea each, one tin baking powder for the family.

These are weekly rations.

For the children 5 lbs. flour each, ¾ lb. sugar each, and 2 ozs. tea each, and for baby Arthur 6 lbs. sago and 2 tins milk.

As an indication of the type of man Fred Cameron is, I find on inquiry from the department and according to the official ration list that he is entitled to 2¼ lbs. meat for himself and 2¼ lbs. for his wife. The weekly scale of rations to be issued to each adult comprises 2¼ lbs. meat and the other articles I have mentioned. Yet the police inform me that Cameron refused the meat, saying, "No, I do not want meat. I can catch rabbits, and I know a butcher who will supply me with any meat I require." This shows that Cameron is not one of the type out to grab anything he can get.

Hon. A. Thomson: All he wants is work.

Hon. E. H. H. HALL: That is so. Two of the children are attending school and I ask, how we can expect those children to continue at school, and not suffer in ways other than those that members will understand without my mentioning them, unless their parents can get the necessary money with which to keep them in something like decency?

I felt it my duty to ventilate this matter. I realise the difficulty confronting the Government, but it is for us as a people to make up our minds to face this difficulty and face it in the only reasonable way, namely, by giving these people a chance. Either they should be allowed to obtain relief work or we, the people of this State, should undertake to place them in work of some kind. The best of us are not too good if we are permitted to be idle, and what can we expect from these people if they have no decent home and no work? Most of them camp in the sandhills and have to put up with all the disadvantages that their condition involves. They are not bush half-castes: they are civilised men. I ask in all seriousness and with no intention of embarrassing anyone that this problem be faced, and that these people be given a chance to live and take their place amongst us in the State to which they belong.

With all due humility I remind members that these half-castes have been brought into

being through the actions of some of our own people, though I have no desire to sit in judgment upon them. I have lived out-back, but thank goodness I was always in touch with civilisation, and have not been subjected to the temptations and privations that have beset many people. But these half-castes are here. Some people advocate that the half-castes should be permitted to intermarry with whites. An effective way to bring home the significance of that proposal is to ask, "Would I like my sister or daughter or son to be married to one of them?" Needless to say there are good, bad and indifferent amongst the whites. This man Corbett appeals to me as being a decent young fellow; he has one kiddie. Kelly travelled all the way from Ajana to see me. His seven children are attending the Ajana school, and but for them the school would be closed. Cameron is a decent young man who is bringing up a family.

It is time the scale of rations received the serious consideration of the Government. I do not think it fair to blame the department. I have been careful in all I have said, but I have been told on reliable authority that it is recognised this ration is altogether inadequate. For old and infirm natives who live away out at Laverton, it is sufficient. I was stationed at Laverton years ago and interested myself in destitute natives and saw how they could live on bardies and other native foods.

Hon. W. R. Hall: There are not too many bardies now.

Hon. E. H. H. HALL: In my day they were plentiful. Bush natives in the vicinity of bush towns like Mt. Sir Samuel and Wiluna have their own way of finding food in the bush. The men I have been speaking about, however, are civilised men. The fact that Cameron is not drawing the ration of meat to which he is entitled shows the type of man he is.

Hon. J. Nicholson: The ration you quoted is very like the old ration list that was used on the stations—8 lbs. meat, 10 lbs. flour, 2 lbs. sugar and ¼ lb. tea.

Hon. E. H. H. HALL: Yes. The scale also includes one stick of tobacco for those accustomed to its use. For young children, however, the ration is entirely inadequate, and it is the children we want to look after, just the same as we look after white children. I conceived it to be my duty to bring this matter forward in the hope of hastening a decision one way or another. Either we are

going to give these men a chance to obtain necessary work so that they may earn money to keep themselves, their wives and families in something like decency, or we should provide work for them, somewhere, somehow. We certainly should not continue the pernicious practice of issuing rations to able-bodied men and thus encourage them to live lives of idleness.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.59]: I was rather pleased to note that there seems to have occurred a change in the point of view of some members in regard to the question of natives and half-castes. I remember not so very long ago a debate in this Chamber during which some of my remarks were ridiculed by certain members because of statements I made about the half-caste problem, which the State was then endeavouring to face. I observed that the mover of the motion, in the course of his remarks, admitted the difficulty attending the problem, and that he is actuated by a desire to see that something, no matter what it may be, is done to improve the position of this type of half-caste. I do not desire to enter upon a long dissertation regarding the half-caste problem in Western Australia, because it is a big question and much may be said in relation to it. I feel members will realise that some very real difficulties are involved. Consider for a moment the men referred to. Their names are Cameron, Corbett, Kelly and, I think, another man in the same district is named Counsellor. The hon. member may not know about him.

Hon. E. H. H. Hall: No, I do not; but I know the name.

The **CHIEF SECRETARY**: I believe these men represent a very fine type of half-caste. Each is married. One has seven children, another five children, and in the other cases I think there are three children and one child. I am not sure of the exact number. Each of those half-castes is a "native" within the meaning of the Act, and has the right to apply for exemption under the terms of the Native Administration Act. Should they be successful in securing exemption, they will be treated as white men.

Hon. H. Seddon: Have they been informed to that effect?

The **CHIEF SECRETARY**: I should imagine so. Those men, if exempted, are

entitled to be treated in exactly the same way as others in the district who are also unemployed. If they are not exempted from the application of the Native Administration Act, then the responsibility is upon the Department of Native Affairs to see that they are supplied with rations if they are destitute. That is the position of the men referred to by the hon. member. I do not know any of them personally, but I am assured that, generally speaking, they represent a fair type of decent half-caste. I would not say that they are all living as white men do, because I believe some are camped in the reserve at Geraldton, and live under the same conditions as natives, probably through force of circumstances. I would remind Mr. E. H. H. Hall, however, that they are not the only half-castes in Western Australia. There are many scattered throughout the length and breadth of the State.

Hon. E. H. H. Hall: I realise that.

The **CHIEF SECRETARY**: Members will also appreciate that the types of half-caste vary in different parts of the State. I have no doubt that many members know of half-castes in the Great Southern and perhaps in the South-West who, perhaps, are of a type not as good as those referred to by the hon. member, but nevertheless all are natives within the meaning of the Act, and all have to be dealt with in accordance with the provisions of that legislation. Then again, public opinion varies in different parts of the State. In some districts the natives are welcomed, particularly the half-castes. In other areas their presence is not desired, and the white residents do everything possible to get rid of them. Only this week the Government received quite a lot of criticism because the Estimates provide an increase of some thousands of pounds for the Department of Native Affairs. The Vote has been increased in order that the department may be able to do a little more for the natives than has been possible in the past. Then, again, efforts have been made to provide additional settlements in order that the native children may be given a better chance than is possible under existing conditions. Arising out of the fact that we propose to spend money in that direction, the Government has experienced a certain amount of criticism. That, however, is by the way.

At present the position is that half-castes, if destitute, are entitled to secure relief from

the Department of Native Affairs, and that relief is supplied usually either by the police authorities in the district where the natives are located, or by a protector of natives. Any relief so rendered is in accordance with the scale mentioned by Mr. E. H. H. Hall. On the other hand, if a native or half-caste is ill and the local medical man certifies that he, or she, requires additional food, the requisite extra supplies are provided by the department. Again, these people, as a rule, have no house rent to pay, and therefore are in quite a different position from the white men who are out of work. The money that is provided by the department or which the half-castes have earned, is utilised mainly for the purchase of food, and occasionally a little is spent on clothing. On the other hand, the commitments and responsibilities devolving upon a white man are usually much greater. The department has not lost sight of this difficulty, and is endeavouring to grapple with the situation in different parts of the State.

I feel sure members will realise that the problem is extremely difficult, particularly in dealing with individual cases that crop up from time to time, because of the fact that circumstances vary so much. To give an instance in point regarding the half-castes in the Geraldton district, no sooner was it decided that one or another of the men should be given work than the Employment Department received applications from a number of half-castes formerly employed on stations who, on account of the drought conditions, were finding difficulty in retaining their positions. That is an indication of what is likely to happen if the half-castes generally were provided with "an open go." In many instances, half-castes have been employed on stations for years, but because of drought conditions their employers have found it impossible to maintain them and pay them the wages they were accustomed to receive. If the Government is to be faced with the necessity to provide relief for the half-castes from the stations on the same scale as obtains for white men, members can visualise the extent of the problem with which we shall be confronted.

Hon. E. E. H. Hall: That is quite right; I realise that.

The CHIEF SECRETARY: I do not suggest that these half-castes are not entitled to better consideration than has been

extended to them in the past. I have been informed that no application for relief has been made to the Department of Native Affairs in two of the instances referred to, while relief has been extended to the other two for some time past. The officers of the department realise their obligations, but members must also appreciate that flesh cannot be made of one and fish of another. The relief rendered has to be on a uniform basis, and the ration scale quoted by the hon. member applies to indigent natives throughout the whole State. The value of the rations is not great, but varies in different districts. I have been informed that the department did not know the Geraldton half-castes were natives when applications for relief were received. That is quite easily understood. No one would expect that a Cameron, a Kelly or a Corbett was a half-caste.

Hon. J. Cornell: You would think that Kelly was a Presbyterian!

The CHIEF SECRETARY: Members will agree that there was every reason for not recognising from the names that the individuals were half-castes. However, the officials of the Employment Department have pointed out that they must abide by the regulations, and where a half-caste is not exempted from the application of the Native Administration Act, the responsibility for providing the individual with relief lies with the Department of Native Affairs. Relief has been provided by the department in the Geraldton district on the same scale as applies elsewhere in the State. On the other hand, I assure the House that this question has been receiving consideration for quite a while. I have not been satisfied with the scale of rations, but I have to admit that it represents the best we can do for the present. I was responsible for having the meat ration increased, and I can claim that any increase in the ration scale or in the money provided for the benefit of natives throughout Western Australia has been afforded them while I have been in charge of the department. By the same token, any reduction in the ration scale or in the amount of money available for the benefit of natives has taken place when the Labour Government was not in office. During the depression years the position was regrettable, and action was taken that I regard as a disgrace to any Government. One of the first steps affect-

ing the Department of Native Affairs was to reduce the vote by £3,000 at a time when it was essential that the vote should be increased in order that the interests of the large number of natives that weekly became the responsibility of the department might be conserved.

However, I do not desire to be too critical, because I realise the difficulties that had to be faced in the past. Still, the department is confronted with difficulties now, but members can rest assured that the authorities are doing the best possible in the circumstances. Until the half-castes are exempt from the application of the Native Administration Act, the responsibility for them rests with the department. I will not go so far as to say that no work will be provided for them in any circumstances, but the regulations of the Employment Department have to be observed. That department cannot, generally speaking, place the half-castes in the same category as the usual run of unemployed. While the hon. member has drawn the attention of the House and, therefore, of the Government to the position, I trust members will realise the difficulties with which the department is faced and will accept my assurance that the Government is giving consideration to the possibility of doing all it should in the interests of the people concerned. At the same time, I cannot give any assurance that the Department of Native Affairs can do more than it has done in the past.

HON. H. SEDDON (North-East) [5.14]: I listened with great interest to the remarks by the mover of the motion and to the reply by the Minister. Mr. Hall drew attention to a very serious state of affairs, inasmuch as the men he referred to have undoubtedly been affected by the policy of the departments concerned, without adequate consideration being given to their position.

The Chief Secretary: Some of them have not made application for exemption under the Act.

Hon. H. SEDDON: Apparently Mr. E. H. Hall is well acquainted with the position; otherwise he would not have brought under the notice of the House the instances he has referred to. According to the Minister's reply, although the policy of the department is to succour these men when they are in distress, the department has no policy for providing work for them, and work is

what they desire. The regulations governing the granting of unemployment relief apparently prohibit the employment of half-castes on relief work. The position in which these unfortunate men are placed can therefore be understood. They cannot obtain work from the relief department and the Department of Native Affairs has no policy to provide them with employment. Consequently, they are forced back on a scale of rations that is admitted to be entirely inadequate to keep a man and his wife and family in a condition of sound health.

The policy of forcing natives to seek their own food supplies is one that should be administered with discretion. To say that the natives should go and look for their native food is all very well, but we must have regard to the conditions obtaining in the respective districts. When natives apply for assistance, the authorities should ascertain what conditions are prevailing in their neighbourhood. The North-East, for instance, has been passing through a severe drought that has naturally affected many native food supplies. That, in turn, must result in the natives being forced to apply for help. The Minister raised the point that half-castes have the right to apply for exemption from the control of the department. I asked a question whether they had been so notified and the Minister was unable to tell me.

The Chief Secretary: I think that in two instances applications were made.

Hon. H. SEDDON: What happened to the applications?

The Chief Secretary: I think one was refused.

Hon. H. SEDDON: The Minister will recall that I asked for information as to the number of natives exempted by the action of the Commissioner himself and also as to the total number released from the department's control. One would have thought that the Commissioner would take action to exempt from the department all men who desired to be treated as white men and to have a chance to work as whites.

The Chief Secretary: It all depends whether they are living as natives.

Hon. A. Thomson: Under present conditions they have not much hope of living any other way.

Hon. H. SEDDON: The position of these men is such that they are prepared to live under the same conditions as white people if they are given the opportunity. The

weakness of the situation is that they are unable either to get work through the department or to obtain exemption in order to look for work as whites. I will have further remarks to make later on concerning the affairs of the department because there are several matters about which we should have information. I appreciate the attitude of the Minister and his reply to the remarks of Mr. E. H. H. Hall this afternoon. Undoubtedly there is a weakness in the administration that bears hardly on men who, according to the hon. member, are in every sense of the word worthy of assistance and of being given an opportunity to live under the same conditions as do white people.

HON. J. CORNELL (South) [5.18]: Mr. Hall is to be commended for bringing before the House the disabilities suffered by advanced half-castes. The time has arrived when we, as Australians and white people, should face the situation and realise that amongst the aborigines and half-castes is a stratum comparable to some of the best of our own people. In spite of that fact, all of these folk are evidently treated more or less alike. Twenty years ago I served with the A.I.F. in company with a full-blooded aboriginal and a half-caste. Both were married men. They were privileged to draw 2s. per day from their pay but they drew only 1s. They were entitled to all the privileges of the white troops, but if they were here in Western Australia to-day, they would not be entitled to a vote. Yet those men were good enough to fight for their country and live under similar conditions to white soldiers. They were good soldiers, too. Probably Mr. Parker and Mr. Craig had experiences of other men of that kind.

Hon. L. Craig: I do not know much about them.

Hon. J. CORNELL: Well, I have had experience of them. As far back as 38 years ago, I worked on the Great Boulder mine with two men who were half-castes, men well known to representatives of the South-West Province, and their standard of intelligence was much beyond the average. But those men were born half-castes, lived half-castes and died half-castes without having any rights. It is time we faced up to the position confronting us, and realised what is likely to happen unless we endeavour to better the position of these natives. I do not say all of them are on the same plane, but some of them are on a high plane and

deserve more recognition than they are receiving to-day. If we adopted that line of reasoning and afforded them recognition, the probability is that our action would prove an incentive to others not so advanced to endeavour to reach the standard set by their friends and thus gain recognition for themselves. The advancement of the aborigines and half-castes not only here but throughout Australia is almost impossible, and we should remedy the position.

HON. W. J. MANN (South-West) [5.21]: I would like to add a word regarding the necessity for some definite move being made to provide for the well-being and advancement of the better class of half-castes. I am speaking for those in the South-West at the moment, because that is the only portion of the State of which I have any intimate knowledge. One cannot help realising as one travels around the country and observes half-caste boys and girls being educated in our schools that they show quite a lot of ability both as scholars and in the field of sport; and those that are older reveal their aptitude in the avenues of employment to which they have access. Unfortunately, the avenues of employment are not many. The Act having provided for the issue of permits to half-castes of this type, I consider the department should do everything in its power to impress upon them the necessity for their making an effort to become classified as white people.

Some time ago a good deal of road work was being undertaken in a portion of the State and a complaint was made that well-trained, able-bodied and well-behaved half-castes could not find a place in the road gangs and were forced to apply for rations. That seems to be the wrong angle from which to view the matter. I have heard it said that some of the white workers in the gangs strongly objected to half-castes joining them. My experience of some half-castes has been such that I would sooner engage them than some white men, because I know they are worthy people.

I give the department credit for making an honest attempt to improve the lot of the half-castes, but I urge the necessity for endeavouring to provide work for them, rather than push them back on to sustenance, thus enabling them to live idle lives and acquire all the vices imaginable, instead of moulding their lives in channels of good citizenship. Every possible opportunity

should be taken to obviate the necessity for complaints such as those voiced by the mover of the motion. The men to whom he referred were well-behaved and were good workers; yet, because the department has a regulation that half-castes may not be employed, they were not able to work. The position regarding the obtaining of exemption does not seem to have been made clear to them. The hon. member is to be commended for having introduced the matter. Aborigines and half-castes are increasing at a fairly rapid rate throughout the country and, whether we like it or not, we shall have to face the position.

HON. H. V. PIESSE (South-East) [5.29]: I wish to commend Mr. E. H. H. Hall for having brought this matter forward. I realise that he has done so with the object not of condemning the Department of Native Affairs, but of bringing this most important subject before the notice of Parliament and the people of Western Australia. During the last few weeks I have had the pleasure of attending many agricultural shows, and in doing so I have come to realise the seriousness of the position. All the half-caste families that attend the country shows seem to have five, six or seven children. When I went to the Mt. Barker show, I saw one married half-caste couple with 11 children in a spring cart. One cannot help feeling that many of these people should be living under the same conditions as whites. Some of them are splendid workers. Whenever I have been to the department concerning a half-caste that I could conscientiously say should be permitted to work under white men's conditions, I have had no difficulty in obtaining a certificate for him. Mr. Cornell referred to half-caste returned soldiers. I brought one such case before the department, and noticed subsequently that the man was working on the telegraph line. I have seen him on many occasions, and know that he has been in full work and living under white men's conditions.

[Resolved: That motions be continued.]

Hon. H. V. PIESSE: Within half a mile of my residence in Katanning there is a native reserve upon which are settled quite a number of half-castes and full-blooded natives. The issue of rations to these people

in many instances is responsible for the men not working. The department finds difficulty in judging the merits of these particular cases. It cannot stand by and see people starve. White men have caught rabbits on my land and made a living. Half-castes could do that work, but will not attempt it unless they are given higher wages or unless rations are provided. I was pleased to hear the Minister say the Government was making further provision for the native population by way of camps, and was endeavouring to bring them together and do something for the children. Any assistance we can give to the department it is our duty to give. It is also our duty as members of Parliament to investigate every phase of this question and assist the officials to the utmost extent. If I have any complaint to voice I never hesitate to bring it before the department, and, on the other hand, when I see that its actions are to be commended, I hasten to congratulate it. By this means the officers know that we are taking an interest in these unfortunate people and those who are being bred as half-castes. I commend Mr. E. H. H. Hall for bringing this matter forward, and the Minister for his sympathetic reply. I feel sure the Government will do everything possible in the matter.

HON. E. H. ANGELO (North) [5.33]: When I was in Darwin last July I was driven around the outskirts of the town, and had pointed out to me groups of small cottages, terraced on nearly all sides, and adjoining the area where white people were living. I was informed that these cottages were for the local half-castes. Each home would cost about £250 in Perth, and a great deal more than that up there. All were nicely built and properly fenced. The Superintendent of Police told me these residences were kept entirely for half-castes who wished to work and who were given work in an endeavour to bring them as close as possible to the standard of the whites. I know we cannot, for lack of funds, do that down here, but I wonder whether the Government has ever pointed out to the Commonwealth authorities that despite our small population—about one-sixteenth of the whole of Australia—we have more half-castes and natives to look after than has all the rest of Australia. Not only are we looking after these people, but as Federal tax-

payers are paying our proportion of the expenditure in Darwin. The care of the natives is a function for Australia as a whole. When white men took Australia, they assumed the liability for looking after the natives.

Hon. J. Cornell: I do not think that ever occurred to them.

Hon. E. H. ANGELO: We are justly entitled to assistance from the Federal Government, seeing that we have more natives to look after than are found in other States of Australia, and that we have the smallest population of whites. Perhaps an arrangement could be made for the Federal Government to take over the entire care of our natives as an Australian responsibility, and relieve us of a big expenditure. I am glad Mr. E. H. H. Hall has brought up the matter, and has given us this opportunity to express our views. It is pleasing to know that members realise it is our bounden duty to care for these unfortunate people.

HON. E. H. H. HALL (Central—in reply) [5.38]: I thank the Minister and members for their remarks. I wish the men concerned had been advised of the correct procedure to follow as that would have saved me a lot of trouble, and would have shown them that they were not deprived of work merely because of their colour. The suggestion advanced by Mr. Angelo that the Commonwealth Government should be requested to take over the aborigines of Australia is well worthy of consideration. I am glad to have had the opportunity to ventilate this question, and having done so ask leave to withdraw the motion.

Motion, by leave, withdrawn.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Recommittal.

On motion by the Honorary Minister, Bill recommitted for the further consideration of Clauses 1, 3, and 10, and a proposed new clause.

In Committee.

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

Clause 1—Short Title:

The HONORARY MINISTER: I move an amendment—

That the figures and words "1927 and amended by the Act No. 36 of 1934" be struck out, and the figures "1937" inserted in lieu.

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

Clause 3—Amendment of Section 6:

The HONORARY MINISTER: This clause was struck out last night after very little discussion. Mr. Parker pointed out that Section 6 of the Act was unsatisfactory, in view of the decision in a Supreme Court test case. As a result of my inquiries I find it necessary to ask that the clause be re-inserted. It deals with cases where the injury was caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, and gives the worker redress by way of compensation or of civil action.

Hon. H. S. W. PARKER: The Act provides that when an injury is caused by the personal negligence or wilful act of the employer or some person for whom the employer is responsible, nothing shall affect any civil liability of the employer, but in that case the worker may, at his option, either claim compensation under this Act, or take other proceedings. The law is very difficult to follow, but in numerous decisions in England it has been held that once a worker elects to proceed under the Employers' Liability Act and fails, he cannot then proceed under the Workers' Compensation Act, and vice versa. The clause will clarify the law. If, when a worker is injured and the master pays compensation under the compensation Act, the man can get more by taking action under the Employers' Liability Act or at common law, he will be entitled to do so. Still, the worker will not get the benefit of both. I support the re-insertion of the clause.

The HONORARY MINISTER: I move—

That Clause 3 struck out by the previous Committee be re-inserted.

Hon. C. F. BAXTER: I cannot follow Mr. Parker's reasoning. The worker should be made aware that he is to elect to take one course or the other. If the clause is re-inserted, he will be at liberty to adopt either course.

Hon. H. S. W. PARKER: He would not get the benefit of both.

Hon. C. F. BAXTER: But why should he have the option of taking either course? To re-insert the clause would be wrong.

Hon. H. S. W. PARKER: If a worker takes proceedings under the Compensation Act and fails, he cannot afterwards exercise his other legal rights by bringing an action for damages. The effect of the alteration is to strike out the words "at his option."

Hon. J. NICHOLSON: The clause is rather wider than that.

Hon. H. S. W. PARKER: I do not think so.

Hon. C. F. BAXTER: Yes, it is.

Hon. H. S. W. PARKER: The clause will bring our law into line with the English legislation except for the omission of the words "at his option." Both actions may be taken, but the worker will receive the benefit of one only. Actions under the Employers' Liability Act are very rare, but by so proceeding a worker may recover a larger amount, though if he does he cannot claim the compensation.

Hon. J. NICHOLSON: The interpretation of the words "at his option" has caused a good deal of litigation, but the courts in England and the courts here, including the High Court, have definitely affirmed that where an employee elects to take action under the compensation Act or at common law, that election bars him from taking the alternative remedy. I am not aware of any other State having introduced a law of this kind. Elsewhere the provision is almost identical with the one in our Act, which clearly stipulates that where the employee has elected to pursue his remedy under one Act, he cannot exercise the right under another. That is necessary to prevent a multiplicity of actions. The difficulty will arise under sub-paragraph (iii). After a settlement has been made of a claim under the compensation Act, a new action may be started.

The Honorary Minister: It would not have been finalised.

Hon. J. NICHOLSON: Yes, it would. Where there has been a finalisation of a claim under the compensation Act, a new action may be started under the Employers' Liability Act. In practice there will first be a settlement of a claim under the compensation Act and then the remedy will be

pursued under the Employers' Liability Act, and the employer will have an increased premium to pay by reason of this extra risk.

The Honorary Minister: No.

Hon. J. NICHOLSON: The additional risk will be heavy and an increased premium will be charged. We would be wise to omit the clause and retain the provision in the Act, giving the worker the right to elect whether he will proceed under the compensation Act or adopt one of the other remedies available to him.

Hon. H. S. W. PARKER: In many cases a worker, who has received a certain amount of compensation and a settlement under the compensation Act, has subsequently died from the effects of the injury, and the courts have held that his dependants could then take action under the Workers' Compensation Act as independent parties, because they had had no say in the original settlement and because it had not been made clear that the settlement was complete as regards employers' liability and other claims. The provision reads—

When the injury was caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, nothing in this Act shall affect any civil liability of the employer.

Workers' compensation applies where there is no negligence on the part of the employer—a pure accident arising out of and in the course of the employment. In the circumstances I have quoted from the Bill, the worker may claim compensation under the Workers' Compensation Act and also take proceedings independently of that Act. I quote further from the provision in the Bill—

... but the employer shall not in any case be liable to pay compensation for injury to a worker by accident arising out of or in the course of the employment both independently of and also under this Act and shall not be liable to any proceedings independently of this Act except in the case of such personal negligence or wilful act as aforesaid.

Probably no one will disagree with that. The provision goes on—

Where the injury was caused as hereinbefore specified and the worker has claimed and has received compensation under this Act he may, within a period of three months from the occurrence of the accident causing the injury, commence proceedings against his employer for any available civil remedy whether arising under the Employers' Liability Act or otherwise—

That is all common law.

—provided that should such civil remedy be successful the amount of compensation paid under this Act shall be credited to the employer and shall be deducted from any amount adjudged due under or by virtue of such civil proceedings. Provided further that in any case failure to succeed in such civil proceedings shall not affect or limit the worker's right to proceed with his claim for compensation under this Act or to continue to receive payments of compensation under this Act.

Let me take an instance. A man receives an injury and claims, perfectly honestly, that his injury has been caused through the personal negligence or wilful act of the employer or one of his servants. He goes to law and finds himself unable to prove his allegations, or perhaps is defeated on a technicality, and loses his case. The new clause provides that in that event he shall not be deprived of his rights under the Workers' Compensation Act. So that he gets his rights under the Workers' Compensation Act although he has failed in his claim by way of some other civil remedy. I can quote cases which bear on this. I can quote from a recognised text-book on the English Workers' Compensation Act, and the words in our Act are the same as those in the English Act. There are cases each way. If the case is such that the injured worker is advised he has a good claim for damages for negligence which anyone would have apart from being an employee, why should he not pursue that remedy? Under the common law the amount of damages is unlimited. All policies taken out to cover the worker under the Workers' Compensation Act cover him in respect of employers' liability and common law.

Hon. G. W. Miles: But he can take two shots at his employer.

Hon. H. S. W. PARKER: No.

Hon. G. W. Miles: Suppose an unscrupulous lawyer said, "Go for your employer, and I will take up your case."

Hon. H. S. W. PARKER: First find the unscrupulous lawyer. Why should not a man who has been injured through the negligence of his employer have the right to take action without jeopardising his ordinary claim to compensation? Why should he be forced to allege what action he will take while he is in a serious condition and badly injured? Personally I am very much in favour of the clause.

The HONORARY MINISTER: I am indebted to Mr. Parker for his exposition. I

may add that his opinion is the same as that of legal authorities I consulted this morning. The clause legislates for exceptional cases. A man receives a serious injury and is taken to hospital. He is too ill to measure up the position. His wife has to feed herself and the children and find money for the rent. So the wife takes the easy course and accepts compensation. The clause is exceptional in that it refers to negligence of the employer or one of his employees. In my opinion the retention of the clause is advantageous to the employer as well as to the worker.

Hon. J. NICHOLSON: I am sorry to have to disagree with the views that have been expressed. The Honorary Minister has said that if a man is seriously injured his wife, in order to obtain the necessary means for sustenance, will arrange to make a claim under the Workers' Compensation Act. In no case is the wife capable of doing such a thing. Furthermore, no claim of this kind comes up without being regulated by a union solicitor. Every claimant has the guidance and help of the union solicitor, and no claim is settled without such help. I do object to a multiplicity of actions, which this clause will provoke and intensify. I quote from the proposed provision—

Where the injury was caused as hereinbefore specified and the worker has claimed and has received compensation under this Act he may, within a period of three months from the occurrence of the accident causing the injury, commence proceedings against his employer for any available civil remedy further arising under the Employers' Liability Act or otherwise . . .

The injured worker has received his money under the Workers' Compensation Act, and then he will be at liberty to proceed either under the Employers' Liability Act or at common law. Is that good, or is it bad? I say it is bad because he will have received his money and then, if he loses his action under employers' liability or at common law, the employer will have no remedy in the way of recovering costs. There will be the increased risk to the employer, which risk will add to the cost of industry. In the circumstances I must vote against the re-insertion of the clause.

Hon. H. S. W. PARKER: I have an idea that where a second action is taken, the court may order, where the action is unsuc-

cessful, that the costs be deducted from the other amount.

Hon. J. Nicholson: There is no such provision in our Act.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. S. W. PARKER: The English law provides that if an action is unsuccessful, the court may award costs against the worker and direct that they be deducted from the amount of compensation. That provision is contained neither in the Act nor in the proposed amendment.

The HONORARY MINISTER: I know well that Mr. Nicholson would not try purposely to mislead the Committee, but what he said before tea was quite incorrect. An injured worker does not usually act on the advice of a solicitor. How is it possible for a worker who has met with an injury hundreds of miles away from Perth to seek advice from his union's solicitor? If a worker is injured in the metropolitan area, the usual course is not for the union secretary to advise the worker. What usually happens is that his wife persuades him to sign a form claiming compensation, so that she can get food for herself and her children. If the union secretary were called upon to act in cases of accident, he would not be able to stand the strain.

Hon. J. NICHOLSON: I certainly would not attempt to mislead the Committee. In the cases that have come under my notice, I have found that the union solicitor acted for the injured worker. Of course, there may be cases in which the union secretary looks after the interests of the injured worker. The union secretary would have a thorough knowledge of the provisions of the Act.

The Chief Secretary: Even better than a solicitor would have.

Hon. J. NICHOLSON: Yes.

The Honorary Minister: The solicitor is usually not consulted in the early stages.

Hon. J. NICHOLSON: The present provision in the Act is fair and proper. The employee is given the right to exercise an alternative.

Hon. A. Thomson: Are we not dealing with cases of wilful negligence?

Hon. J. NICHOLSON: A disablement claim is settled under one part of the Act, a death claim under another part. The whole point, however, is that this provision would throw an extra load on industry,

which would be detrimental not only to the employer, but also to the worker. I do not for a moment suggest that any member of the Government is desirous of doing something to burden industry, but this clause would have that effect. In the circumstances, I must vote against it, particularly in view of Mr. Parker's explanation.

Hon. J. M. MACFARLANE: Yesterday we voted the clause out. To-day we are reviewing it and there is a clash of opinions.

Hon. J. Nicholson: Mr. Parker has explained the legal position.

Hon. J. M. MACFARLANE: One does not desire to place anything on the statute-book that might be considered harsh treatment of an injured worker; but industry must be carried on. Seemingly the proposed clause would add another burden to industry which it is desirable we should, if possible, avoid. If the clause is passed, the employer will have to provide something more than he has provided hitherto. Owing to the conflict of views that have been expressed by members and the danger that I can see will result from passing the clause, I shall vote against it.

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

Ayes	..	..	..	..	7
Noes	..	..	..	..	13

Majority against 6

AYES.	
Hon. J. M. Drew	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. A. Thomson
Hon. E. H. Gray	Hon. E. H. H. Hall
Hon. W. H. Kitchin	(Teller.)

NOES.	
Hon. E. H. Angele	Hon. J. M. Macfarlane
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. L. Craig	Hon. C. H. Wittenoom
Hon. J. A. Dimmitt	Hon. G. B. Wood
Hon. J. T. Franklin	Hon. H. V. Piesse
Hon. V. Hamersley	(Teller.)

PAIRS	
AYES.	NOES.
Hon. H. Seddon	Hon. J. J. Holmes
Hon. T. Moore	Hon. H. Tuckey
Hon. E. M. Heenan	Hon. W. J. Mann

Clause thus negatived.

Clause 10—Amendment of First Schedule:

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

That paragraph (a) be struck out.

The minimum amount of compensation at present is £400 and the maximum £600. The proposal is to increase the minimum by £350

and the maximum by £150, and make the compensation uniform irrespective of the position of the worker. Some members of the Committee did not seem to grasp the effect of the provision when we considered it yesterday. If we increase the amount of the risk by £150 to £350, necessarily the premiums must be increased. Industry cannot stand an increase. The Government appears to be doing all it can to kill industry.

The HONORARY MINISTER: We had a long debate on this provision yesterday. Mr. Thomson asked to be informed of the number of fatal accidents in industry. I have a list which, although incomplete, covers the main field of industry and gives a fair indication of the extent of the deaths caused by accident, as follows:—

Year ended 30th June, 1937, Government Railways—four.

Year ended 30th June, 1937, private railways—one.

Year ended 30th June, 1938, fatal accidents caused by machinery other than in mining industry—one.

Year ended 31st August, 1938, fatal accidents in factories caused other than by machinery—one.

So far as we have been able to complete the list, those are the fatal accidents that have occurred in industry outside mining in 12 months. The people that will benefit from the increase in the amount of compensation will be either the mother of a worker who has been killed, or his wife and children, and surely £750 is little enough to help those people to battle their way through life. There will be no further impost on industry, and we can afford to make this additional provision for families that are bereft of the breadwinners.

Amendment put and negatived.

Clause, as previously amended, agreed to.

New Clause—Amendment of Section 4:

Hon. J. NICHOLSON: I move—

That the following be inserted to stand as Clause 2:—

Section four of the principal Act is amended:

(a) by inserting after the word "family" in line 2 of the interpretation of the word "dependants" the words "domiciled and resident in Western Australia at the time of the accident";

(b) by adding the following proviso to such interpretation:—"Provided that where the Governor is satisfied that by the laws of any other country within the Dominions of the Crown compensation for accidents is payable to the de-

pendants of a deceased worker although they are domiciled and resident in Western Australia he may by Order in Council declare that dependants domiciled and resident in that country shall have the same rights and remedies under this Act as if domiciled and resident in Western Australia."

The object is to alter the definition of "dependants," which at present is so wide that it includes dependants resident in countries abroad.

Hon. H. S. W. Parker: Should not you say domiciled in "Australia" instead of "Western Australia"?

Hon. J. NICHOLSON: I think the proviso will cover that, but if the alteration is deemed necessary, I have no objection. I am following the definition adopted in New Zealand, and the new clause needs no elaboration.

The CHAIRMAN: I refer members to Standing Order 191 which reads—

Any amendment may be made to any part of the Bill provided the same be relevant to the subject matter of the Bill, and be otherwise in conformity with the Standing Orders.

This is a Bill for an Act to amend the Workers' Compensation Act, and the subject matter in no way impinges upon the question of dependants. Furthermore, the whole purpose of the Bill is to enlarge and not to contract the benefits arising from workers' compensation. If the new clause were admitted and passed, it would be altogether foreign to the subject matter of the Bill. Therefore I rule that the amendment does not come within the subject matter of the Bill.

Hon. J. NICHOLSON: That view would mean that no amendment could be made to any Bill at all, and that we might as well cease proposing amendments in future. I hope you will change your view, Mr. Chairman, when I explain the matter. You will observe that Clause 2 of the Bill seeks to amend Section 4 of the Act.

The CHAIRMAN: That deals with the definition of "worker."

Hon. J. NICHOLSON: We are dealing with that particular section.

The CHAIRMAN: We are dealing with the subject matter.

Hon. J. NICHOLSON: But Clause 2 seeks to amend Section 4 of the Act. Full notice was given of my intention to move the new clause, and I explained it briefly at one juncture, so that nobody can claim

I have sprung it on the Committee. The fact that the Bill is intituled "A Bill for an Act to amend the Workers' Compensation Act," and the fact that Section 4 is the subject of an amendment in the Bill brings the new clause within the scope of the Bill. If you adhere to your ruling, the making of amendments will be absolutely impossible. I am sure there is no intention to make more difficult the moving of amendments; rather should the desire be to lessen the necessity for introducing new measures when the whole matter can be dealt with in the one Bill before the Chamber. Otherwise we shall be multiplying the work of the officers in Parliament, putting the Government Printer to additional trouble, and making the handling of our statutes more laborious; and God knows they are troublesome enough at present with the multitude of amendments passed from year to year. As this is a Bill for an Act to amend the Workers' Compensation Act and as Section 4 is the subject of an amendment in the Bill, I claim that I am entitled to move any amendment to Section 4.

The CHAIRMAN: Assume that a Bill were brought down to amend the Electoral Act, and that it contained only one clause providing that the age of electors should be reduced from 21 years, would you contend that the whole of the sections in the Electoral Act comprised the subject matter of the Bill and could be opened up for discussion, simply because the title was open, or would you contend that amendments must be confined to the particular section dealt with?

Hon. J. NICHOLSON: I do not say that at all.

The CHAIRMAN: Order! The hon. member will resume his seat. I will accept his amendment and leave it to the good sense of the Committee for consideration as may be thought fit.

Hon. C. F. BAXTER: I cannot support the amendment in view of the definition of "dependants" in the Act. The legislation was enacted in order to protect the interests of workers and their dependants without any consideration of where the dependants might be living.

Hon. E. H. ANGELO: Mr. Baxter should read both portions of the amendment. Last year when we discussed a Bill to amend the Workers' Compensation Act, I suggested an amendment along the lines now proposed by

Mr. Nicholson. I had then just returned from a visit to New Zealand where I had inquired closely into the operations of the Workers' Compensation Act there. I found that in the original Act the New Zealand Government had provided that the beneficiaries must be residents of the Dominion. A year or two ago, however, the Act was amended along the lines now proposed by Mr. Nicholson. The argument used was that many foreigners had entered the Dominion, and should one of them meet with an accident or be killed, claims were made that the men had wives in Italy, Germany or Austria, as the case may be. How were the Dominion authorities to find out whether the injured worker or the deceased had a legal wife or legal children? The Act here was provided in the interests of our own people.

The CHAIRMAN: The definition of "dependant" has stood the test for over 30 years.

Hon. E. H. ANGELO: We should not legislate to confer such benefits except on our own people. Reverse the position: Suppose Australian workers went to Germany or Italy and were injured or killed, would the Governments of those countries pay compensation to the dependants in Australia?

Hon. V. Hamersley: Or Russia, either.

Hon. E. H. ANGELO: The New Zealand Government recognised the fairness of providing that the benefits should go to the dependants of workers if they resided in some part of the British Empire. Mr. Nicholson's amendment is fair and I support it.

Hon. G. FRASER: I hope the amendment will be defeated. Irrespective of where the close relatives of the injured or deceased worker may be domiciled, they are entitled to compensation under the provisions of the Act.

Hon. L. B. Bolton: Would that be done in Germany?

Hon. G. FRASER: In ninety-nine cases out of a hundred, the foreigner who comes here and finds work brings his family out in due course.

Hon. L. B. Bolton: You suggest they choppa-da-toe to getta-da family out?

Hon. E. H. Angelo: Suppose the man went to Italy?

Hon. G. FRASER: If the amendment be agreed to, it might result in preference of employment being given to foreigners.

Hon. H. V. Piesse: Do you suggest that a company will grant a rebate on insurance for foreigners?

Hon. G. FRASER: No, I am speaking about employment. We know that in some industries varying rates of premiums are charged in shops because of the difference in the number of accidents.

Hon. H. V. Piesse: Not in the same trade.

Hon. G. FRASER: Yes, of course.

Hon. H. V. Piesse: Nonsense!

Hon. G. FRASER: I am speaking about something of which I know.

Hon. H. V. Piesse: And so am I.

Hon. G. FRASER: If the hon. member made investigations he would find that different rates are charged the various stevedoring companies at Fremantle.

Hon. H. S. W. Parker: By the same insurance company?

Hon. G. FRASER: Yes. If the insurance rates are affected in that way, would not the same position arise in connection with the employment of Australians. I regard the amendment as dangerous.

[Hon. G. Fraser took the Chair.]

Hon. H. S. W. PARKER: I am rather surprised at the remarks of Mr. Fraser because I have not heard of single men being accorded preference over married men on account of insurance rates. If a single man, who has no dependant, is killed, the employers and the insurance company do not have to pay compensation! The Workers' Compensation Act was passed in the interests of residents of the State, so that the dependants of breadwinners killed or injured in industry, would be granted assistance. Why should we tax industry to the extent of requiring provision for dependants living in foreign countries? If foreigners desire the benefit of citizenship here, they should bring out their dependants, for this young country needs population. The amendment will relieve industry to a slight extent.

Hon. J. CORNELL: The amendment savours of hypocrisy and sophistry. After a lapse of 30 odd years some members are desirous, by means of the amendment, of adversely affecting the term "dependants," which has stood the test of time. I regard as peculiar the fact that some members argue about foreigners who get work here but do not bring out their dependants. To-

day the number of foreigners employed in the mining industry is infinitesimal compared with that of 25 or 30 years ago. For the most part, foreigners who are here to-day have their wives and families with them. After all these years, some members desire to alter the meaning of "dependants." If they wish to reject the Bill, that is the best way to attain their object. I am perfectly satisfied that the Government cannot and will not accept an amendment such as this. I do not think the mining companies will take advantage of it, because it may not be worth taking advantage of; but if we are going to say that in the event of an employee's dependants not being domiciled in Western Australia they shall not be eligible for compensation upon his death, we will lighten the burden on industry but will also provide ways and means for an employer to offer more work to foreigners because of the lesser risk.

Hon. H. S. W. Parker: They do not offer more to single men now.

Hon. J. CORNELL: It is not a question of offering work to single men. The burden on industry will be lightened by enabling unscrupulous employers to engage men who would not carry the same risk as would other employees. That we should depart from a course of action we have adopted for so long seems foreign to progress. The mining companies may not take advantage of the provision, but I would not say the same of other employers because some of them will take advantage of anything.

Hon. E. H. ANGELO: I would like to correct something that Mr. Cornell has just said. He spoke about dependants not resident in Australia being ineligible for compensation, but I point out that the second paragraph would recognise a dependant living in any other dominion.

Hon. A. Thomson: Provided there is reciprocity.

Hon. E. H. ANGELO: I believe nearly every dominion of the British Empire does reciprocate. We have heard members of our Government make laudatory remarks about the progress achieved in New Zealand. We have been told how New Zealand does everything for the worker and how that place is a worker's paradise. We have heard that the workers there are treated better than the workers in any part of Australia.

The CHAIRMAN: The question of New Zealand's treatment of the workers is not under discussion.

Hon. E. H. ANGELO: I know; but the New Zealand Act contains this very provision. While New Zealand is prepared to treat its own people well and cater for the dependants of workers residing in any other dominion, it draws the line at having to send good money to foreign countries that would never reciprocate.

Hon. L. CRAIG: I agree with the amendment in principle, but another question has worried me. Supporters of the amendment claim that if dependants of a worker who are outside Australia receive benefits under the Act, that is a charge on industry. I want to know whether this is going to affect industry or only provide relief for the insurance companies. Premiums are calculated on the total amount of wages paid irrespective of whether a man is single, married, or a foreigner with dependants in Western Australia or out of it. In all instances, I take it, the premiums are the same. I am doubtful whether this will be a charge on industry, or whether it will just give relief to the insurance companies. Unless I am convinced that it will prove to be a charge on industry I am going to oppose the amendment.

The HONORARY MINISTER: I must oppose the amendment. Mr. Craig hit the nail on the head when he said it means relief to the insurance companies.

Hon. L. B. BOLFON: And is not that a relief to industry?

The HONORARY MINISTER: The amendment is an affront to British-speaking people in other parts of the Empire. An Order in Council should not be required for Victorians, South Australians, New South Welshmen or Queenslanders to obtain justice under the laws of Western Australia.

Hon. A. THOMSON: Irrespective of whether a man is a foreigner, a New Zealander or anything else, if he is working in a certain industry in Western Australia, the employer pays him the rate laid down for that particular trade. He is not asked whether he is a foreigner. If a man is good enough to be employed under Western Australian conditions and to receive the rate of wages prevailing in Western Australia, his wife and family are good enough to be protected under these conditions.

Member: No matter in what part of the world they are living?

Hon. A. THOMSON: Yes. If a man is good enough to be employed in Western Australia he automatically comes under the provisions of the Arbitration Court award made for the industry in which he works.

Hon. V. HAMERSLEY: And he should be good enough to bring his family to Western Australia.

Hon. A. THOMSON: Possibly the man is endeavouring to raise sufficient money to bring out his wife and family. Is it fair that if an accident happens to him in the interval his dependants should be penalised? It would be interesting to have a return indicating how many ex-civil servants drawing pensions from the Government are living in Western Australia and spending their money and keeping their families in this State. I think a large number of people drawing substantial pensions from the State are living in other parts of the Commonwealth or in the Old Country. The premiums to-day are paid upon the benefits that are laid down in the Workers' Compensation Act. So long as a man is working, irrespective of where his family may be domiciled at the moment, those dependants should not be denied the benefits prescribed.

Hon. J. NICHOLSON: I had no idea the amendment would provoke so much discussion. There is a good deal of misunderstanding as to its effect. Mr. Thomson and Mr. Baxter have overlooked one phase of the matter that we have a duty, as a struggling State, to consider. Mr. Thomson has said that if a man comes here he is entitled to all the benefits given to others engaged in the industry in which he is employed.

Hon. A. Thomson: So far as Arbitration Court awards are concerned.

Hon. J. NICHOLSON: Precisely.

Hon. E. H. H. Hall: Whether he is naturalised or not.

Hon. J. NICHOLSON: I do not deny him that privilege at all, but the matter has to be considered from a broader standpoint. Suppose I happened to be working in one of the foreign countries from which these men come and my dependants were living in Western Australia. If I were killed in that foreign country would my dependants receive the same benefits from that country as we propose to prescribe for a foreigner working in Western Australia whose dependants are not domiciled here? Are we, faced with the difficulties attendant upon our efforts to make progress, to be more generous than are foreign countries?

Hon. C. F. Baxter: One has to be human.

Hon. J. NICHOLSON: If we are to progress, we must be sensible and just. Suppose the hon. member went to a foreign land—

Hon. J. Cornell: To Scotland, for instance.

Hon. J. NICHOLSON: I am talking about a foreign land. Perhaps Mr. Baxter has not understood the meaning of the new clause, or he may be unable to grasp its meaning.

Hon. C. F. Baxter: Do not you discriminate?

Hon. J. NICHOLSON: I am endeavouring to follow what New Zealand has done. This new clause, with the exception that I have substituted the words "Western Australia" for the words "New Zealand" is a copy of what appears in the New Zealand legislation.

The Honorary Minister: The conditions are not the same.

Hon. J. NICHOLSON: New Zealand has recognised that the advent of numbers of foreigners without their dependants has thrown an extra load upon industry. To lighten that load the Government has embodied in its Workers' Compensation Act a provision similar to that which I am now seeking to have adopted. The suggestion has been made that this new clause is intended to lighten the burden for insurance companies. I have not discussed the matter with any insurance company. The new clause is intended to lighten the burden upon industry. The effect of it would be to reduce premiums payable under the Act. These are adjusted from time to time according to the relationship that claims and premiums bear to one another. If the loss in any particular industry is heavy, the rates go up. This evening we passed an amendment increasing the minimum compensation payable from £400 to £750. We can imagine what a fortune that would represent to dependants in some foreign country. Those people would never have contributed one penny towards the development of the State, and would really be entitled to no more than a foreign country would give to our people, namely, nothing.

Hon. H. S. W. PARKER: I move an amendment—

That in paragraphs (a) and (b) the word "Western" be struck out, with a view to inserting the words "the Commonwealth of."

Hon. J. CORNELL: The Lake View and Star Gold Mine employs about 1,200 men. Would members expect that company to interrogate every employee and ascertain whether the dependants were living in Tanganyika, Trinidad, Canada, or some other part of the British Empire?

Hon. H. S. W. Parker: Or ask if the men were single or married?

Hon. J. Nicholson: The company would not ask the men any question of the sort.

Hon. J. CORNELL: Mr. Craig suggested that the insurance companies would get a rake-off.

Hon. J. Nicholson: This has nothing to do with insurance companies.

Hon. H. S. W. Parker: The companies work on figures.

Hon. J. CORNELL: We have a few insurance directors amongst members of this Chamber. Is a mining company going to ask a miner whether he came from Canada, Tanganyika, the Union of South Africa, Rhodesia, Great Britain, New Zealand, Germany or Czechoslovakia? Certainly not! The companies will do as has been done heretofore. Single men are not asked whether they have dependants. Suppose one of the 1,200 employees on the Lake View Mine was killed, the mining company would have covered him, but if the dependants were domiciled in a country other than the British Empire, no compensation would be payable. Who then would get the compensation? The insurance company.

Hon. H. S. W. Parker: Who gets the benefit now?

Hon. J. CORNELL: Mr. Parker, a director of an insurance company, is adding further grist to the mill by his arguments.

Hon. H. S. W. Parker: I consider that innuendo entirely improper and wrong. I am a director of an insurance company, but the company of which I am a director does not do any workers' compensation insurance, so that anything I say here to-night in no way affects any company in which I am interested. I ask for a withdrawal of the statement.

Hon. J. CORNELL: I will withdraw, and say generally that insurance companies interested in workers' compensation can be the only beneficiaries under this provision.

Hon. J. Nicholson: What is happening in New Zealand?

Hon. J. CORNELL: The same thing. Two wrongs do not make a right. When an

employer is compelled to insure all his employees, it is wrong to take away the cover that is given.

Hon. H. S. W. PARKER: Do not the companies already insure single men without dependants?

Hon. J. CORNELL: Of course they do.

Hon. H. S. W. PARKER: Does not that even up the premium rate?

Hon. J. CORNELL: Mr. Craig has stated that the only parties that will benefit will be the insurance companies, not industry.

Hon. J. Nicholson: That is quite wrong.

Hon. J. CORNELL: Are the premiums likely to be reduced?

Hon. H. S. W. PARKER: Yes, because the risk to the insurance company will be less.

Hon. J. CORNELL: Does the hon. member think they can be reduced?

Hon. H. S. W. PARKER: Yes.

Hon. J. CORNELL: They can be reduced only on the assumption that a certain number of dependants will be outside the law although the workers were covered. Would members argue that workers who come to this country are not entitled to the benefit? It is wrong in principle to provide that workers may come here and get employment, but if they are killed, because the dependants are not domiciled here they shall suffer.

Hon. E. H. H. HALL: I move —

That the Committee do now divide.

Question (to divide) put and the bells rung.

The CHAIRMAN: As there is no member voting "No," I call off the division and declare the question passed.

Amendment (to strike out word) put and a division called for.

The CHAIRMAN: As there is only one member voting "No," I call off the division, and declare the noes have it.

Hon. C. F. BAXTER: You gave the decision for the noes.

The CHAIRMAN: That was a mistake.

Hon. J. CORNELL: You gave your decision on the voices for the noes, and a division was called for. All the noes, except one, divided with the ayes, and at least two members who called "No" demanded a division. Evidently one infringed the Standing Orders and should have voted in accordance with his voice.

The CHAIRMAN: On the voices, I gave the decision for the noes. On the division

I should have given the decision for the ayes. I declare the amendment to delete the word "Western" passed.

Amendment thus passed.

Hon. H. S. W. PARKER: I move an amendment—

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

Amendment (to insert words) put and passed.

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

Ayes	12
Noes	7
<hr/>					
Majority for	5
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AYES.

Hon. E. H. Angelo	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. J. T. Franklin	Hon. H. S. W. Parker
Hon. E. H. H. Hall	Hon. H. V. Piesse
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. H. Seddon
(Teller.)	

NOES.

Hon. C. F. Baxter	Hon. W. H. Kitson
Hon. J. Cornell	Hon. A. Thomson
Hon. J. M. Drew	Hon. W. R. Hall
Hon. E. H. Gray	(Teller.)

PAIRS

AYES.	NOES.
Hon. G. B. Wood	Hon. L. Craig
Hon. T. Moore	Hon. H. Tuckey

New clause, as amended, thus passed.

Hon. J. CORNELL: I had intended to point out from the Chair that on page 5 of the Bill, in line 7, the word "nine" appears. Upon checking with the statutes of 1937, one finds that the word should be "ten." Then, if the Minister turns to page 6, he will find in line 28 the word "seven." It should be "eight." I point these matters out for the benefit of the Clerk, and I also mention that Mr. Parker drew attention to the figures "1927" in line 5 of Clause 1, which figures should be "1937." These matters having been pointed out to the Committee, the Clerk will draw up the necessary consequential amendments.

Bill again reported with further amendments.

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 3).

Received from the Assembly and read a first time.

BILL—FINANCIAL EMERGENCY TAX.

Second Reading.

Debate resumed from the 9th November.

HON. J. CORNELL (South) [9.7]: The Bill is a recapitulation of the old, old story. All the consideration in the measure is given to the metropolitan worker and the wage-earner in the South-West and agricultural districts. No consideration whatever is extended to the goldfields worker. The Bill practically brings some goldfields workers on the basic wage, hitherto exempt from income taxation, under the income tax. Therefore they are to have an additional burden to bear besides those which they carried 12 months ago. It is asserted that a money figure cannot be put up to meet the situation of the goldfields district. I submit that a money figure could be put up to meet the situation of basic wage earners in the three industrial districts of the State, just as the Arbitration Court provides rates of wages for those three districts. Everyone knows that the goldfields worker on the basic wage bears burdens that the agriculturist does not carry. Practically without exception, goldfields workers provide their own hospital accommodation. I have yet to learn that workers in the metropolitan area do that. Again, the miner has to subscribe to the Mine Workers' Relief Fund, and there are other goldfields deductions that do not apply to the basic wage elsewhere.

Having briefly stressed the position, I repeat what I said at the Hannans by-election, that to a large extent the goldfields worker deserves all that is coming to him, since the present Government shows no indication of any feeling that workers outside the metropolitan area have to be placated. The present Government has a feeling that though the heavens fall, the goldfields will vote Labour. I said to the goldfields workers, "If you stick to that line of reasoning, you deserve all that is coming to you." They will have an opportunity again in a few months' time. If again they follow the same line of reasoning, I shall not again become articulate regarding the basic wage exemption. I understand that there is to be, or that there may be, some easement given in six months' time; but that is more or less problematical now, because the altered method of taxation has yet to receive the sanction of Parlia-

ment. We may assume with some confidence that next year we shall be asked to re-enact what I term the financial necessity tax. One thing we have to realise is that whether the income tax is changed in method to absorb this tax, what was instituted a few years ago as a financial necessity tax to tide us over until better times should arrive has now become a permanent institution.

HON. F. H. ANGELO: I move—

That the debate be adjourned.

Motion put and negatived.

HON. H. SEDDON (North-East) [9.12]: I desire to make a few remarks on the Bill, because two or three features associated with it this session require to be brought out. Last year we had to accept the tax Bill because, although it went against the expressed wish of this Chamber with the exemption of the basic wage given, the alternative was that the Government would lose the revenue. This time the farce of raising the basic wage exemption is demonstrated, because although the basic wage has been raised, on an entirely new basis, by the Arbitration Court to the extent of 5s. per week, the fact remains that the basic wage is now above the minimum provided for income tax. Although it is intended or proposed that next year there shall be an alteration in regard to the emergency tax and the income tax, this Bill lays down an arrangement that the exemption shall be some £208 a year, whereas the exemption in regard to income tax is £200 a year. I am rather puzzled to know just exactly what will be the position under this measure. The Minister might explain that when replying to the debate. I am in some doubt as to just how the minimum provided in the amalgamated measure will operate in view of the provisions of this Bill. It appears as though the Government still persists with the policy of exempting those who largely are supporters of the Government. The consequence can only be that the burden on the rest of the community will be correspondingly increased.

As I said, the 5s. increase in the basic wage was made because of the new basis of calculation adopted on this occasion. The idea was that the increased spending power of the worker should be reflected in the prosperity of the State. The anomalies existing in the rates for the metropolitan district and the south-western district, which have been referred to by Mr. Cornell, are perpetuated

by the amendments introduced year after year by the Government. The rise in the basic wage which takes place during the year brings practically the whole of the working community under the operation of this legislation, but each year the Government proceeds to exempt a certain section. Obviously, that defeats the principle of the Act, which is that each person should bear his proportion of the expenses of his citizenship and the liberties that he enjoys. As a matter of fact, if each person paid something towards our social services, he would be recognising the benefits that he is enjoying.

If members will refer to the returns laid on the Table of the House this year, they will learn that education costs £1 18s. 6d. per head; yet a section of the people that receives this benefit is exempted from taxation by the Government. Health, hospitals and charities cost £1 12s. 1d. per head; while law, order and public safety costs 9s. 6d. per head. The total cost of those services is £4 0s. 1d. per head; yet not one penny is contributed towards that cost by a section of the people that enjoys the benefits of those services. Obviously, that is unfair. Although we recognise, as a sound principle, that taxation shall be graduated, it does not follow that a section of the community should not pay something for the benefits it enjoys.

The figures I have just quoted give the cost per head of social services. There is another basis of calculation—that taken by the Arbitration Court. The Arbitration Court makes provision for a man, his wife and two children as a basis for fixing the wage of a worker. On the Arbitration Court unit the cost is 6s. per week. When we realise that the loss on loan works to this State is considerably over £1,000,000 per annum, we appreciate the tremendous burden of taxation imposed on the section of the community that has to pay it. The Government might well, with justice, make the basis of this taxation Bill the same as that of last year. That section of the community whose wages are adjusted by the Arbitration Court should bear some portion of the expense of the benefits and privileges enjoyed as citizens. I oppose the Bill.

HON. A. THOMSON (South - East)
[9.18]: We have spent a great deal of time yesterday and to-day in considering workers'

compensation. Every consideration was given to the clauses of the Bill designed to protect and provide for a worker who might unfortunately meet with an accident in the course of his employment. All members will agree that that is a sound and reasonable policy. The figures just quoted by Mr. Seddon, however, clearly indicate that the great majority of those who enjoy the advantages of our social services do not contribute anything towards their cost. It seems to be the generally accepted policy of the Government to exempt from taxation workers earning the basic wage and to pass the burden on to those who receive higher salaries. If a flat rate were charged, one could understand the extending of consideration to workers on the basic wage; but we have before us a Bill that provides for a graduated tax, rising from 4d. in the pound to 1s. in the pound.

The argument will no doubt be adduced that those receiving higher salaries are in a better position to pay the tax. However, we are facing a very difficult period in the history of our State. I am afraid we shall have increased unemployment. Therefore, I think it fair and reasonable that those who are in employment and are receiving the benefits of our social services, should contribute their proportion, no matter how small, to this taxation. I have always contended since I have been in public life and long before I thought of entering Parliament, that every person, no matter what his salary may be, should pay his proportion of taxation. There is an old saying to the effect that that which is given to the people for nothing they do not value.

As Mr. Cornell has pointed out, workers on the goldfields who are receiving the basic wage have reason to be dissatisfied, because they do pay taxation. Their contention is that they are not living under the same comfortable conditions as are the workers in the metropolitan area and the south-western division who are exempt from payment of this tax. True, the workers on the goldfields receive 11s. per week in excess of the amount paid to the workers in the metropolitan area and in the south-western division. I desire to place on record my opinion that every person in the State earning wages should pay this taxation, even if he is receiving only 30s. per week. He would then feel that he was contributing something towards the cost of the Government of the country. Many of these people support starting-price

betting shops, and what they spend in them can be judged by the fines inflicted each week on persons conducting the shops. Probably the workers invest a considerable portion of their earnings each week in those shops. Similarly, a large sum of money is spent by the workers in attending picture shows. A little of the money so spent ought to be diverted to the coffers of the Taxation Department and thus afford the State Treasury some little relief.

I understand the Government's intention is to merge this measure into the Income Tax Act. It seems to me that will involve some reduction in taxation, and I would like to know how the Government proposes to meet that loss. Will additional burdens be cast upon those people who are already paying a fair amount of taxation? We shall probably be told, however, to wait until the measure is brought down before we attempt to discuss the proposal. Although I feel that I am, metaphorically speaking, running my head against a brick wall, I still think that every person in the community should bear his share of the burden of taxation.

Hon. H. Tuckey. No matter how small that proportion is.

Hon. A. THOMSON: That is so, even if it is only 6d. The exempting of a certain section of the community from taxation and the placing of the burden on the other section of the community mean a great tax on industry. I endorse the remarks made by Mr. Seddon. I realise the suggestions I have made will probably have little effect; but I again say that every person in the community should bear his share of the financing of the State. I support the second reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [9.28]: I shall not speak at length in reply to Mr. Seddon and Mr. Thomson. I remind members that there is no difference between the principle embodied in this Bill and the principle in similar Bills that have been introduced during the last few years, except that on previous occasions we endeavoured to exempt basic wage earners in every part of the State. Because the Government was not allowed to do that in the way in which it desired, by providing for the exemption of the basic wage workers in the three districts of the State, it was forced to provide an exemption of a particular sum of money. In order to exempt the basic wage earner as far as possible, the Government had to

fix the exemption at an amount slightly above the basic wage declared for the south-western land division. Although the exemption on this occasion has been increased by 5s. there is no alteration in the principle involved in the Bill. Mr. Seddon suggested that we were following a policy of exempting our own supporters. The supporters of the Government agree with our policy, namely, that the basic wage earner shall be exempt so far as we can possibly exempt him. Therefore I suppose the remark of the hon. member was correct, but let me remind him that if every basic wage earner was a real supporter of the Government, we would not have so much trouble at election time as we have at present.

Hon. W. J. Mann: You are very optimistic if you expect to get the lot.

THE CHIEF SECRETARY: I am merely commenting on a remark by Mr. Seddon. This Bill is intended to apply for only a limited period, because the Government, as members know, intend to merge the financial emergency tax with the ordinary income tax. During this session further measures will be introduced to enable the Government to bring that about.

Hon. H. Tuckey: Will that then make it as you desire?

Hon. H. Seddon: Of course it will.

THE CHIEF SECRETARY: I cannot understand the hon. member's interjection. The Bill provides that this tax shall operate only until the new income tax Act comes into operation, which, of course, will be on a date to be fixed. Until that time arrives, the Government must have the money obtainable under this measure. I am sure every member recognises the fact that the Government must have the amount of money that will be raised under this measure and under other measures yet to be introduced. The objection by members is simply against the method by which the amount of money shall be raised. May I say that Mr. Seddon has been quite consistent—now apparently he has a strong supporter in Mr. Thomson—because ever since this financial emergency tax has required the attention of Parliament, he has consistently advocated that the method is wrong, and that everybody, no matter how small his earnings might be, should be called upon to pay something as a direct tax towards the upkeep of the social services of the State. The hon. member is entitled to his opinion. The policy of this

Government is that the basic wage earner shall be exempt so far as possible, and we are endeavouring to give effect to that policy under this Bill.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 9th November of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—STATE GOVERNMENT INSURANCE OFFICE.

Third Reading.

Debate resumed from the 9th November.

HON. H. SEDDON (North-East) [9.38]: I obtained the adjournment of the debate because I considered it desirable that the House should retain possession of the Bill until we learn what becomes of the Workers' Compensation Act Amendment Bill. Obviously, one is contingent on the other, and until we see how the Bill we amended yesterday and to-day fares at the hands of the Legislative Assembly, the House would be wise to retain possession of this Bill. For that reason, I moved the adjournment of the debate.

THE PRESIDENT: The hon. member cannot move the adjournment of the debate as he has now spoken on the third reading.

HON. H. SEDDON: I realise that; I was mentioning my reason for having moved the adjournment of the debate when the Bill was previously before us. For the same reason it will now be necessary for another

member to adopt the course of moving the adjournment of the debate.

On motion by Hon. G. W. Miles, debate adjourned.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [9.39] in moving the second reading said: The purpose of this Bill is to amend the Inspection of Scaffolding Act, with a view to making more adequate provision for the safety of persons engaged in building construction. A period of eight years has elapsed since the Act was last amended. During the intervening period, new methods of construction have been adopted in the building trade, and tackle and appliances have become more complicated. These innovations have naturally exposed certain deficiencies in existing legislation, and the position to-day is that the Chief Inspector of Scaffolding finds he has not the necessary authority to deal with many matters of first class importance in relation to his administration. The Bill therefore proposes to bring the Act more into line with modern requirements. The main provisions seek to enlarge the scope of the Act, to make obligatory the employment of licensed scaffolders on certain structures, and to amend the regulations embodied in the Schedule to the Act dealing with the machinery of inspection.

At present the area in which the Act operates is confined to that portion of the State comprising the Metropolitan, Metropolitan-Suburban and West Provinces. The Act also applies to any building outside that area where scaffolding is erected exceeding 15 feet in height. The Bill now proposes to give the Act general application to the whole of the area within a radius of 25 miles from the G.P.O. This will embrace such centres as Armadale, Bullsbrook, North Beach and other places that have hitherto been excluded from the operation of the Act in its relation to the metropolitan area. A lithograph that I propose to lay upon the Table indicates the existing boundary of the metropolitan area as defined in the Act, and the new boundary as proposed under the Bill. The lithograph shows that in one direction the present boundary extends only eight

miles from Leith, and that many areas in which there is considerable building activity, are not subject to the general operations of the Act. The departmental officers consider that the new definition of "metropolitan area" will be much more satisfactory and equitable than is the one embodied in the Act. The position as regards buildings outside the metropolitan area will not be disturbed.

Under Section 2, scaffolding of less than 8 feet in height does not come within the scope of the Act even in the metropolitan area. The department emphasises that this exemption has operated most unsatisfactorily. Because officers are not empowered to deal with scaffolding coming within this category, faulty structures have been installed, which not infrequently have led to injury of workers.

Hon. A. Thomson: How many?

The HONORARY MINISTER: A fairly large number. Provision has therefore been made in the Bill to amend the definition of the term "scaffolding" to include "any structure used or intended to be used by workmen or for the support of workmen employed on works." As a general rule some part of the scaffolding used on practically every construction job is subject to inspection, and fees for inspection are assessed on the total cost of the building concerned. This amendment will therefore afford workers additional protection without imposing any extra cost on their employers.

Another important proposal deals with the employment of licensed scaffolders. There is no authority in the Act requiring skilled supervision to be exercised over the erection of scaffolding. This is a serious omission in that the lives of many people may depend on the stability of such structures. Notwithstanding that proper supervision is essential, officials have found that many of the men entrusted with the work are ignorant of the requirements of the Act and lack the necessary degree of practical experience. When I mention that it is a common practice to-day for workers to remove and alter portions of scaffolding without reference to a responsible scaffolder, members will appreciate that there is a real need for a provision of this kind. To overcome a potential source of danger, we are now providing that at least one licensed scaffolder shall be employed on all scaffolding exceeding or

likely to exceed 27 feet in height from the horizontal base.

Hon. L. B. Bolton: More relief for industry!

The HONORARY MINISTER: The Bill has been submitted as a result of the experience of inspectors engaged on scaffolding work. I believe the Bill will appeal to members when they consider its provisions.

Hon. C. F. Baxter: The use of tubular scaffolding has affected the situation.

The HONORARY MINISTER: Yes. The amendment I refer to will ensure the exercise of a proper measure of supervision that the department considers necessary for safety. A consequential proposal provides for the amendment of the section governing the making of regulations. This amendment will enable standards to be laid down for the examination of persons desirous of being licensed as scaffolders. I understand that the examination suggested is an oral one, and will be designed solely to ensure that scaffolders have a knowledge of the regulations and are equipped with the necessary practical skill to be entrusted with such work.

The Bill proposes to amend Section 11, which deals with the powers of inspectors to give directions as to scaffolding and gear used in connection with buildings and wells. Apart from consolidating the present section, the amendment seeks to clarify a doubt in respect to the enforcement of an inspector's direction relating to well-sinking. We propose that where an inspector directs a well-sinker to take certain precautions for the safeguarding of life or limb, he shall cease work on the well forthwith until such direction or any order on appeal from a magistrate has been complied with. Members will recall that during the last few years a number of fatal accidents have occurred through inexperienced men being engaged upon the repairing of wells. I have a vivid recollection of an occurrence at Geraldton. One man was killed, and the accident nearly involved the lives of ten other men, all because of the lack of practical experience in well-sinking.

We are seeking to amend the regulations governing the collection of scaffolding fees. At present these fees are not payable until the construction of the building has been completed, and as a result the department has contracted many bad debts. The Bill therefore proposes to put scaffolding fees on

exactly the same basis as Health Act, building permit and other fees of a similar kind; that is to say, we are providing that every notice of intention to erect scaffolding shall be accompanied by the prescribed fee. That is a wise precaution prompted by experience.

Other provisions in the Bill deal with scaffolding requirements. The first of these stipulates that gangways shall be at least three boards wide, instead of the minimum width of 18 inches prescribed under the present regulations. The department considers that the present minimum does not provide a sufficient margin of safety, particularly where the gangways are used as wheelbarrow runways. Another amendment relates to the spacing of rungs in ladders used by builders' labourers. The department has decided, after investigation and consultation with builders, that a uniform standard spacing of $8\frac{1}{2}$ inches is desirable in the interests of all concerned. An amendment has therefore been embodied in the Bill to give effect to this decision. The proposal will not affect a great number of builders, as most of them have already adopted the suggested standard. It will, however, obviate the unnecessary strain to which hod-carriers have been subject in the past through uneven spacings, and thus conduce to greater efficiency.

Regulation 19 provides for a periodical inspection of scaffolding and gear by an inspector at least every three months. Upon such inspection, any material that is considered unsafe is marked as unfit for further use, and may not be used again. The department has found that this regulation operates most unsatisfactorily. Perhaps members will recollect that when work was in progress at a theatre in Fremantle a man was killed from this very cause. A ladder broke, and the man was dashed to his death on the floor of the theatre. The departmental authorities consider that further steps should be taken by ensuring the destruction of scaffolding that is regarded as unsafe. Much of the material used by builders cannot be marked, and even when it is condemned, the marks may be cut out or obliterated, thus enabling the gear to be recommissioned for further use. The only way to prevent this practice is to insist upon the destruction of rejected gear. The Bill therefore seeks to embody such a provision in the Act. A modern development in the building industry, which has necessitated the

drafting of new and comprehensive regulations, is the use of scaffolding constructed of steel tubes. As scaffolding of this type was unknown when the Act was last amended, the existing regulations make no provision for it. The Chief Inspector—Mr. Clare, the Principal Architect—has carefully considered the matter and has recommended the adoption of the new regulations set out in Clause 7. I point out that all the amendments proposed in the Bill are regarded by the departmental experts as essential for the better working of the Act. I hope that members, if they consider any amendments necessary, will place them on the notice paper promptly so that the Bill may be dealt with as expeditiously as possible. Conditions in the building trade have changed materially during the last eight years, and consequently it is essential to bring the Inspection of Scaffolding Act up to date. I commend the measure to the House, and move—

That the Bill be now read a second time.

On motion by Hon. A. Thomson, debate adjourned.

BILL—WORKERS' HOMES ACT AMENDMENT.

Second Reading.

Debate resumed from the 10th November.

HON. C. F. BAXTER (East) [9.53]: The introduction of the Bill would have been welcomed many years ago, mainly because of the Financial Agreement. Prior to that period, some of the other States had created boards that were corporate bodies with power to go on the money market to float loans. Practically nothing along those lines has been resorted to in Western Australia, and, in consequence, when the Financial Agreement was arrived at, the position of this State was recognised. Western Australia, therefore, had the privilege of borrowing up to £100,000 without the necessity for securing the approval of the Loan Council. For any amount in excess of £100,000 approval was necessary. That was quite separate from ordinary governmental borrowing, for which the approval of the Loan Council had to be obtained. The Workers' Homes Board should have been given borrowing power years ago. No other department stands so high in the estimation of the public, for it has carried out

exceedingly good work. The scheme has proved most successful, apart from the fact that funds have not been available to enable the board to cope with the demand for homes.

The object of the Bill is to empower the Workers' Homes Board to borrow. The only exception I can take to the measure is the provision in Clause 3, which sets out that the board may from time to time, on the recommendation of the Minister and with the approval of the Governor, borrow the necessary funds. I do not think that power should be made subject to the approval of the Minister. Parliament should have the right to approve of the amount for which the board may go on the money market. Apart from that, the Bill is sound, and with the advantage of its provisions, the board will be able to render better service to the public than has been possible in the past.

Reference has been made to the work of the Federal War Service Homes Department. That scheme was inaugurated 18 or 19 years ago, the responsible Minister of the day being Senator Millen. At that time the State Government, of which I was a member, submitted a proposal to the Federal Government, with the object of enabling the Workers' Homes Board to undertake the War Service Homes requirements regarding the erection of homes. The State authorities pointed out the splendid organisation that already existed for the purpose.

Hon. A. Thomson: The Federal Government would have saved a lot of money had it followed that advice.

Hon. C. F. BAXTER: That is so, and the Workers' Homes Board would have carried out the work on the basis of 5 per cent. only. That indicates what a tremendous saving would have been effected in administrative costs which, under the Federal regime, probably represented upwards of 15 per cent. At the time, the Premier, Treasurer, and Minister for Works were marooned in Melbourne, and while there they got into touch with Senator Millen and the Commissioner in charge of the Repatriation Department. They discussed the proposal, but no decision was arrived at. A month later, I had to proceed to Melbourne, and was authorised to get into touch with Senator Millen in an endeavour to reach an agreement. In due course an arrangement was arrived at between Senator Millen and myself on behalf of the State Government, and the outline

was telegraphed to the Government in Perth. With the exception of one clause that was not of great importance, the agreement was endorsed, but nevertheless it had to be held in abeyance for a short period during which I was in quarantine. To my astonishment I learnt later that Senator Millen had cancelled the agreement. I regard that as one of the worst blunders I have encountered in the course of my political life, and that blunder has become more apparent in the light of the disastrous history of the Federal War Service Homes Department. The work did not redound to the credit or the ability of officers in the Federal Public Service.

Hon. A. Thomson: They were not practical men.

Hon. C. F. BAXTER: That is quite so, but the Federal authorities could have availed themselves of the services of our Workers' Homes Board.

Hon. A. Thomson: That is typical of the Federal authorities.

Hon. C. F. BAXTER: Yes, notwithstanding the complaint that the Federal Government enticed our best officers from the State by the offer of increased salaries. The operations of the Workers' Homes Board have proved very successful and credit is due to the members of the board, who appear to be very sound men. The same opinion, I am sure, will be expressed by other members of the House concerning the manner in which the members of the board have carried out their duties. I am pleased to support the measure because it will give them some encouragement. They will be enabled to go on the market themselves, borrow their own funds, and be free of the Treasury. The position of a board of this sort under a man like the ex-Treasurer, Mr. Berkeley, was very difficult. I can assure members of that, as a result of my own experience of the Treasury. The work of the board has been held up many times because Mr. Berkeley is a very stolid man in some respects. His stolidity did not always help Ministers or further the interests of the different departments of the State. He was a stodgy man—I think that is the word to use—and that would describe his relationship with the board. Though I have had no complaints from the board, I know that it has had a pretty hard row to hoe in carrying out its work, especially when it has had to rely on the Treasury in every move it has made.

Although I desire to have a small amendment made to the Bill in Committee, I have pleasure in supporting the measure because I know what a wonderful relief it will be to the board to be free of the Treasury and to have power to borrow its own money.

On motion by Hon. A. Thomson, debate adjourned.

House adjourned at 10.3 p.m.

Legislative Assembly.

Wednesday, 16th November, 1938.

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

QUESTION—WHEAT, LIGHT-WEIGHT.

Special Storage, Separate Sale.

Mr. WARNER asked the Minister for Lands: As there is a grave probability of a quantity of wheat being light weight in the north-eastern wheat areas, will he make the necessary representations to Co-operative Bulk Handling to ensure that light weight wheat shall be received and specially stored so that its sale can be separately negotiated?

The MINISTER FOR AGRICULTURE (for the Minister for Lands) replied: Yes.

QUESTION—TRAFFIC ACT, NEW PARKING REGULATIONS.

Mr. NORTH asked the Minister representing the Minister for Police: In view of the new parking regulations affecting the central portion of the City of Perth and Cottesloe, will he inform the House of the reasons underlying the change?

The MINISTER FOR AGRICULTURE replied: Regulation 294, restricting parking, has been in existence for years, but has never been enforced during the night time, especially regarding vehicles parked adjacent to places of entertainments, etc. The only alterations concerning restricted parking within the City Block that has recently taken place are those referring to King-street, east side; Queen-street, west side; Howard-street, west side, and Sherwood-court, east side (now a two-way street). There have been no changes regarding parking restrictions in Cottesloe since regulations of 1936.

QUESTION—METROPOLITAN MARKETS.

Mr. SAMPSON asked the Minister for Agriculture: 1, What amount has been taken from the revenue of the Metropolitan Markets each year since their establishment and paid into consolidated revenue or otherwise appropriated? 2, Are additions and alterations charged against revenue received and, if so, what amounts each year have been expended for these purposes and what additions and alterations, if any, have been carried out?

The MINISTER FOR AGRICULTURE replied: 1, Profits received in to the Treasury from Metropolitan Markets since establishment are shown hereunder:—1930-31, £2,423; 1931-32, £1,165; 1932-33, £454; 1933-34, £159; 1934-35, £37; 1935-36, —; 1936-37, £1,483; 1937-38, £1,113; total, £6,834. 2, No.

QUESTION—POULTRY FARMERS.

Losses by Theft.

Mr. SAMPSON asked the Minister representing the Minister for Police: Having in view the reply to my question regarding the theft of poultry that but one complaint had been lodged, is he aware that not only more than one case has been reported but that in at least three instances following reports the