Hon. N. KEENAN: Has the Premier ever taken into account all the money he receives for the carriage of goods for military purposes? There is a good deal of wastage. I wrote to the Premier not as Treasurer but as Premier—calling attention to the waste of petrol alone in the carriage of necessaries required at the Pearce aerodrome, and to the waste occurring in respect to the carriage of workmen who travel to the aerodrome and return every day. All of them could be carried on the State railways as far as Midland Junction and for a short distance on the Midland Railway Company's line. Unfortunately, however, the position is unchanged, and the men are conveyed by buses that consume petrol.

The Premier: And which cannot adequately cater for them.

Hon. N. KEENAN: Buses over which there is no control! I suppose the member for Kalgoorlie (Mr. Styants) could tell us that if a man is a soldier he can get what petrol he wants for any purpose. If he wants to take a spanner to Rockingham on a 10-ton lorry, he can secure petrol for the purpose. That is how things stand.

I do not want to submit any requests for my constituency at the present moment because I am desirous of impressing upon the Government that economy—even to the extent of refusing requests which have a good deal of reason behind them—must be the law at the moment. I do not want to make requests because, although they might be favourably entertained by the Government, I know that the Government has not the money to give effect to them. Take, for instance, the schools. The Nedlands school is far too small. Children are out on the verandah and that, in the winter time, is an extremely dangerous and most improper proceeding. The only remedy for us is to ask them to go all the way to the Roseleastreet school, which involves a long and dangerous walk for young children. The road to the school is long and carries a large amount of traffic and there are no footpaths. Their only means of safety would be to go through the bush. However, to ask for improvements is no use. It is no good asking for the removal of the trenches at the school. If the Minister for Mines were to go down there, he would be reminded, when he saw the trenches that are in the playground, of his earlier days. Portions of the ground have been repaired, I admit, but some trenches are still there. The department would be responsible if a child broke its leg in the play-hour by reason of the ground being in such a deplorable condition, but does not seem to be aware of that fact.

Mr. Needham: Your district is better served than are other districts.

Hon. N. KEENAN: I do not know how the hon. member knows that.

Mr. J. Hegney: The grounds at one of your schools were bitumenised recently.

Hon. N. KEENAN: I admit that portion of the ground has been repaired. Although all these requests are of a genuine character, I do not intend to press them just now. All I intend to do is, to the best of my ability, to assist the Government to avoid expenditure, and to allow the people of the State to have an opportunity—as they must have whether they like it or not—of paying the taxation the Commonwealth will impose upon them.

Progress reported.

House adjourned at 10 p.m.

Legislative Council.

Tuesday, 30th September, 1941.

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

CHAIRMAN (TEMPORARY) OF COMMITTEES.

The PRESIDENT: I have to announce that, in accordance with Standing Order 31A, I have appointed Hon. H. Seddon to act as a temporary Chairman of Committees during the current session.

BILLS (2)—THIRD READING.

1, Collie Recreation and Park Lands Act Amendment.
2, Water Boards Act Amendment (No. 2). *Passed.*

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 24th September.

HON. L. B. BOLTON (Metropolitan) [4.35]: In his concluding remarks, when speaking on the second reading of this measure, which has for its object the amending of the Workers' Compensation Act, the Minister for Labour expressed the hope that the Bill would receive reasonable consideration and treatment by members of this Chamber. Speaking as one deeply interested in the welfare of this State's industries, I assure the Minister that every consideration will be given to the proposed amendments. We also, however, have a duty to the employers, not one of whom desires to deprive the unfortunate worker who may be injured in the course of his employment, of just and reasonable compensation.

Nobody knows better than the Minister that one of the greatest handicaps to be contended with by industries in this State is the high cost of workers' compensation insurance. I can see nothing in the proposed changes but further increases. What effect will that have on our industries? At last this State is awakening to its possibilities, and our secondary industries are being given the opportunity sought so long, and this measure of success is due to the Minister for Industries, and his Government, for having so strongly supported the efforts of the manufacturers who have gone out after this business. If ever this State had a golden opportunity to advance in this direction, now is the time. I warn those concerned, if we are to take our share in providing for our men when they return after the successful conclusion of the present great conflict, that no chance must be missed from now onwards to prepare the way.

The Minister has been very encouraging in the establishment of new industries. If he suggests unreasonable amendments which must add further burdens to the manufacturers, then he will be undoing with one hand the good that he may be doing with the other. The high compliment to the industries of this State paid by the Director of Ordnance Production, Mr. L. J. Hartnett, a few days ago, should not be lost sight of; and the term "amazing" applied by him to the work being done in our war effort is very well deserved, particularly when one examines some of the achievements.

May I at this stage stress with all possible seriousness the great necessity for a careful study of the industries being developed with a view to retaining those most likely to prove continuous after the war and those most suitable to the State for which raw material is more easily obtained in our midst. Today manufacturers are faced with two serious problems, those of labour and material. It was most unfortunate that, prior to this State's receiving its share of munitions and other work, so many of our highly skilled artisans were permitted to go to other States where more advantageous work was offering, and with the present shortage of labour, even the Minister for Industries need have no fear that employees will not be well treated and protected in every respect. That is one of the reasons why I am sorry to see the present measure before the House. I, with many other members, had hoped that no contentious legislation regarding industries and manufactures would be attempted this session, because further to burden manufacturers and industry generally at this stage will have the effect of driving away the very bright prospects of expansion.

The proposed amendments are certainly few but they are very important. As there may be justification for some of the amendments, and as I desire to be perfectly fair to both parties, I intend to vote for the second reading, but I will support certain amendments when the Bill reaches the Committee stage. Clause 2 (a) of the Bill seeks to amend Section 4 by altering the interpretation of "worker" to cover one who earns £600 in lieu of £400 per annum. The amount of £400 was fixed as far back as 1920, when the ruling rate of wage was £3 18s. a week. Seeing that the basic wage today is £4 10s. 5d. in the metropolitan area, with possibilities of further increases if the cost of living continues to rise, there is some justification for increasing the amount, but certainly not to the sum of £600, which would represent a 50 per cent. jump, and in my opinion, would be un-

justified. Further, it is much higher than the amount provided in any of the other States. In Victoria it remains at £400; in New South Wales it is £550, while £520 is provided in each of the States of South Australia and Queensland. I am prepared to support the raising of the maximum to £500 which, in my opinion, is a fair and reasonable amount. In Committee I will move an amendment to that effect. The proposal will bring large numbers of workers now outside the scope of the Act within its provisions. Notable instances would be munition and other workers now enjoying a large amount of overtime, piece-workers in timber and firewood-getting and mining, although in the mining industry an arrangement has been in force for several years under which workers receiving over £400 are given benefits under the Act. There is some warrant for an increase on the £400 because basic wage increases, together with increased margins, have raised the aggregate payments in all industries very considerably. I feel, however, that the Minister will or should be quite satisfied with the £500 I suggest.

The underwriters appear to be very happy about the proposal as we have heard little from them. This increase will mean greatly increased revenue from industry. Hundreds of workers in industries where the premium rates are high will be brought under the Act at considerably increased cost to the employers. While it is true that hundreds of others brought under the Act by the proposal will be in sheltered industries where the premium rates are comparatively low, the broad fact remains that in all branches of industry, sheltered or otherwise, the premiums in this State are considerably higher than those in other States of the Commonwealth.

Clause 2 (b) deals with the definition of a worker, and here again I fail to see any necessity for amending a provision that for so many years has worked satisfactorily. This proposal must cause additional hardship and added expense to all affected. Particularly do my remarks refer to farmers, pastoralists and small business firms. Special provision was made in 1923 to extend the meaning of the term "worker" to cover special classes of workers engaged in connection with the felling, hewing, hauling, carriage, sawing or milling of timber, or other persons engaged in the timber industry under a contract for service. The proposed amendment seeks to make that provision in the Act read, "Any person working for another person for the purpose of such other person's trade or business under a contract for service." While it is doubtfully possible there was some warrant for the 1923 amendment, there is certainly no warrant for the privilege, granted by Parliament to cover a special case, being given general application. This would affect pastoralists and farmers who commonly let contracts in which the contractor himself manually labours, such as in the sinking of dams, the erection of fences, bore-drilling, shearing, etc. Under the parent Act the pastoralist is obliged to insist that the contractor shall take out workers' compensation cover for all workers employed by him in the contract for, in default of this, the farmer or pastoralist would be responsible under the Act. Now it will be necessary to cover the contractor himself, and this is bound to increase costs.

Should a warehouse, business, or individual let a contract to a person not employing labour, say to erect shelves or cupboards or make cabinets or tables, and should such contractor be injured either in the performance of their manufacture or in the course of delivering the article, the purchaser who had let the contract would be liable under the proposed amendment. Let me instance a few positions that may arise if the Act is amended as proposed. Take a farmer who employs a farrier on his farm or takes his horses to be shod. This is usually done, without any assistance, by the farrier's own labour, and it would mean that the farmer would be responsible for compensation under the measure. Then many house-painting contracts are made by individuals who have no knowledge of or necessity for worker's compensation, and they would be entirely ignorant of its existence. Innocently they might contract with the one-man housepainter—there are many of them in business—and should the contractor unfortunately meet with some serious mishap, quite innocently the house-owner might find himself in a very serious financial position. In the circumstances, I feel that I must vote against this clause.

I now come to a very controversial question, that of the disciplining of the medical profession. As one probably more affected by the suggested unscrupulous methods of

doctors dealing with compensation cases, I am approaching the position with a perfectly fair and open mind. At the outset, I say that definitely, in my opinion, the question is one purely between the British Medical Association and the Government; and I am disappointed that an agreement could not be reached between the parties. Respecting many measures before this House—some in recent sessions—after a series of conferences an understanding satisfactory to both parties has been reached, and this House has been pleased to ratify such an agreement. I still think that with a little more tolerance by those concerned the matter could be better arranged than in the way suggested in the Bill.

It may appear strange that one so deeply concerned in industry should appear to hold a brief for the medical profession; but I speak with 40 years' personal experience and knowledge, added to that which I gained over many years as a member and as chairman of the Fremantle Public Hospital. I can truthfully say that few cases of direct abuse by the medical profession have come under my notice. That may perhaps be so because I usually have taken a personal interest in the cases and have made it clear to the doctors that, to retain my business, their slogan must be, "All cases back to work as quickly as possible." This might be likened to the man who paid his doctor on the lines that the fewer the visits the greater the fee. That there have been, and will still continue to be, many glaring cases cannot be denied. These probably have added to the cost of industry, but can we point to any body or association whose actions, if thoroughly investigated, would be found to be 100 per cent. right? In my opinion, the high cost and remedy are to be found more in the Second Schedule than in the charges made by the attendant doctors. When introducing the Bill in another place, the Minister featured Clause 3 and almost gave the impression that it was the main reason for the introduction of the Bill. But because employers in the past have expressed dissatisfaction with the position relating to the generally excessive cost of workers' compensation insurance, it is not to say that the whole trouble lies in excessive charges and unnecessary treatment by the medical profession. There are other causes and these, too, in my opinion, should be dealt with.

Instead of the appointment of the proposed committee as set out in Clause 3, the position could be more satisfactorily dealt with by an amendment to the Medical Act that would give the necessary additional power for the appointment of a body on the lines of the Barristers' Board. Members are aware that that board consists of lawyers only and that it is empowered to deal as necessary with members, even to the extent of the removal of names from the register for unseemly or unprofessional conduct. Why, then, is it necessary that the medical profession should require even greater control, particularly regarding compensation cases? Why should not the members of the medical profession be placed on the same footing as are members of the legal profession?

Hon. E. M. Heenan: With respect to charges?

Hon. L. B. BOLTON: I am not referring to charges, but to unfair conduct.

Hon. E. M. Heenan: That would be a matter for a charge.

Hon. L. B. BOLTON: I am definitely of the opinion that the position could be best handled by a board constituted by the medical profession. It is generally admitted that the British Medical Association is wholeheartedly behind the movement for the punishment of offenders. This has been proved by past history. What the association opposes are the methods proposed to accomplish that end as set out in the Bill. During the association's discussions with the Minister, I understand its proposal was for the appointment of a committee consisting of a judge or a magistrate, as chairman, and three doctors, one to be nominated by the Government and two to be nominated by the association. Medical training and experience are essential for the position, which deals with treatment, attendance, certification, etc., of injured and sick workers. The association has, from the inception of the original Act, appointed experienced medical men to a committee to act with the Underwriters' Association in regulating charges, etc., of medical men operating under the Act. The profession is, perhaps, more anxious than is any other body to remove the stigma occasioned by the very small number of its members—perhaps half a dozen in all—and to that end it presented amendments to the Medical Act in 1939 which, had they been approved by the

Minister and adopted by Parliament, would have, in its opinion, solved the difficulty without the creation of what it considers to be clumsy machinery to operate at increased cost to industry. Members of the committee who will perhaps not possess medical knowledge will probably do one of two things: (1) Adopt the views of medical members or, (2), act independently without the knowledge necessary to form an intelligent opinion. In either case their presence on the tribunal is unwarranted. The Medical Board at present is wholly composed of medical men. It is endowed with great power both in the acceptance on the register of medical men, of practising physicians and surgeons and in the refusal to register them. It also has power to strike a practitioner off the register when he has been found guilty of infamous conduct in a professional sense.

Hon. E. M. Heenan: Has the board struck any practitioner off in recent years?

Hon. L. B. BOLTON: Within the last five or six years it has taken action in several directions.

Hon. E. M. Heenan: In respect to overcharges in compensation cases?

Hon. L. B. BOLTON: Yes. I am informed that that is so. I do not desire to mention the case, although I could do so.

Hon. G. Fraser: They kept pretty quiet.

Hon. L. B. BOLTON: Three or four years ago a case occurred, although not in the metropolitan area.

Several members interjected.

The PRESIDENT: Order! Members must allow the hon. member to proceed.

Hon. L. B. BOLTON: I am referring to what the board I suggest could do if it were appointed and given this power. There would be no question as to its integrity and the manner in which it would discharge its duty to the public. Why, then, should this new body be created on which men possessing neither medical training nor experience will find a place? The profession itself is the only body competent to deal with the problems that will arise. There can be no justification for the inclusion of others on the committee. I shall vote against the new clause, but if the House decides upon the appointment of a committee as suggested, I will support the British Medical Association's proposition of a judge or magistrate appointed by the Government, and three medical men, one to be appointed by the Government and two to be nominated by the Association.

The proposal contained in the Bill appears to give effect to the old principle of the double-headed penny insofar as the assessment of weekly payments is concerned. At present the weekly payment is one-half of the worker's average weekly earnings during the 12 months immediately preceding the accident, or, if the worker has not been employed for 12 months, during such lesser period. The proposal now is that the assessment shall be made on the wages of the worker for the week immediately preceding the accident. If this be lower than his average for the preceding 12 months or any lesser period longer than that week, in the employment of the same employer, he shall be paid whichever is the larger sum. As to that amendment, I have an open mind. As an employer of labour and one who has been dealing with compensation cases over the last 40 years, I can see no great objection to the proposal on condition that overtime does not come into the question. Viewing the matter broadly, take the position of an apprentice who may have completed his training. Within a month or six weeks he meets with an accident when enjoying the full award wage. In such circumstances I hold that the worker would be justly entitled to be paid compensation at the rate he was receiving at the time. Under the Act a 12 months' average is taken. I can see less objection to the clause than at first, particularly as the Minister has not asked for an increase in the total amount to be paid to the worker, including dependants. It seems to me that the amendment is not designed to provide additional compensation beyond the actual amount that a worker would be entitled to.

Hon. G. Fraser: What about the casual worker?

Hon. L. B. BOLTON: We have never found any difficulty in that regard. In nearly every instance we have paid compensation equivalent to the amount earned by the worker at the time of the accident or the amount provided for in the award.

I next come to the suggested amendment of the hospital charges. The hospital charge for the metropolitan area remains as originally fixed in the parent Act while the charges for the South-West division and other portions of the State are increased. Provision is also made for travelling expenses and sustenance allowance. These are matters upon which I would like to have a little more information when the Minis-

ter replies to the debate. It is known that hospitals of recent years have repeatedly insisted that charges are too low. I definitely agree with the contention of country hospitals and, as I have mentioned before, I have had considerable experience regarding the cost of maintaining such institutions. The many years' experience I had at Fremantle taught me that it is very difficult, particularly in a public institution, to keep costs down. This morning I took the opportunity of asking the Honorary Minister if he could secure for me without much difficulty the cost per head per patient of running the Fremantle hospital, with which he is closely associated—and which figure would be a fair criterion—for comparison with the cost of the same service in 1930 when I was chairman of the institution. I was rather staggered to find that the increased cost was, in my opinion, very slight and I would like to pay a tribute to the management of the hospital for having been able to keep the running costs today so close to those of 1930. The cost for in-patients in 1930 amounted to 10s. 6d. per patient per day and in 1941 to 11s. 6d. The total cost, including that for out-patients, in 1930 was 11s. 8d. per day and in 1941 12s. 6½d.

Hon. L. Craig: That may be due to a difference in chairmanship!

Hon. L. B. BOLTON: I do not even object to that remark! The facts will bear out that even in those days the Fremantle hospital was looked upon—I hope I will be pardoned for saying so—as one of the best managed institutions in this State, and even then we were able to keep our costs per head per patient at a figure lower than was recorded at the Perth Hospital. Let me add for Mr. Craig's information that hospital management in those days was not what it is today. The average cost of maintaining the Fremantle hospital during the period to which I refer was between £12,000 and £13,000 per annum and the total Government subsidy was £4,000. It is a good chairman and a good board that can maintain an institution on a £4,000 subsidy when the cost of running it is £13,000! There was not in those days the tendency to force patients to pay hospital fees, as is the practice today. I believe that greater care is exercised in that direction now than at the time of which I speak. Sir Hal Colebatch, who was Chief Secretary for a time, knows that what I am about to say is perfectly true. Hospitals today receive a lot more sympathy from the Labour Government than was extended to them by the National-Country Party Government. Today the hospitals have the Lotteries Commission behind them and receive quite large sums of money from consultations held in this State. In former days they did not have an opportunity of receiving such assistance. Their income was derived from purely voluntary giving and what could be obtained from patients. In the circumstances I think that those who had charge are entitled to a little praise for being able to manage as they did.

Hon. E. H. H. Hall: Do not forget there is the hospital tax, too!

Hon. L. B. BOLTON: Yes, as the hon. member has reminded me, there is also the hospital tax, though how much the hospitals receive from that I am not too sure. I have heard that most of it finds its way into Consolidated Revenue.

Members: That is so.

Hon. C. F. Baxter: That is not true. The money is controlled by a special trust fund.

Hon. L. B. BOLTON: I am glad to hear it. The only other point to which I wish to refer concerns Clause 4, paragraphs (f) and (g). I cannot see any possible reason for the suggested amendments, and I would ask the Minister to explain, when he is replying to the debate, why they are sought. I propose to support the second reading of the Bill. My attitude may surprise some members, but I have endeavoured to place before the House the position as I see it and I think I can claim to have had a reasonable experience of these matters.

HON. J. CORNELL (South) [5.10]: The Bill is essentially a Committee measure, and there are only two phases that I think need examination at the second reading. One is a big departure. It is proposed to include under the definition of "worker" men earning up to £600 instead of £400 as at present. Two hundred pounds a year is a very big increase, and it is questionable whether we are justified in going so far. We began at £300 and then went to £400, and now it is proposed to make the figure £600. I hope the Minister, when he is replying, will inform the House what is the maximum elsewhere within the Commonwealth and in Britain. I do not think it is £600 anywhere else.

Hon. G. W. Miles: They have followed the example of Parliamentarians who went from £200 to £400, and then to £600.

Hon. J. CORNELL: The other proposal to which I wish to refer is that regarding the disciplining of medical men who make a welter of the £100 compensation. I have a lively recollection of the Bill introduced in 1924 to increase the amount. It was said then that the chickens would come home to roost, and that when they roosted a few vultures among the medical profession would devour them. The present Government has been in office for nine years, and it is 12 years since this provision was included in the Act. Now, at the worst era of our history, it is proposed to establish a tribunal to discipline certain doctors. My own opinion is that, owing to stern necessity and the exigencies of war, the position will largely discipline itself in future on account of the shortage of medical men.

Perhaps I have been fortunate in my choice of family doctors during the last 26 or 27 years. One of them is a "digger" who is now one of the city's most eminent surgeons. Two others were amongst Perth's leading specialists and are now on active service. The last one, who is also in khaki with the rank of captain, left a good practice to join the military forces. The Act had not been in operation 12 months before the first man I mentioned said to me, "Cornell, is nothing to be done to deal with the few men who are making a welter of this business?" Down the years the others all said the same, and that has been said to me ever since 1924. Now we are waking up to the fact that something ought to be done. If we are to get any satisfaction at all on this vital matter and separate the sheep from the goats, the best thing to do is to refer the Bill to a select committee. If that course were adopted, we would have an opportunity to consult the only organisation in a position to discipline medical men—the British Medical Association. We could argue for a month in this Chamber on the problem of how the committee should be constituted, but if we are to get anywhere with this legislation there is one way only by which we can ensure progress. The machinery portion of the Bill need not receive much consideration; it is the major issue that should be referred to a select committee. Who are those that have been party to what has been going on for so long?

As to the maximum liability of £100, which is prescribed in the Act, that money is derived from the premiums paid by those interested. That phase does not concern the Government one iota, apart from the fact that it is associated with industry that is carried on in the State. Even if the proposal embodied in the Bill be agreed to, what estimate have we of the effect it will have on premiums in the future? That does not concern the injured worker, for he merely receives medical attention and does not have to pay anything towards the £100. The statement has frequently been made that some doctors over-treat their patients and encourage them to malinger. If those doctors were on active service and were called upon to treat such men, they would probably order a No. 9 and mark the men's papers "report for duty." They would not lose much time over them because they would not be paid for their consultations. That is all I have to say regarding the Bill. Members would act wisely if they referred the measure to a select committee in order to seek the assistance of the only section of the community in a position to help, and to discuss the possibility of dealing with the few vultures in their midst. I support the second reading of the Bill.

HON. H. V. PIESSE (South-East) [5.18]: I also support the second reading of the Bill. I listened with great interest to the remarks of Mr. Bolton, and I agree that there is much in his argument that the extension of the definition of "worker" to include men in receipt of £600 instead of £400 as at present, is too wide. If Mr. Bolton later moves to reduce the amount to £500 I shall support his action. In this instance the position of the insurance companies is unique, inasmuch as they are not vitally concerned about the measure. If the Government considers that employers should be liable for the increased responsibility indicated in the Bill, the insurance companies will have to make available the necessary cover, which will mean, of course, increased premiums. From that standpoint the companies are not worried as to whether the workers earning £600 a year are brought within the scope of the Workers' Compensation Act. On the other hand, such a step

will have an important bearing upon industry generally and will mean an added impost upon primary producers who, if they use machinery on their farms, will find this legislation reflected in their added costs of production. I am not exaggerating when I say that primary producers cannot afford to pay men wages of even £400 a year, because very few of them earn that much themselves. Those who do are exceptional.

Hon. G. B. Wood: The primary producer cannot earn the basic wage on his property.

Hon. H. V. PIESSE: That is so. Then again, we must realise that the injured worker does not receive compensation to any degree unless he suffers a severe accident involving the loss of a limb or——

Hon. G. W. Miles: Chops his toe off.

Hon. H. V. PIESSE: Yes. I had a man in my employ who chopped off the top of his finger. He did not feel inclined to put in a claim for compensation because he said the accident was his own fault and arose out of his own carelessness. Not too many of that type are employed today. The point we should consider is that this legislation does not operate to the advantage of the worker to any great extent except from the point of view of the maintenance of his family and his carrying on in industry. Today I received a telephone ring from Mr. Albert Johnson, of Darkan, who is closely associated with sleeper-cutting on private property. He told me that the cost of insurance would be prohibitive for the private operator or small contractor. We know that the combine companies have their own insurance schemes, under which they deal with their injured workers. The companies are to be commended for having adopted that course, and for having enabled good prices to be obtained for the sleepers that have been exported. On the other hand, men on the land may want to cut a few sleepers and contract out of the legislation. They find themselves in a very difficult position. As a matter of fact, Mr. Johnson told me that today the premium is £27 11s. 6d. on every £100 of wages earned. That represents a very large impost, and I feel sure it will be difficult to overcome that aspect. When a deputation made representations to the Government a few weeks ago, the Minister concerned said he was surprised to learn that such a tremendous impost was expected to be placed on the particular branch of industry under discussion. I sincerely hope we shall have an explanation from the Honorary Minister when he replies to the debate, of how that particular phase of the legislation will operate. I notice that under the provisions of Clause 28 private insurers will have to bear a portion of the expense involved, placing them in a position similar to that of the companies dealing in fire insurance. I trust the Honorary Minister will give the House an assurance on that point.

The most important portion of the Bill is that relating to the setting up of a medical register committee. I have been connected with a fire insurance company for many years, having acted as general agent and also as a director of the company. In the circumstances I can speak with a knowledge of the cost of medical attention to injured workers. Unlike Mr. Bolton, I claim that the British Medical Association cannot control the position regarding medical men associated with workers' compensation cases. The association has endeavoured to do so by means of a board consisting of representatives of the insurance companies and the B.M.A. itself. To date I have not heard of any medical man having been disciplined or prevented from carrying out workers' compensation business.

Hon. C. F. Baxter: It has no authority to do so.

Hon. L. B. Bolton: No authority whatever.

Hon. H. V. PIESSE: The Barristers Board has authority to deal with all lawyers.

Hon. Sir Hal Colebatch: That is not so.

Hon. H. V. PIESSE: If the Barristers Board exercises control over lawyers, that is all right. No lawyer is allowed to act as a barrister unless he has the consent of the board. The B.M.A. is not in that position because not every doctor is a member of the organisation. Therefore it has not the same control as the Barristers Board is able to exercise.

Hon. Sir Hal Colebatch: The B.M.A. can only deal with a doctor who has been convicted of an indictable offence, and with no one else.

Hon. C. F. Baxter: That is right.

Hon. H. V. PIESSE: In a very good letter that it issued, the B.M.A. has pointed out that laymen should not be appointed on the committee. I do not know that the association has any grounds for stating that laymen are to be appointed. The Govern-

ment may appoint two medical men as its representatives on the committee. I understand that today the Government and the private companies are carrying out the largest proportion of the workers' compensation insurance business. They have medical practitioners employed, and it is just possible that they might appoint them as medical representatives on the proposed committee. They have that protection which we as primary producers have been endeavouring to secure for many years in connection with the Agricultural Bank—a judge or a magistrate to control the committee, which is an excellent thing. In reading the Bill I noticed also that in the event of the chairman of the committee not being present, that chairman being either a judge or a magistrate, the quorum of four may elect their own chairman. The clause in question should be amended to read that the committee cannot sit unless the magistrate or the judge is present. The provision may open the way to injustice to some man, because the reason for the existence of the committee is to ensure that justice shall be done in every case. There will be opportunities to deal with the clauses during the Committee stage; meantime I have pleasure in supporting the great majority of the provisions of the measure.

HON. G. FRASER (West) [5.31]: I see nothing to object to in the measure, which I regard as a genuine attempt to render justice to all concerned. That portion of the Bill which deals with the method of paying compensation on the wage basis mentioned is highly desirable, as this has been a bone of contention for many years, especially in the case of casual workers. Difficulty has always arisen, when a casual worker has been injured, in determining exactly what he is entitled to. The principal Act gives as a basis the previous 12 months' wages. In my district, for instance, a casual worker can now obtain work during only about six months of the year; and that has been the difficulty. During other portions of the year the question of overtime comes in. The passing of the Bill will clear up the position and enable justice to be done where in the past hardship has occurred.

Another point is the raising of the maximum earnings from £400 to £600 per annum. At a casual glance it seems strange that protection should be needed by a man earning as much as £600 a year; but these are not normal times. In Western Australia a large proportion of workers are now earning the best part of £12 a week. They ought to be protected. They are earning such amounts in the metal industries, and moreover are working a great deal of overtime. Unless the proposed alteration is made, men are to be asked to work extra time and in doing so to surrender protection under the Workers' Compensation Act. I do not think any member of this Chamber wants to see that position created. At the very least we should protect those men who in the last 21 days have had to work 20 days, including Saturday afternoon and Sunday.

Hon. L. Craig: Almost like an ordinary farmer!

Hon. G. FRASER: The farmer can, at certain times of the year, please himself whether or not he works. The men to whom I refer have worked nights as well as days in order that various phases of our war industry shall not lag. Unless the amendment is agreed to, those men will be denied the protection of the Workers' Compensation Act.

Hon. C. F. Baxter: Is it not possible for them to take some protective action by insuring themselves?

Hon. G. FRASER: We should not ask a man to do a special job for us and at the same time inform him that he must take some action to secure protection for himself.

Hon. E. H. H. Hall: If a man is earning £12 a week, is it not reasonable that he should obtain insurance to protect himself and his wife and children in case of his meeting with an accident?

Hon. G. FRASER: Possibly. The figure of £600 may look out of proportion, but when one comes to analyse what is being done, one realises that it is not so at all. The men are working overtime not because they want to do so, but because they believe it to be their duty to the country. Therefore they should be protected in case of accident. Then as regards objections raised to the committee. Throughout the years I have been a member of this Chamber I have vivid recollections that the strongest objection raised against the Workers' Compensation Act, and the feature most frequently commented upon, was that members of the medical profession had been overcharging, and that as a result a heavy burden had been placed on Western Australian industry.

Much time elapsed before any action was attempted to remove that evil. Now something has been attempted, but objection is still being taken.

Hon. C. F. Baxter: Only to the method.

Hon. G. FRASER: Having examined the question from all points of view, I consider that the Bill proposes the best method by which the difficulty can be overcome. If a committee such as the Bill proposes were established, the medical profession would not be placed in any unfair position, because the constitution of the committee is to be two against two, with a legal practitioner as chairman. If the B.M.A. does not control the medical men——

Hon. C. F. Baxter: It is the Medical Board—not the B.M.A.—which operates under a special Act.

Hon. G. FRASER: Mr. Bolton suggested the giving of certain powers to the B.M.A.; I see no objection to the provision as it stands. It represents a genuine attempt to cure a defect in workers' compensation legislation. Generally speaking, medical men and hospitals have shown themselves very fair; but there have been a few cases over the fence, and these have caused more expense than can be justified. I support the second reading.

HON. C. B. WILLIAMS (South) [5.40]: I support the Bill generally. There is no need to worry as regards the cost of insurance. My expert knowledge of workers' compensation matters enables me to state that the measure will not cause increase of premiums. I have pointed out here previously that the raising of the maximum annual income from £400 to £600 has no large application to the goldfields. Some of the lucky men on the goldfields earn up to £20 and even £25 a week, and they are covered by the Workers' Compensation Act. Besides, it would not do to leave those men not covered. There is an honourable understanding between employers and employees that every man engaged in the mining industry shall be entitled to a maximum weekly compensation of £3 10s. That arrangement was made before wages and earnings became so high. It meant a sacrifice to men who were probably earning £7 per week then, and who would have to accept compensation based on the ruling rates for their jobs. If the wages were 15s. a day, they accepted compensation at the rate of 7s. 6d. The same rule prevails today. Men earning over £20 a week in a shaft are accordingly paid half wages on the shaft wages rate with a maximum of £3 10s. per week. I do not know that the mining industry has suffered from that.

Regarding the cost of workers' compensation insurance, I point out to Mr. Bolton and other hon. members that the fact of all mine workers coming under the Workers' Compensation Act saves a great deal of worry. Men in key positions on the mines and earning £12 10s. and £15 per week wages are covered by insurance. The employer covers them, in his own interest, under a special policy. Undoubtedly workers' compensation is something that has cheapened the working costs of industry. In the days when I was a lad working in the mining industry, an injured worker had to sue the employer. An injured worker in those day might get a verdict for £2,000, whereas now the maximum compensation obtainable is £750 under the Workers' Compensation Act. Before the enactment of workers' compensation a man who met with an accident would sue the mining company for £2,000 or £3,000. That has been done away with. Actions at common law for compensation for injury are now extremely rare. And that is what workers' compensation has done for all branches of the industry. Actions at common law in respect of injuries sustained often meant a fine harvest for the legal fraternity.

I see no reason to fear an increase of premium rates because of an extension from £400 to £600 in maximum yearly earnings. Whom does the increase affect? Well-paid men in the industry. Today those workers who are earning £10 or £12 a week say, "We must be insured." If they have any sense they will see that they are covered before they start work. Their attitude is, "No insurance, no work." They are entitled to take that stand. If the Prime Minister of Australia should be outed next week, he would not be worth very much. The same thing applies to workers. The Workers' Compensation Act was passed 25 to 30 years ago, and during the whole of that time piecework workers have been covered. The miner is strong enough in his unionism to insist that he will not engage in piecework unless he is covered by the Workers' Compensation Act. I call to mind that members of this Chamber have frequently eulogised piecework. The

majority of miners would like to do away with it, but have not been able to achieve that end on the goldfields.

Of the Kalgoorlie medical men I am able to speak well, with one exception, whose name I need not mention because it is well known. The Kalgoorlie doctors have treated both the workers and the insurance companies wonderfully well. The mine worker carries the £100 for medical expenses included in workers' compensation. He pays 6s. monthly to the medical fund as a condition of his employment. Probably the Minister can enlighten us as to the action of the Chamber of Mines as regards workers in taking over payment of hospital fees. Certainly I have no complaint whatever to make against the medical men of Kalgoorlie in the matter of either skill or attention. I speak with the highest respect of Dr. Byrnes, Dr. Hogan, Dr. Shannon, Dr. Gillette—who went to the war—Dr. Matthews and Dr. Way. They are good men, all of them; Western Australia has known none better.

I have always done what I could to assist miners on the goldfields who have suffered from injury or ill-health when engaged in the industry. Not long ago I was dealing with a particular case and received a letter from the Crown Solicitor (Mr. Dunphy) threatening me with an action for criminal libel if I did not offer an apology to Dr. Radcliffe-Taylor. I telegraphed to him telling him to mind his own business. The matter arose in connection with a masseuse, the person who massages a man's hand to assist him in getting his nerves back. As far as I know the patting of the hand has never had that effect. This woman was working in Kalgoorlie, and the man in question, who had his arm in a sling, was being treated by her. The massaging was being done every day. The masseuse, however, went away for a fortnight and left the man without any treatment for the whole of that period. He is not a young man, and any good that had been done by the treatment vanished. I have had experience of that sort of thing. My eldest child who had suffered from infantile paralysis was under massage treatment for two years, but I do not think any good resulted from it.

It is definitely wrong that the State Government Insurance Office should send a man from Perth to assist in the treatment of cases in Kalgoorlie. In the matter to which I refer I would welcome prosecution for criminal libel, because that would enable me to clear it up. I see no necessity for the State Government Insurance Office wasting money in sending a woman doctor to Kalgoorlie to tell our good surgeons and doctors there what to do. It was a ridiculous and stupid procedure and only added to the cost of the insurance. For massaging to be of any avail it must be continuous, and the treatment should not be abated for a whole fortnight whilst the expert pays a visit to Perth.

The medical men in Kalgoorlie are amongst the most up to date in Australia. An excellent laboratory has been established there. I doubt whether any hospital in Perth is as well equipped as is the Kalgoorlie Hospital. Certainly that can be said of the Kalgoorlie laboratory. No man who wishes to get into the mining industry, no matter where he is examined, is eligible to do so until he has been examined in the laboratory by the Kalgoorlie doctors, who are well prepared for all cases that come before them. Notwithstanding that, we find the State Government Insurance Office bringing patients to Perth and wasting money in so doing. Those patients only see so-called experts in Perth, men who know nothing whatever about mining injuries, and only make guesses in the treatment they prescribe. That adds greatly to the cost of insurance, and may lead to the sufferer experiencing untold agony because of the treatment prescribed for him. I know of one man who was brought to Perth, and I had dealings with the Crown Solicitor over him. I offered to arrange for a settlement if only the patient could be cured. This man had injured his arm, and it was claimed that he had kept a rubber band around it in order that he might secure compensation. Imagine a man who was able to earn up to £15 a week putting a rubber band around his arm in order that he might receive £3 10s. in compensation! The injury had already cost him £500, and the most he could obtain by way of compensation, based on the verdict of the Kalgoorlie doctor, was not more than £300. The man could have earned far more than that if his health had enabled him to do so. Eventually an agreement was arrived at. I called upon a doctor in St. George's-terrace. His rooms are close to the Public Works Department. That doctor said the man had not lost 50 per cent. of the use of

his arm and that his arm would mend. I subsequently learned that the man would not be able to work for 15 months. I asked the doctor to put that in writing. He did so, and I was then able to get compensation for the man in question covering a period of 15 months.

It is as a result of this sort of thing that the principle of compensation is made to act so detrimentally to the interests of the men engaged in the mining industry. Such a remark is, of course, not applicable to the goldfields doctors. Dr. Byrne is one of the finest medical men in the State. He is certainly not partial to the malingerer. There is no necessity for the State Government Insurance Office, in most instances, to bring a man to Perth at a cost of 30s. a week plus the surgeon's fees. If it would refrain from doing that kind of thing the cost associated with the recovery of the patient would quickly be reduced. On one occasion when I was ill, and felt that it was time for me to make arrangements with the undertakers, I preferred to go back to my own doctor on the fields rather than be attended by a doctor in Perth. The medical men in Kalgoorlie know all the black sheep in their midst. It is not possible for a man on the fields to get the better of the doctors there.

The tributers and the men who are working on the wood-line, unfortunately for them, do not receive the decent treatment that is meted out to other men engaged in the mining industry and do not derive the same benefits from the present system. Medical men have had practically 15 years in which to discipline their members. This Bill will not increase the charges in the industry in which Mr. Bolton is interested. It could not possibly do so. I am not concerned about the constitution of the proposed medical committee. I have had experience of doctors, and on one occasion had to introduce one doctor to another at the very door of the sick chamber. Those two doctors hated each other more vigorously than would North and South Ireland people detest each other. I had to act as intermediary or peacemaker between them. The evening-up of wages applies only to the casual worker. I have not come across a case where this Bill would apply to the average weekly earnings of the casual worker, and I have been connected with the industry for many years. I have never had any trouble with insurance companies on matters of that sort. If a man has four or five children he can get 37s. 6d. a week for them irrespective of anything else. He may receive only £1 a week for himself, but that would give him a total of £2 17s. 6d. a week. It does not matter what the average weekly earnings are, there is that provision for 7s. 6s. a week for each child under the age of 16 years. We have had all that out with the insurance companies already. No deduction is made with regard to children, for whom that rate is always paid. I cannot see that that would add to the cost of the industry.

For the most part casual workers are employed by the Government, and it seems as if it will have to go on "carrying the baby." Farm labourers are not likely to be affected. That is the cheapest possible form of labour, and the men concerned generally cannot get work elsewhere than on a farm. I am not worried about them, but I am worried about the hospitals. The intention is to increase the payment to hospitals to 15s. a day during a 30-day period. Hospitals will thus receive £5 5s. a week. Most of the sufferers will receive £3s. 10s. a week on which to keep their families. By this Bill the hospitals will be in receipt of five guineas a week, and after 30 days they will receive £3 13s. 6d. The cost of hospital treatment has gone to a high figure and has done so in a very short time. Until recently the charge in the Kalgoorlie hospital was 7s. a day for lodge patients. It is now 15s. a day, and after 30 days it is 10s. 6d. So far as nine-tenths of the mine workers are concerned insurance has not cost anything, seeing that the workers themselves pay their own medical and hospital expenses out of their contributions. I am strongly opposed to the practice of bringing patients to Perth to be interviewed by so-called experts, who know nothing about the industry, when good doctors are already available in Kalgoorlie.

The doctor employed by the State Government Insurance Office does not know one-tenth of what Dr. Byrne knows, or what that doctor has forgotten in connection with mining injuries. A man may have a broken thigh or may have injured his back. As a result of the treatment given to him in Perth he may receive a big bill from some private hospital. That is not right. That bill should be met by the State Government Insurance Office, which is acting on behalf of the

employer. That office takes a man from one of the best equipped hospitals in the State and brings him to Perth. It is a waste of money. Mr. Bolton referred to the case of the man who is ordered away for medical attention by his employer. Suppose a man receives an injury to his eye. In such a case I admit that the eye specialists are for the most part situated in Perth. The patient in question may have to come to Perth by aeroplane so that a piece of steel may be taken out of his eye as soon as possbile. The cost of transport by air should not be a charge upon the compensation due to the man. The object of compensation is to help those who are injured while keeping the industry going. The House would be quite safe in passing this Bill. I see no reason why the malingerer should benefit any more under this measure than he benefits today. If I were managing an insurance company my object would be to see that every patient got out of hospital as quickly as possible. If the man were able to go home it would be better to offer him 30s. a week more and get him out of the hospital. The difference between that amount and £3 10s. to £5 5s. a week would be saved. It would be well worth while for the insurance companies to go into that aspect.

I doubt whether this measure will increase insurance costs. The idea is to reduce them. I agree that they are too expensive at the moment, and that they can be reduced. I have pointed out that the State Insurance Office can reduce the costs of insurance by bringing fewer people to Perth. In places where there is no hospital or doctor, the worker has to be brought to a town in order to receive attention, but to bring people from Fremantle or Kalgoorlie to a Perth doctor, who has put a shingle up to say he is a specialist, does not appeal to me. The doctors in Kalgoorlie have more experience of mining accidents than any other doctor in Western Australia. They have cured men suffering from most extraordinary accidents. On occasions when men are practically well, after six months of wasting time they are sent to Perth to waste more money. That should not occur. Most people have faith in their own doctors. A settlement should be made after a period when the parties are satisfied. Six months is a very fair period to keep a man away from work. I am not talking of the malingerer. The sum of £3 10s. a week would not be beer money for a good man when working in the mining industry.

I do not know of any case under existing conditions, but they do make for hypocrisy. A wages man earning over £400 cannot come under the Mine Workers' Relief Act if the company does not take out a special policy. As a matter of fact, most of them do. These men are mostly bosses and not contractors. They are fitting-shop or mill bosses. What is happening? After all, the State Government Insurance Office pays. It has been cheated. Compensation cannot be refused to men working in the mining industry. A man may be given an advanced silicosis or t.b. ticket, but he cannot be taken out of the industry without being compensated. Instead of working at £10 or £12 a week he goes back to work as a labourer for a few months and the State Insurance Office then pays him. I do not believe in that. A man who has been earning high wages must be a good servant and should be protected by Parliament. He may be a foreman, and if his employer has not taken out a policy for him and if he does not himself see some lawyer, or other person who knows something about compensation, a week or so after being sick he finds he has no compensation, and returns to his employment as a labourer. He is found a job and eventually comes back on compensation. That is cheating. That man is entitled to his dues. I support the second reading.

HON. E. H. H. HALL (Central) [6.5]: Most employers are genuinely desirous of doing all they possibly can to protect and safeguard the interests of employees. The majority of doctors in this State are a credit to the profession. The volume of honorary work they do is known to very few people. I have been closely associated with the Government Hospital in Geraldton for many years. From personal experience I know that many poor people have good reason to be grateful to the three doctors in that centre.

I regret that the Minister responsible for this legislation has not called the people primarily interested in this matter together—the employers' representatives, the Miners' Union, the Timber Workers' Union, the big body of railway men, and the representatives of the B.M.A. It is generally acknowledged

that these are times to try out, in every possible way, round-table conciliation to its utmost. I understand that has not been done on this occasion. If I am rightly informed, then this House would be well advised to refer this Bill to a select committee. Members might thus get various other viewpoints explained to them. From the evidence the committee gathered, we could endeavour to arrive at a basis fair to all concerned. I believe that is the desire of this House and of the Government. Why not give the people primarily interested—the big employers and the big unions, and those people we have to rely so much on—the doctors—a chance to explain their individual ideas?

To show the difference that exists in our opinions, I would like to mention one instance: Mr. Williams says he does not believe in sending cases to specialists in Perth. That might be all right from his end of the State, the Kalgoorlie goldfields. It is different where there is only a general medical practitioner to treat people suffering from all sorts of ailments. One man I know of now, a good and honest worker, spoken highly of by everyone who employs him, has been incapacitated for months with a sprained arm. He said, "When I shovel a spade full of earth I shovel a spade full." On one occasion he misjudged the distance and struck the side of the motor lorry into which he was shovelling, and sprained his arm. There is nothing to show he cannot use it. I speak with a great deal of hesitation, as a layman should when attempting to criticise a professional man, but I would like to see that man brought to Perth to consult a specialist, instead of which he is not even in hospital.

Another thing to be mentioned at this stage, which I brought under the notice of Mr. Williams, is this: Men are brought down here and not properly attended to. Some time ago two men were brought to Perth and although the member for Geraldton is the Premier, they did not find their way to his office; some men do not like bothering him. I met them in the street. They were homeless and friendless awaiting a decision in their case. They were married men with families in Geraldton, and did not know what was going to happen. Their insurance was effected through the State Insurance Office. I approached Mr. Williams and he, without hesitation, took me to the manager and that night those men, through Mr. Williams' intervention, returned to their homes in Geraldton. I do not know whether that sort of thing still goes on. I want to give thanks to Mr. Williams for his assistance in that case.

Altogether too much delay occurs in cases which are genuine, and where everything is correct regarding the certificates of the doctor and the foreman, but too often I am approached by wives whose husbands are in hospital. The men are all right; they get three meals a day and a bed; but no compensation money is available for the maintenance of their families. The storekeeper begins to look with a certain amount of suspicion on a woman who, week after week, comes along and states, "No compensation money has come along." Only last week I had occasion to make representations at the State Insurance Office. The man concerned was a casual employee of the Railway Department. The officer's report was that everything was right at his end. I was told, "Approval has been sent to the Railway Department and if there is any delay it is in that department." I hope the Chief Secretary will bring these remarks under the notice of the responsible Minister so that payments will be expedited where no question arises as to the applicant not being entitled to them. I hope some member, at the appropriate time, will move that this measure be referred to a select committee.

On motion by Hon. H. Seddon, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—GOVERNMENT STOCK SALEYARDS.

Recommittal.

On motion by Hon. G. B. Wood, Bill recommitted for the purpose of considering a proposed new clause.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

New clause:

Hon. G. B. WOOD: I move—

That the following be inserted to stand as Clause 10:—

(1) The Governor may by regulation prohibit the sale of stock, or of any specified kind of stock, within the metropolitan abattoirs dis-

trict or the goldfields abattoirs district, as from time to time constituted under and for the purposes of the Abattoirs Act, 1909-31, in any saleyard other than a saleyard to which this Act applies, for any period specified in such regulation.

(2) Any person who, within the metropolitan abattoirs district or the goldfields abattoirs district aforesaid, sells any stock in any saleyard other than in a saleyard to which this Act applies in contravention of any such regulation shall be guilty of an offence against this Act.

Clause 10, which was deleted by the Committee, provided for the prohibition to be made by Order in Council. The new clause is substantially the same, except that it provides for prohibition by regulation. The principal objection was raised by Mr. Baxter, who contended that the Governor-in-Council should make the prohibition. I agree that the Government should have power to prohibit the setting up of other saleyards. A considerable amount of money has been spent on the Midland Junction saleyards, where the Government has had a monopoly for about 30 years. The question of the Subiaco saleyards was introduced, but there is no need for fear that operations there will be hampered.

Hon. L. Craig: On what authority do you say that?

Hon. G. B. WOOD: There has been no interference in the past, and the Government must be empowered to do certain things. Without the new clause, the Government might not have the right to charge fees, though of this I am not certain.

The CHIEF SECRETARY: There seemed to be a fear that, under the original clause, something might be done to interfere with the present system regarding the sale of stock. I assured members that the Government had no intention of interfering with existing methods. Apparently members were not prepared to accept that assurance, fearing that a future Government might not be prepared to honour the undertaking. Although the point was not definitely expressed, some members feared there would be interference with the Subiaco saleyards. There is no intention on the part of the Government to interfere. Perhaps the strongest argument used against the clause was that we desired to prohibit the sale of stock by Order in Council. It was said that this Chamber would have no chance to deal with an Order in Council, whereas it would be able to express approval or otherwise if prohibition was enforced by regulation. Mr. Wood has endeavoured to meet that position. In view of the previous decision of the Committee, I shall not object to the new clause. I would like members to realise that the Government has spent considerable sums on the saleyards attached to the abattoirs in the metropolitan district, and as additional money is to be spent, all of which is largely in the interests not only of the producers but also of those who use the saleyards, such as agents and stock firms, it is only reasonable that there should be some form of protection if the need for it arose.

Hon. C. F. BAXTER: We are here to place sound measures on the statute-book, not to accept assurances which, though they might indicate the intentions of the present Government, would not be binding on a future Government. I thought that provision along the lines of the new clause could best be made in Clause 8. I wish to protect the position regarding store stock. Very little stock bought at Subiaco is taken to the Government saleyards; that is a dairy-stock centre. I move—

That the new clause be amended by adding the following:—

(3) This section shall not apply to the sale of dairy cattle, store stock or horses.

Thus the Government abattoirs and the finances will not be affected, but protection will be afforded in the matter of store stock.

Hon. G. B. WOOD: I favour the part of the amendment relating to dairy cattle and horses, but not the inclusion of the words "store stock." Who is to say what are store stock? Some 10,000 to 12,000 sheep are sent to Midland Junction each week and I defy any person to say whether they are fat sheep or store sheep. Thousands of sheep are sold which may be neither one nor the other.

Hon. C. F. Baxter: The amendment will not interfere with that position.

Hon. G. B. WOOD: It might do so. Some person might establish a yard under the pretence of selling store sheep. I move—

That the amendment be amended by striking out the words "store stock."

Hon. C. F. BAXTER: I have no objection to the deletion of "store stock."

Amendment on amendment put and passed.

Amendment, as amended, put and passed.

New clause, as amended, agreed to.

Bill again reported with a further amendment.

BILL—DISTRESS FOR RENT ABOLITION ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th September.

HON. W. R. HALL (North-East) [7.48]: Like Mr. Wood, I think the 14 days' notice provided in the Bill is too long. On the other hand, I regard the two days' notice specified in the parent Act as too short. The housing problem in the metropolitan area is acute at the present time. People drifting to the city are finding it difficult to secure houses to rent. The landlord naturally desires to get the highest rent he can for his property, although I do not think he would be unreasonable with respect to the notice which this Bill proposes shall be given to tenants who are in arrear with their rent. The two days' notice provided in the parent Act places the tenant in an invidious position. During the course of the debate this evening on the Workers' Compensation Act Amendment Bill, instances were quoted of the payment of money being held up in cases of sickness and accident. That is undesirable. It is just as undesirable that a tenant who is in arrear with his rent should be given only two days' notice to vacate the premises. I support the Bill, although I think the period of 14 days should be reduced to seven days.

HON. J. J. HOLMES (North) [7.50]: I am of the opinion that the existing legislation is sufficient to meet the case. As a youth, I was told that fools build houses and wise men live in them. I disregarded that advice and the Honorary Minister will bear me out when I say that my first investment was in cottages and proved a failure. The principal Act provides that if rent is in arrear for a week the landlord may give two days' notice to the tenant terminating the tenancy. We have abolished distress for rent, whereby furniture and effects could be seized and sold, and we have placed the landlord on the same plane as the butcher, the baker and the grocer who supply goods to the tenant. The difference, however, is this: The butcher and the baker, who supply goods, can sue for their money in the local court. The landlord is now in the same position, but what happens to his asset during the intervening period of a week when the rent is in arrear? What is likely to happen to small cottages? I know from experience that the tenants pull up the floors, break the windows and do other damage. When Mr. Heenan introduced the legislation which it is now proposed we shall amend, he engineered it through this House on the promise that the landlord could get rid of the tenant at two days' notice. That having been made law, he now wants the tenant to get another 14 days, making 21 in all, before the landlord can attempt to eject him.

The position today is bad enough. People will not, if they have commonsense, build houses. The only house a man ought to own is the house that he lives in and can look after. Mr. W. R. Hall referred to the increase of rent, but it is impossible for the landlord to obtain an increase. If he has a good tenant, the landlord is not likely to turn him out to put another tenant in. He will hang on to the good tenant he has. Two days' notice to terminate a tenancy is, in my opinion, sufficient. It does not follow that the tenancy will be terminated at the end of two days. The trouble only begins then. How is the tenant to be ejected? I am for ever grateful to the Honorary Minister who, with his perennial smile, persuaded a lady to vacate a property belonging to me. The position of the landlord is bad enough. He has to pay the rates and taxes, irrespective of whether the tenant pays the rent. I would like to take Mr. Heenan back to the time when he dealt with this legislation before. His proposal then was to terminate a tenancy on two days' notice? He ought to be satisfied with the present provision for two days' notice. I oppose the second reading.

HON. C. F. BAXTER (East) [7.55]: One would think, by the different Bills of this type that have from time to time been brought forward from the same source, that we were dealing with rapacious people. As a matter of fact, a great number of our so-called landlords today are people well on in years who saved a little money in the past and invested it in houses in order to secure an income on which to exist. Surely, the position has been made hard enough for them already, without the further imposition which this Bill proposes to inflict upon them. The two days' notice already provided by the Act may, in practice, extend over two months. If the tenant vacates the premises

voluntarily, that is all right; but let a landlord try to eject a tenant and see what happens. If the tenant does not quit of his own free will, it becomes necessary for the landlord to apply for an ejectment order either in the police court, which can grant an ejectment order, or in the local court, which can grant both an ejectment order and a judgment for rent due. It is usual, however, to make the application in the police court. Such proceedings take about a week or 10 days, so that the tenant has nearly three weeks in which to vacate the premises, because he must be in arrears for seven days and receive two days' notice before proceedings may be taken. Frequently, the court proceedings occupy some considerable time. On the figures I have given, the tenant would have about a month in which to quit. It is competent for a magistrate—and cases of this kind have repeatedly occurred—to grant the tenant a period of two or three weeks in which to give up possession. Members will thus realise that a period of six or seven weeks may elapse before the landlord regains possession and in the meantime he is, of course, losing his rent During that period, as Mr. Holmes has pointed out, floors may disappear and windows be broken.

Hon. G. B. Wood: Cannot the landlord take proceedings after the first week that the rent is in arrear?

Hon. C. F. BAXTER: Yes. The point is that very few landlords start to push the tenant after one week; the tenant is usually a fortnight or three weeks in arrear before the landlord takes proceedings. Another point to be considered is the expense to which the landlord is put. He has either to appear in court himself, which very few landlords will do, or engage a solicitor. That expense must be added to the rent which he loses, because while the court will give an order for rent due, how can the landlord collect it, the tenant being already in arrear? What earthly chance has the tenant to pay after he has left the house? The amendment embodied in the Bill is unfair. It consists of only two words, but these are dangerous words. We ought to protect people whose incomes are dwindling away. This Bill seems to be designed to protect those who do not want to pay. I say without any hesitation whatever that this is not the first Bill of this nature that we have had put before us lately. I know its purpose, which is not good for the community in general. I shall be astonished if this House does not reject the Bill by a large majority. It is one that should not be tolerated.

HON. G. FRASER (West) [8.1]: I intend to support the measure. As Mr. Baxter said, it provides only for the alteration of two words. I think that any man who studies the question will realise that the Act is unfair.

Hon. C. F. Baxter: We should never have passed it.

Hon. G. FRASER: We should never have passed the amendment moved in this Chamber to provide for two days' notice. Without casting any reflection on the House, that was the most ridiculous amendment I have ever known to be carried. Mr. Baxter himself has said that three weeks to a month are required, so what is the use of having "two days" in the Act to accomplish something that takes twice as many weeks to accomplish? I have had to deal with many cases under this Act, and I have seen how this provision for two days' notice operates, and the damage that has been done to the health of quite a number of women in consequence. I have known people—whether they were bad or good tenants is not of immediate concern—who were unfortunate enough to miss paying their rent and were served with two days' notice to quit. Failure to observe the notice would have rendered them liable to be dragged before the court. That is the procedure. I am acquainted with several instances in which women were due to enter a maternity hospital on the day they were supposed to vacate their houses. To be faced with such an eventuality at such a period is not for the good of women in such a condition. These people may have been bad tenants. I was not concerned with that phase of the matter, but I was perturbed about the ability of landlords to place people in a very unfortunate position.

Most of the debate on this subject has centred in the belief that every one served with such a notice is a bad tenant. According to the remarks of hon. members there are no bad landlords. No landlords, apparently, have ever taken advantage of this provision for two days' notice! They would not do that! Notwithstanding what has been said, I know of instances in which landlords have taken advantage of it against good tenants. I heard of a case just prior to the

last Christmas vacation. A landlord announced his intention to sell his property and, in the circumstances, the tenant moved into other premises. The sale did not take place and after the house had been vacant for a week or two the landlord went to the former tenant and begged and prayed him to return. The tenant, who had lived in the house for some years, did as the landlord asked, at inconvenience and cost to himself. After about another month the owner sold the property. The new owner did not call the first week the rent was due, and—although it had been customary for the rent to be paid to an agent who called—the day following that on which the payment was due to the new landlord, notice was served on the tenant to quit within two days. As I have said, it was at the Christmas period. Moreover, the average good tenant is afraid of court proceedings. The people to whom I am referring, in order to avoid being taken to court because of seven days' arrears of rent, packed their goods into a storage house and put up a tent at Preston Point in which they lived for six or eight weeks while looking for another house.

That is the sort of thing a landlord can do under the Act, but to date members have all leaned one way. As the Act stands it is possible and quite common for a landlord, even though the tenant has always paid his rent, to refrain from calling for the amount on one occasion and the following day to serve the occupier with two days' notice. Are we going to allow that to continue? There are bad landlords just as there are bad tenants, and the only fair procedure is to permit the alteration from two days to 14 days as suggested in the Bill. I hold no brief for persons who would defraud a landlord, but ample protection should be afforded genuine tenants, and that protection is not given by the provision for only two days' notice. Admittedly in most cases in which I have been asked to act I have been able to persuade landlords to make satisfactory arrangements with regard to people who have been asked to vacate premises, but they could easily have refused my request, because they had the power under the Act. Surely members do not want to perpetuate that sort of thing! There should be an alteration of the period from two days, which is absolutely ridiculous, to either seven or 14 days. I support the second reading.

HON. SIR HAL COLEBATCH (Metropolitan) [8.6]: The trouble with legislation of this kind is that there are so many bad landlords and so many bad tenants and it is impossible to frame legislation that will protect the good landlord and the good tenant without opening the door to abuses by the bad landlord and the bad tenant. When I first read the Bill I was inclined to support it, but that was because I was not familiar with the Act as it was passed in 1936. Having read the Act, however, I can see no real occasion for the Bill. It does not say that at the end of two days the landlord can evict the tenant from the house. The position is that he gives notice and at the end of the period he is entitled to go to court. It seems to me that two days' notice is sufficient. I can see nothing in the Act that is likely to prejudice a good tenant, but I can see the possibility of the Bill, certainly if it is passed in its present form which provides for 14 days' notice, very easily prejudicing the proper rights of the good landlord. For that reason I oppose the Bill.

HON. W. J. MANN (South-West) [8.8]: If this measure provided for some surer and better means of ejectment of dishonest tenants, I would appreciate it a good deal more. Sir Hal Colebatch said that there were many bad landlords and many bad tenants. I quite agree. There are some landlords who are despicable. I have heard of one or two and it is the actions of that sort of person that incline me to support the second reading of the Bill, although I do not feel willing to agree to the provision of 14 days' notice.

Within the last year or two I have come in contact with a few instances and I know of hardship that has been caused on both sides. Many landlords do not bother about making inquiries concerning the type of people renting their houses. So long as they can get a tenant who will pay the rent they think the building is worth, they take a risk. I suppose there is a good deal of risk in letting property. If landlords are prepared to take the risk, I think we need not be careful about such a thing as undue or summary

ejectment, which is what two days' notice amounts to. I realise there may be cases in which persons have fallen in arrear for a week and the landlord sees an opportunity to get some other tenant and consequently gives the two days' notice provided under the Act. The tenants may be perfectly good, but the fact that they have fallen in arrear for only one week does not count very much. In view of the difficulty in obtaining cottages these days such people would be very seriously inconvenienced. I do not think that to provide for a week's notice is asking too much.

At the same time the law needs to be considerably tightened up regarding damage done by tenants. I know of a case that occurred in the metropolitan area last year in which a man and his wife, who appeared to be very good tenants, took over a house. They paid the rent regularly and then quarrelled with the landlord, and without giving him any notice left the property. It was vacant for three or four days, and when the landlord found it was empty and went to inspect it he discovered that the brass doorknobs had been removed, electric light fittings and the copper had been taken, some flooring had been pulled off the back verandah and quite a lot of minor damage had been done. He set about making inquiries as to whether he could trace the tenant and sue him for damages, but he was advised that it would be difficult for him to prove that the damage had been done by the tenant because the building had been vacant for two or three days. It was suggested that some person might have gone in and caused the damage to the property. Members will thus see difficulties that can arise and it seems to me that there is room for a provision for the protection of a landlord's assets.

Hon. G. B. Wood: What about making the tenant responsible?

Hon. W. J. MANN: I have not thought of a way, but there should be ways and means of making a tenant liable to a greater degree than is possible now for any damage done. I intend to support the Bill but I do not propose to agree to the provision for 14 days' notice, because I consider it too long a period.

HON. H. V. PIESSE (South-East) [8.14]: I do not intend to support the amendment making the period 14 days. Seven days are quite sufficient. I remember that when this legislation was passed the late Hon. John Nicholson who was not present on the night the measure was discussed, said to me, "You have let yourself and others in for a tremendous amount of trouble. That is because of the fact that where three months' rent was due, under the Bankruptcy Act the landlord always had a preference, which became a first preference, but as soon as the House passed the measure his preference was pushed aside and he became a common creditor with all other creditors." I know that, as a trustee of two different estates I have lost £75 as a result of this particular legislation having been passed.

Hon. G. B. Wood: Why should the landlord have that preference?

Hon. H. V. PIESSE: Because he is in a position to treat the tenant much better than anyone else. He should receive his rent in advance and, taking everything into consideration, should not be classed with ordinary creditors with respect to his claim.

Hon. G. B. Wood: The butcher and the baker do not get paid in advance.

Hon. H. V. PIESSE: That is quite so. But then again we must remember the damage that is so often done to house property by tenants. I realise that the interests of landlords are often protected by good tenants who improve the houses they occupy. On the other hand, I had one experience in Katanning of a woman who ran into debt to the extent of £100—it may be said that I had no right to allow that to occur, which is another question—and when she was required to vacate the premises, it cost nearly £60 to put the place in order. In that instance the woman paid a deposit the next week and bought a house on terms! Landlords have no recourse against tenants in such circumsaances. It has been truly said that wise men live in houses and fools build them. I think that is right, and when the Bill is considered in Committee I shall support the provision for seven days' notice.

Hon. G. Fraser: You allowed the woman to run up a debt of £100 when the Act provided for two days' notice!

HON. E. H. H. HALL (Central) [8.16]: I shall support the second reading of the Bill. In this Chamber and in the Press, we have heard and read a lot about a new order to be established throughout the world. No legislation can be framed to deal with the exception; it can deal only with the general

average. The majority of landlords are decent people and that applies equally to the majority of tenants. When we have to consider the question of 14 days' notice or seven days' notice or even two days' notice, I am influenced by the fact that many workers, including Government employees, are paid fortnightly. In those circumstances how can we consider notice for two days or even seven days? How on earth can a woman pay her rent up to date if she receives her husband's wages only every 14 days?

Hon. L. Craig: Could not she keep some money in a box?

Hon. G. Fraser: Not with present-day wages.

Hon. E. H. H. HALL: In reply to Mr. Craig's murmured interjection, I do not claim any greater knowledge of the financial position of the workers than is possessed by others. Sometimes I think I have, in common with members like Mr. Fraser, some appreciation of the position of people in receipt of the basic wage. If others were in more close contact with that section of the community, we would not hear the sentiments so often expressed in this Chamber. Some members talk and think as they do because they do not know. I know, as others do, that there are instances of extravagance. On the other hand, I have in mind the remark made to me by the head of a Government department when he visited Geraldton to witness the opening of a splendid institution that has been provided by a certain religious organisation at a cost of £30,000 to care for the aged and infirm and, when circumstances permit, to deal with children who will be brought out from the Old Country. That Government officer is a family man and he said, "How on earth people in receipt of the basic wage make ends meet and do a fair thing by their children I do not know." Perhaps the House will excuse me if I mention that my wife, who is a Scot, often passes similar remarks to me. I appeal to the House to be a little lenient. At times we have done a little, but we want to do much more in the interests of the bottom dog. All this talk about a new order is useless unless we are prepared to practise what we preach. If we are anxious to do that, we will grant the provision for 14 days' notice.

Hon. G. Fraser: We look to that section of the community to save us in a crisis.

Hon. E. H. H. HALL: We do. Do not let the charge be laid at the door of this Chamber that we have been party to throwing people out on the street. Mr. Fraser cited an instance that reminds us that the interests of these people must not be overlooked. Do not let us take the risk of women being placed in the position to which Mr. Fraser referred, harrassed and worried by exceptionally unconscionable landlords. I appeal to the House to agree to the provision for 14 days' notice. I am aware of the troubles confronting landlords. I know of one instance of a landlord who is respected by everyone who knows him. He refused to allow the prospective tenant, despite the fact that he had an assured position, to occupy one of his houses. That landlord exercised his judgment and would not take the risk of an undesirable tenant occupying the house. No doubt care should be exercised along those lines.

The statement has been made that in the metropolitan area at present there is a considerable house shortage. The same situation arises in Geraldton where, owing to certain developments in connection with defence matters which I shall not emphasise, housing accommodation is at a premium. People are living under conditions that should not be permitted. The health authorities, recognising the cause, have taken the matter in hand and efforts are being made to overcome the difficulty. I appeal to the Government, which has already done quite a lot in providing homes for the people, still further to increase the capital of the Workers' Homes Board so that additional activities may be undertaken by that body. Frequently the opinion has been expressed that the building of houses is a fool's game. It is no fool's game for a Government here or anywhere else. Let the Government provide more homes for the people, and let it make the position of the primary producers more comfortable.

The PRESIDENT: Order! I must ask the hon. member to connect his remarks directly with the Bill, which deals with the abolition of distress for rent.

Hon. E. H. H. HALL: I certainly shall, Mr. President, if you give me time.

The PRESIDENT: I want the hon. member to do so straight away, and not to drift far away from the issue.

Hon. E. H. H. HALL: I shall, Mr. President, if you give me time; if you will not do so, I shall sit down. In conclusion, I emphasise the point that if private enterprise cannot meet the difficulties confronting us today, it becomes more and more incumbent upon the Government to do so. I support the second reading of the Bill.

HON. H. SEDDON (North-East) [8.25]: Mr. Fraser would appear to be very unfortunate in the landlords he has in his district. I have had considerable experience in the letting of houses and I agree with Mr. Holmes that it is not the good tenant that requires protection. If a landlord has a good tenant he hangs on to him. Under the existing legislation the position is amply secured. Unfortunately there are some people who deliberately take advantage of every means at their disposal to evade their obligations. There are landlords who extend every consideration to their tenants who are in difficulties.

Hon. C. B. Williams: I will terminate my tenancy if you can put me on to one of those landlords.

Hon. H. SEDDON: There are some tenants who know every point in the game. They try every expedient to the very limit until at last the landlord is compelled to secure legal assistance and the tenant is given every opportunity to secure a new place. Very often the landlord finds himself left lamenting when that time comes. The argument advanced by Mr. Heenan when this legislation was previously before the House to the effect that two days' notice should be given after the tenant had been in arrear for a week was quite good and assisted in securing the passage of the parent Act. For my part, I can see no sound argument in favour of granting 14 days' notice in view of the fact that action is not taken against the tenant until every other means of securing payment has been exhausted. If a tenant is faced with hard times, the experience of most of us is that he is given every consideration and latitude.

Hon. G. Fraser: The principal trouble arises when the property is sold.

Hon. H. SEDDON: Even in those instances generally the tenant is given every opportunity to make satisfactory arrangements and, in some instances, has been compensated for short notice where the person purchasing the property desires to live in it.

Hon. G. Fraser: The legislation has in view the bad purchaser who takes advantage of every loophole.

Hon. H. SEDDON: I can only speak of my own experiences which serve to indicate that every consideration is given to outgoing tenants. The difficulty arises with regard to those who deliberately impose on landlords and cause all the trouble. They are the persons who will take advantage of the amendment embodied in the Bill. In my view the Act as it stands is satisfactory.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.28]: I support the Bill, the object of which is to protect the good tenant who may suffer from the actions of a harsh landlord. If the landlord is unfortunate enough to have tenants such as those to whom Mr. Holmes referred, he has a difficult task ahead of him in which neither the Act nor this amending Bill will be of much assistance. It must be remembered that there are many instances such as the one referred to by Mr. Fraser. Then there are those in which the landlord may be all right but may employ a rather tough agent to collect the rents. The agent, being out for business, does the best he can for his principal. Then again, it may be that the tenant has paid regularly but owing to a crisis in his family life falls upon evil days. For instance, there may be sickness in the home. Perhaps his wife may have to look after a daughter whose husband may be at the front.

Hon. C. F. Baxter: This legislation will not interfere with that position.

The HONORARY MINISTER: In such a case, the mother may come to the rescue with the result that her husband may be temporarily financially embarrassed, and the hard agent or the tough landlord puts on the screw. Fourteen days is a fair thing, and seeing that there is an acute shortage of houses, I consider the House should pass the Bill as it stands.

HON. E. M. HEENAN (North-East—in reply) [8.31]: I have listened to the various speeches with much interest; in some cases with gratification and in others with surprise. I say advisedly that this is a measure warranting every member's sympathetic consideration and support. Before proceeding further I desire to correct a mis-statement made by Mr. Holmes, when

he inferred that the two days' notice was inserted in the Act at my suggestion or with my consent. Such was not the case at all. That Bill was brought in for one purpose, and one purpose only—to abolish distress for rent. Hon. members accepted that principle, and I think the House will agree that during the four years the Act has been in operation no hardship has been imposed on anyone as a result of distress being abolished. The argument referring to two days' notice was something quite extraneous as the Bill stood at the time. It was a sort of compromise, but it was the silliest and most unwise amendment that could have been introduced.

Hon. C. F. Baxter: You should not use the word "silly" as regards any action of the House.

Hon. J. J. Holmes: Did you say I quoted you wrongly?

Hon. E. M. HEENAN: Yes.

Hon. J. J. Holmes: Then I wish you would refer to "Hansard" of that session, page 2589.

Hon. E. M. HEENAN: If I made a mistake, I am sorry; I have not time to refer to "Hansard" now. The amendment in question was moved by Mr. Parker; and if I did show some agreement with it, it was in the manner of clutching at a straw to save the Bill. The present Bill seeks to remove the period of two days' notice, and to substitute 14 days. That, I submit, is quite reasonable. In addressing my remarks to the House, I have in mind the reasonable landlord and the reasonable tenant. It is a great pity that an obstacle we meet with in all our efforts to improve the lot of our fellowmen is a certain section who will not abide by what is fair. That, of course, makes the position extremely difficult for the large majority who, I believe most of us will agree, are honest and fair. I have in mind a decent tenant who owing to some misfortune or other is unable to pay his rent. He should pay it week by week; but many people for genuine reasons find themselves in circumstances that compel them to get a week behind with their rent.

As the law stands at present, we have a statute referring to increases of rent which was passed because of the situation that has arisen as a result of the war. That is a highly important Act. But distress for rent defeats the purpose of that Act altogether. I have in mind a person who through bad luck gets behind a week with his rent. This is what happens then: His tenancy of the house is finished altogether by a notice. If he is a week behind with his rent, the landlord can give him two days' notice in writing determining the tenancy. The landlord writes to the tenant, "You are a week behind with your rent, and I give you two days notice that your tenancy is determined." It is too late then for the tenant to come along and pay the rent. Suppose the landlord wants to defeat Parliament's intention as expressed in war-time legislation; he need only give the tenant the two days' notice, whereupon the court has no alternative but to order the tenant to vacate the premises. After the two days' notice, the landlord need not go to the court at all but can kick the tenant out himself.

Hon. J. Cornell: If he is big enough!

Hon. E. M. HEENAN: He can employ a private bailiff, or if he has a couple of big sons he can have the tenant kicked out. He need not go to the court at all in those circumstances. Fortunately such cases, of course, do not occur. We had a clerk of courts in Kalgoorlie, a Mr. Blockley, who was a very fine officer, respected and admired by everyone who came in contact with him; and he has said to me repeatedly that this is a terrible provision. Undoubtedly it is; and the danger of it lies in the fact that the unscrupulous landlord can make use of it if he has a tenant whom he wants to get out of the house. This amendment is a very good means of doing it. He can even lure the tenant into missing payment of rent for a week, and he can then by notice determine the tenancy, and out the tenant and his family go. All the protection of war legislation is cast aside.

I trust I am not adopting a biassed attitude towards the Bill. I really consider it has much merit. It is a pity that a man like Mr. Baxter used the arguments he advanced, because they do not help us in arriving at the real merits of the case. The hon. member said it would take two or three months to get a tenant out. "Two days means two months" are his own words.

Hon. J. J. Holmes: You yourself quoted cases which you said had never existed. Those were your own words.

Hon. E. M. HEENAN: I do know of cases where this provision has been availed of. Then, after the two days had expired, the landlord could go into court on the third day and obtain an order calling upon the tenant to vacate the premises. I say advisedly to hon. members and in particular to Mr. Baxter that after the two days, on the very next day, the landlord can issue a summons in the police court and get before the court provided the summons had been served for a clear 24 hours. Thus the landlord could get before the court in two or three days. Thereupon the court simply orders the tenant to vacate, in default of which he is liable to imprisonment.

Hon. C. F. Baxter: Do you know of any such case?

Hon. E. M. HEENAN: Yes. I know of a very bad case of the kind in Norseman.

Hon. C. F. Baxter: A case before a justice of the peace, I suppose?

Hon. E. M. HEENAN: Yes.

Hon. C. F. Baxter: Not a magistrate, I guarantee!

Hon. E. M. HEENAN: The merits of the Bill have been argued fully. Mr. E. H. H. Hall advanced an excellent argument when he mentioned that many workers are paid fortnightly. Metropolitan members know better than I do how acute the housing shortage is here, and how difficult it would be for people to secure premises even after receiving 14 days' notice. It has been suggested that the period of 14 days be reduced to seven. I hope the majority of members will not agree to that. In my opinion 14 days would be a fair thing for the average tenant and the average landlord.

I call to mind a quotation Mr. Holmes is fond of using when legislation like this is before the House, that fools build houses for wise people to live in. I would like the hon. member to come up to Kalgoorlie and meet some of those fools. There are about a dozen men in Kalgoorlie who have built houses for other people to live in; and if those men are fools, they have nevertheless learnt the knack of making money. However, we wish to consider the Bill on its merits.

Hon. J. J. Holmes: Fourteen days means 21 days. Be honest about it!

Hon. E. M. HEENAN: I do not see that, but I will admit that there is something in what Mr. Holmes says regarding the 21 days. A tenant has to be seven days in arrear before the notice can be given.

Hon. J. J. Holmes: Fourteen days' notice.

Hon. E M. HEENAN: We are suggesting that the period should be 14 days.

Hon. J. J. Holmes: After the seven days?

Hon. E. M. HEENAN: Yes.

Hon. C. B. Williams: The tenant has to be out by that time. He may be out on the ninth day.

Hon. E. M. HEENAN: These things do not alter the fact that the tenant gets only 14 days' notice. I am sure that here in Perth are many people who from time to time get a week behind with their rent. The father may meet with an accident, or lose his employment, or there may be sickness in the family. I was a member of a large family, and I know from my own experience how in those circumstances it is easy to get behind with the rent. If the tenancy can be determined and the people have to be out within 14 days, it is only a fair thing.

Question put and passed.

Bill read a second time.

In Committee.

Hon. V. Hamersley in the Chair; Hon. E. M. Heenan in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 6 of the principal Act:

Hon. G. B. WOOD: I move an amendment—

That in line 3 the word "fourteen" be struck out and the word "seven" inserted in lieu.

Hon. G. FRASER: I hope the Committee will not accept the amendment. Protection is required for the tenant who has been taken advantage of by the bad landlord who fails to call in the usual manner for his rent when it is due, and then serves notice requiring that tenant to quit within two days. At present it is impossible for anybody in the metropolitan area to obtain other premises within two days. The good tenant who wishes to abide by the law is unable to move. He can then be dragged into the courts although he may, for 15 years, have paid his rent.

Hon. G. B. Wood: That is not likely. He would be a funny landlord indeed to treat in that manner a man who has paid his rent for 15 years.

Hon. G. FRASER: It may not always be the landlord to whom he paid the rent. There is a considerable sale of property. New landlords purchase premises. They take advantage of this Act with its provision for two days' notice to quit. Agents have friends for whom they are seeking premises, and some agents take full advantage of every loophole, irrespective of whether the tenant is good or bad. A reasonable time should be given to a reasonable tenant and 14 days is only a reasonable time.

Hon. J. CORNELL: I have listened to every argument advanced dealing with extremes. Nobody legislates for extreme cases. The average man meeting his responsibilities can see, at the end of seven days, that he cannot pay his rent but there is a possibility of paying it in the next seven days. On the other hand, in order to save time, he will say, "I will get out" and that will be the end of it. Seven days is a reasonable time for a reasonable man in reasonable conditions. We should not attempt to meet other than reasonable cases.

Hon. J. A. DIMMITT: The average person is decent. This legislation is framed for the decent person. Whilst 14 days is too great an advantage for a bad tenant, two days is definitely too great an advantage for a bad landlord. The spirit of compromise should prevail and seven days should meet the situation very well. It will not be unreasonable for a landlord and it will give the tenant an opportunity to make fresh arrangements. I support the amendment.

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

Title—agreed to.

Bill reported with an amendment.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

In Committee.

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

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.0] in moving the second reading said: The proposals in this Bill are the outcome of suggestions advanced by the various local authorities throughout the State and the Traffic Department, the most important of which is one providing for a 25 per cent. reduction in the licence fees payable on all petrol driven vehicles as from the 1st January, 1942. Members are aware that an agitation has been going on for months past for some reduction in licence fees, and that the direct cause of this agitation is the drastic petrol rationing which has been deemed necessary by the Commonwealth Government in the national interest.

The following figures supplied by the Liquid Fuel Control Board give an indication of the reduction which has been made in the use of petrol for the various motor vehicles:—

Class of Vehicle	Reduction
Private motor cycles	90%
Private cars	75%
Drive yourself cars	75%
Cars and motor cycles used partly for business purposes	40%
Cars and motor cycles used wholly for business purposes	36%
Primary producers' trucks	15%
Other trucks	40%
Omnibuses	Nil

Thus it will be seen that the restrictions imposed on petrol-driven vehicles in the use of fuel are indeed drastic. On that account representations have been made to the Government that licence fees be reduced. During the past few months the Royal Automobile Club, the Chamber of Commerce, the Chamber of Manufactures, the Chamber of Automotive Industries, the Pastoralists' Association and many other organisations representing various sections of the community have urged some reduction. The following is a summary of the points which they raised in support of their request:—

(a) Petrol rationing had greatly restricted the use of the roads by the motoring public, who felt justified in requesting that some reduction be allowed in their motoring costs.

(b) On the representations made by the Automobile Club, a 10 per cent. reduction in insurance premiums had been allowed by insurance companies, and it was considered that some concession in respect to license fees was justifiable.

(c) A 25 per cent. reduction in license fees had been announced by the South Australian Government, and Western Australian motorists felt fully justified in requesting similar consideration.

(d) Many drivers and owners were, apart from using their vehicles less out of a sense of patriotic duty, forced by stringent petrol restrictions to reduce their mileage to less than half, and in a considerable number of cases some motorists were not doing anything near 25 per cent. of their usual mileage.

(e) Rationing of petrol would naturally reduce the total amount of revenue received by the Main Roads Department from petrol taxation through the Federal Aids Road Agreement, and it was contended that local authorities should therefore be prepared to accept similar reductions as their share of traffic fees collected in the State. It was also submitted that less revenue would mean less construction of new roads during the war period, and consequently a lower total annual expenditure on roads.

(f) Whilst the difficulties which reduction of fees might raise in this direction for local authorities could be foreseen, the organisations failed to appreciate why motorists should be called upon to bear, in effect, a burden which should be borne by the whole of the ratepayers concerned.

(g) Owners of cars should be encouraged to keep their cars licensed so as to avoid loss of revenue caused by widespread delicensing, for such loss was likely to be much heavier than would result from a reasonable reduction in license fees.

(h) Encouragement should be given to motorists to keep vehicles licensed lest they be needed in an extreme national emergency. Obviously, if vehicles were delicensed and not maintained in running order, the country might be faced, in an hour of crisis, with transport difficulties of its own making.

This is a fair summary of the case put forward by the various organisations I have mentioned. It was obvious that the revenues of local authorities would suffer as a result of any reduction in license fees; therefore in an endeavour to ascertain their views on the matter, a conference representative of all local authorities was called by the Minister for Works. The conference after investigating the matter fully, decided that members present should report back to those they represented, and in the subsequent correspondence between the local authorities and the department, it was found that the opinions of the boards ranged in favour of a 10 per cent. to a 50 per cent. reduction. This shows the varied opinions of the local authorities who would be mainly affected by the loss of revenue through a reduction of license fees. In some instances no reduction was advocated, but the boards that took this view were few as compared with the large number of local authorities affected.

It was pointed out that the cost of road maintenance would not be appreciably reduced owing to reduced use by motorists, and the explanation was advanced that expenses in connection with roads embraced fixed salaries, interest on loans, sinking funds on loans, depreciation of plant, and road deterioration due to time and weather, and, in a minor degree, to the wear of traffic. It was further explained that whilst a motorist could immediately relieve himself of practically all his expenses by placing his motor vehicle on blocks, such a course was not possible in connection with the roads

In reply to the suggestion that local authorities should increase their general rates to a reasonable extent to assist in meeting urgent road requirements, some of the boards contended that their ratepayers could not stand any higher rating under existing economic conditions. The annual accounts of road boards, however, show that very few boards are rating on the maximum basis, and that in many instances the general rates are extremely low.

In dealing with this subject consideration should be given to the fact that the major portion of the money expended on the road system in Western Australia is derived from portion of the petrol tax collected by the Federal Government and made available to the State Government for purposes of maintaining and constructing roads, and, to a small extent, for works other than roads connected with transport. Last year the amount received was £651,448, but it is obvious that the amount for 1941-1942 will be substantially below that figure.

Hon. H. Tuckey: That was for main roads?

The CHIEF SECRETARY: Yes. With the great reduction in the use of petrol, there will be a substantial reduction in the amount of tax that will be collected by the Commonwealth Government and a consequent reduction in the amount to be distributed to the States.

Let me now quote figures indicating local revenue and traffic fees relating to all road boards for the year ended the 30th June, 1940. They indicate the very great part that traffic fees have played in the financial ad-

ministration of the local authorities throughout the State. The figures are—

Area.	Local Revenue.	Traffic Fees.	Percentage of Traffic Fees to Local Revenue.
	£	£	£
Metropolitan and Eastern Goldfields	59,402	49,475	83·2
Suburban-Midland	70,204	57,101	81·3
Great Southern	31,520	33,950	107·7
Geraldton-Murchison	26,460	26,824	101·3
North-West	8,365	5,560	66·5
South-West	33,671	38,004	113·0
Merredin	29,495	37,173	126·0
Total for State .... (Road Boards)	259,117	248,153	95·7

	£	%
Revenue other than Traffic Fees	259,117	51
Traffic Fees	248,153	49
Total Revenue	£507,270	100%

On these figures, therefore, due regard will of necessity have to be paid to the requirements of local authorities, and after giving proper consideration to the whole position, it is believed that the reduction as proposed in the Bill, namely 25 per cent., is fair and reasonable to all concerned.

The Bill further proposes the granting of a free license for a trailer which is used solely for the purpose of carrying a gas producer unit used in connection with the vehicle which is hauling it. The measure also includes a proposal for disregarding the extra weight of gas producer units and trailers when assessing the license fees. The Act provides that, in assessing the license fee for a vehicle and ascertaining the power weight, such additions as accessories must be taken into account. The added weight of the gas producer power unit and attachments often places the vehicle in a higher classification for licensing purposes, and this proposal, if approved, will be a decided benefit to the owners of vehicles driven by gas producer units.

Provision is made in the Bill for the reduction of the minimum licensing period from six months to three months. The accommodation charge of 2s. 6d. now made for the half-yearly licenses will be reduced to 1s. and this charge will also operate in regard to quarterly licenses.

Hon. H. Tuckey: One shilling per quarter?

The CHIEF SECRETARY: Yes, for each license issued, whether it be quarterly or half-yearly. A motorist taking out four quarterly licenses pays 4s. in addition.

Hon. G. B. Wood: It is not likely that motorists will take out four separate licenses.

The CHIEF SECRETARY: However that may be, it is well for members to realise what the provision means. A motorist taking out two half-yearly licenses pays 5s.—2s. 6d. each.

Hon. H. Tuckey: That would also apply to a monthly license.

The CHIEF SECRETARY: Except that the monthly license is to be taken out in connection with a trailer. The trailer is used only for a short period. A car must be licensed for at least a quarter.

Hon. H. Tuckey: A car could be licensed for the last month of a quarter.

The CHIEF SECRETARY: But in that case a license must be taken out for the quarter. In addition to the benefit conferred on the owners of motor vehicles in being permitted to pay their license fees in instalments, it should be remembered that considerable additional expense is incurred by the licensing authorities in the printing and issue of short-term licenses and windscreen stickers and in additional bookkeeping and auditing. The accommodation charge of 1s. per license will assist to meet these expenses.

In New South Wales, where quarterly licenses are issued, the additional charge is 2½ per cent. on the full annual fee for each quarter's license, equivalent to an additional 10 per cent. on the total annual license fee. That is a big difference when compared with the charges outlined in this Bill.

Hon. H. Tuckey: It is very reasonable.

The CHIEF SECRETARY: Yes. The latest figures from New South Wales show that the percentage of quarterly licenses issued has increased substantially since the introduction of petrol rationing. At the end of June, 1940, a total of 96,147 quarterly licenses had been issued, equivalent to 30 per cent. of the total number of vehicles registered. The number of quarterly licenses taken out in this State on a quarterly basis will doubtless increase, more especially if petrol rationing does not improve.

Another proposal in the Bill enables a license for a trailer used by farmers and others at certain times of the year to be taken out for one, two or three months. A provision which should be of interest is that dealing with the control and regulation of illuminated signs, so as to eliminate con-

fusion and danger in traffic. This provision was requested by the Road Boards Association and others, and was supported by the Traffic Advisory Committee. It is contended that these lights, especially in wet weather, are misleading to drivers of vehicles and are the cause of accidents. Provision has been made by both South Australia in its Road Traffic Act and New South Wales in its Local Government Act and ordinances to regulate these advertisements. Evidence given before the select committee of the House of Lords shows how the matter is viewed in England. The following is an extract from that committee's report:—

A Departmental Committee on traffic signs recommended that there should be greater supervision over advertising signs which may be mistaken for light signals, and that, in addition, it should be made illegal, without the approval of the Highway Authority, to have red or green lights for advertisement purposes in close proximity to the carriageway.

Although perhaps the necessity for the provision in this State is not quite so urgent, still the time may not be far distant when automatic traffic signals will be introduced here, and this provision will then become vital. There are other provisions in the Bill, some of a machinery nature, which may be explained during the Committee stage. I feel sure the House will agree that these amendments are reasonable and highly desirable. Naturally, there may be differences of opinion on some points, but I trust we shall deal with these in a reasonable spirit, because it is essential that our Traffic Act be brought up to date. I move—

That the Bill be now read a second time.

On motion by Hon. H. Tuckey, debate adjourned.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Second Reading.

Debate resumed from the 23rd September.

HON. C. F. BAXTER (East—in reply) [9.23]: On my second attempt to improve the Inspection of Machinery Act I am pleased to note the Government opposition has been withdrawn. The Bill is not worded in exactly the same way as that introduced last session. The amendment by the Chief Secretary appearing on the notice paper I intend to accept, as it will not inflict hardship on people using machinery. The other amendment appearing on the notice paper is to correct an inadvertence.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; Hon. C. F. Baxter in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4:

The CHIEF SECRETARY: I move an amendment—

That at the end of proposed new paragraph (7) the following words be added: "and upon which no labour other than that of the owner is employed."

Hon. C. F. BAXTER: I accept the amendment, which is in conformity with the Act.

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

Clause 3—agreed to.

Clause 4—Amendment of the Second Schedule:

Hon. C. F. BAXTER: When the Bill was drafted the words "and used in any manufacturing" were inadvertently omitted. The error crept into the Act of 1921, which was proclaimed in September, 1922. Since that time passenger lifts have been registered and inspected illegally, as they do not come within the Act. The 1905 Act certainly covered the position. Unfortunately, by an oversight, while goods lifts were included in the later legislation, passenger lifts—the more important—were omitted. I move an amendment—

That in line 2 of Clause 4 before the word "or" the words "and used in any manufacturing" be inserted.

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

Title—agreed to.

Bill reported with amendments.

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

Second Reading.

Debate resumed from the 24th September.

HON. G. FRASER (West) [9.29]: At first glance, this Bill appears rather large, but that is because it comprises the original

superannuation scheme, together with a schedule showing the amendments that it is proposed to make. When one comes to analyse the Bill, the issue involved is indeed small.

Hon. W. J. Mann: What about the amount involved?

Hon. G. FRASER: The amount involved in the scheme generally may be very large, but the proportion affected by the Bill will not be great. Summed up, the main idea of the measure is the provision for pensions for widows. No great benefits are conferred from the point of view of the wages employee, but from the point of view of the salaried officer the position is much better.

Hon. L. B. Bolton: Why not from the wages man's point of view?

Hon. G. FRASER: To my way of thinking it is a compulsory savings scheme, more than a superannuation scheme.

Hon. L. B. Bolton: It is not compulsory in any way. There is no need for them to participate unless they desire to do so.

Hon. G. FRASER: That is under the original scheme, but any wages employee coming in subsequent to the passing of the Bill will be compelled to participate.

Hon. L. B. Bolton: I was referring to the amendment.

Hon. G. FRASER: I am referring to the matter generally. Wages men are not enamoured of the scheme, but the salaried men will reap some benefit. Wages men can draw only 10s. per week pension. In some instances it is possible for a man to be an employee of the council for fifty years and by contributing a shilling a week under the old scheme to subscribe £100 by way of contributions, without taking into account the interest that would be earned by those contributions. A man might be employed until he is 70 years of age, thereby contributing over £100, but would be unable to receive more than 10s. a week by way of pension. Consequently it will be seen that he has not much opportunity to receive from the scheme what he actually paid in. Under the Bill the pension right for a widow of a wages employee is 5s. per week. In the original scheme no such provision was made. Earlier in the scheme, the arrangement was that if an officer died before reaching the retiring age, the amount of his contributions to the fund could be paid over to his legal personal representative.

Hon. L. Craig: This is about as clear as mud!

Hon. G. FRASER: I am sorry I cannot make it any clearer.

Hon. H. V. Piesse: Go ahead: you are doing very well!

Hon. G. FRASER: I will repeat what I said. If a man who has been a contributor dies before reaching the retiring age provision was made in the original scheme that the amount he had contributed to the fund would be paid to his legal personal representative. If a man has retired and has been receiving his pension and then dies, his widow will now receive a pension of 5s. a week. It is possible, even under the amending Bill, that a contributor could draw, approximately, £5 from the fund up to the time of his death and his widow, drawing 5s. per week after his death, might obtain only another £1, which would be £6 in all. No provision is made for the balance between what has been drawn and what was paid into the fund being handed over to anyone, and I have an amendment on the notice paper to overcome that difficulty. From the wages man's point of view, there are not many benefits. The maximum pension is 10s. to the contributor and on his death 5s. to his widow. Later there is a proposed amendment in the Bill to deal with what I think is an oversight and which I will explain in Committee. I will also deal with the provision being made for supplying to the contributor a copy of the financial statement together with the report from the town clerk.

Hon. L. B. Bolton: There will be no objection to that.

Hon. G. FRASER: I understand that a report is made to the City Council, but the contributor knows nothing of that.

Hon. J. J. Holmes: Have your amendments been submitted to the City Council?

Hon. G. FRASER: I handed copies to Mr. Bolton last Thursday, but I do not know whether the amendments are acceptable. I suppose Mr. Bolton will tell us the City Council's version during the Committee stage. The amendments relate mainly to pensions being paid to widows.

Hon. J. J. Holmes: No one has told us what it is likely to cost the City of Perth.

Hon. G. FRASER: I understand the original scheme——

Hon. J. J. Holmes: I mean the amendments.

Hon. G. FRASER: I do not know if any figures are available, but I should not think the cost would be very large. The extra contributions called for under the scheme from wages employees vary from 3d. per week for those under 29 up to 6d. a week. That is to provide a pension of 5s. per week for widows. Assuming that the pensions for the salaried officers will be on a somewhat similar scale, I should not think the extra cost to the City Council would be very great. The original scheme costs anything between £6,000 and £8,000. Whether those are the exact figures I do not know, but I am led to believe that is the actual cost. I support the second reading.

On motion by Hon. L. B. Bolton, debate adjourned.

House adjourned at 9.38 p.m.

Legislative Assembly,

Tuesday, 30th September, 1941.

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

ASSENT TO BILLS.

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

1, Metropolitan Water Supply, Sewerage and Drainage Act Amendment.

2, Baptist Union of Western Australia Lands.

3, Native Administration Act Amendment.

QUESTION—STATE IMPLEMENT WORKS.

Mr. ABBOTT asked the Minister for Works: 1, What has been the financial loss to date on the State Implement Works? 2, Are the works being reopened or reconditioned? 3, If so (a) What is the estimated cost of doing so? (b) What steps are being taken to ensure that the works are being laid out or reconditioned in accordance with the most modern methods and design? (c) What steps are being taken to ensure that the works are placed under the control of an engineer having the necessary qualifications and experience of modern methods?

The MINISTER FOR WORKS replied: 1, From 1913 to the 30th June, 1941—a period of 28 years—the accumulated loss amounted to £343,334. This amount includes interest, depreciation and farmers' bad debts. During the period 1935-1936 to 1940-1941 the works have paid all working expenses and contributed £33,877 towards interest and depreciation. The works do not now manufacture agricultural implements and for some years past have been working primarily as a Government workshop. 2, The works are being reconditioned. 3, (a) The reconditioning is being done in sections and the total cost will depend on the amount of orders received for munitions work; (b) and (c) The works are under the direct control of the Public Works Department Chief Mechanical Engineer (Mr. C. L. Henderson, A.M.I.Mech.E. (Lond.), A.M.I.E.A., A.M.I.A.E. (Lond.)), and the close general supervision of the Director of Works (Mr. R. J. Dumas, M.E., M.Inst.C.E., M.I.E. (Aust.)). Mr. Henderson was recently sent to the Eastern States to inspect the layout of modern foundries and machine shops.

QUESTION—FISH PRICES.

Mr. McDONALD asked the Minister for the North-West: 1, Has he observed that recently as much as 2s. a lb. for dhufish and 1s. 7d. a lb. for snapper has been obtained in the metropolitan fish market? 2, Is not this two or three times the market price obtainable for lamb? 3, Is the shortage of fish due to depletion of supplies off the southern coasts of the State? 4, Is it possible to increase metropolitan supplies of fish by improving facilities for transport of fish from the northern coasts of the State?