

Mr. DEPUTY SPEAKER: Order! If the Minister wishes to avoid interjections he should address the Chair.

Mr. EVATT: The hon. member has declared that the mayor of Orange has threatened to resign or has resigned from the housing committee. It would have been better for me to receive that information, not through the speech of an hon. member in this Chamber, but in some official way; say, by a letter. Certainly, until this morning I had received no letter from the mayor of Orange, but if he conceives it to be his duty to resign because he cannot get his own way in connection with housing, his resignation certainly will be accepted. There are in Orange and in other country towns many worthy citizens who are willing to sit on these committees.

Mr. DEPUTY SPEAKER: Order! As it is now 10.30 o'clock p.m. the House stands adjourned until 11 a.m. to-morrow in accordance with the provisions of the sessional order adopted on 2nd September, 1953.

House adjourned.

Legislative Assembly.

Thursday, 24 September, 1953.

Questions without Notice—Third Readings—Workers' Compensation (Amendment) Bill (second reading).

Mr. SPEAKER took the chair at 11 a.m.

The opening Prayer was read.

QUESTIONS WITHOUT NOTICE.

IRRIGATION PROJECTS.

Mr. CHAFFEY: I ask the Minister for Conservation whether he has been asked to table a ministerial minute of July of last year and also a letter from the Minister to the Premier dated 8th August of that year? Can the Minister say whether he has considered that request and whether the documents will be tabled?

Mr. ENTICKNAP: I was asked to table certain minutes, and then to table a minute and a letter. The minute will be

tabled in a few days. The letter was addressed to the Premier, and is in his hands, therefore the hon. member should ask him any questions regarding it.

LIGHTING: HARRIS-STREET, ULTIMO.

The Hon. D. CLYNE: I ask the Minister for Works and Local Government whether the lighting in Harris-street, Ultimo and Pyrmont, is inadequate? Can the Minister say whether lights immediately opposite the old Ultimo tramway depot, which has recently closed, have been removed? Can he say, also, whether a number of young girls have been molested by undesirable persons along Harris-street recently, and whether this is due to the lack of proper lighting? If this is so, will the Minister ask the appropriate authorities to have the lighting improved?

Mr. RENSHAW: I am not aware of the details in respect of lighting in Harris-street, but I accept the hon. member's statement that it is inadequate for public safety. Street lighting is a matter for the local government authorities, and in view of the representations made by the hon. member, I will communicate with the authority concerned to ascertain whether improvements can be made.

HOME SCIENCE SCHOOL: LIVERPOOL.

Mr. MANNIX: I ask the Minister for Education whether a magnificent new home science school is being hurried to completion at Liverpool to accommodate school children from the beginning of 1954? If this is so, can the Minister say whether similar urgent action is being taken to have the necessary furniture and equipment available for the school before the new school year commences?

Mr. HEFFRON: It is true that in the hon. member's electorate a magnificent home science school, which is long overdue, is nearing completion. I assure the hon. member that it will be ready for occupation before the beginning of the next school year, and that there will be an adequate supply of furniture and fittings.

ROYAL VISIT.

Lt-Colonel BRUXNER: Will the Premier say whether it has now been decided that Her Majesty will not visit any part of the New England area or the north-west of New South Wales? Will not this result in heavy traffic on the Gwydir Highway and the road from Tenterfield to the coast because many people will wish to travel to Casino and Lismore to receive the royal party? Will the Premier grant special financial assistance to the Department of Main Roads so that these two highways may be placed in good order?

Mr. J. J. CAHILL: I do not know the condition of the roads to which the hon. member has referred, but he may rest assured that wherever Her Majesty will travel the best possible roads will be provided. I think that very quickly we must find some way to improve our country roads. When I was abroad I observed that the roads, wherever I went, were in excellent condition. I do not know how it can be done here, and whether we can get a bigger share of petrol tax. I do not want to raise that issue now, but I am satisfied that the country people are entitled to good roads and should be given them as soon as it is possible. Wherever Her Majesty travels the utmost precaution will be taken to ensure that the roads are safe.

Earlier this week I stated that shortly I would be able to announce the routes over which Her Majesty would travel to and from various functions during her visit next year. A statement setting out this information has now been prepared. In determining these routes the primary consideration has been the shortest and quickest means of transporting the royal party. Representations—all unquestionably made with the best of motives—have been received from many sources urging that different routes be adopted for various reasons. I regret that in some cases these requests could not be acceded to, as deviations from the shortest or quickest logical route would involve extensions of the programme or the restriction of the time spent

at functions. The following are the routes to be followed:

4th February.

Opening of Parliament.—Macquarie-street.

Luncheon with representatives of women's organisations at the Trocadero.—Macquarie-street, Queen's Square, Elizabeth-street, Liverpool-street, and George-street. Return: George-street, Park-street, Elizabeth-street, Queen's Square and Macquarie-street.

His Royal Highness' visit to the University.—Macquarie-street, College-street, Wentworth-avenue, Elizabeth-street, Hay-street, Pitt-street, Railway Square, Broadway, Parramatta-road to University Gates. Return: Same route leaving University by Ross-street Gates.

State Banquet at David Jones' Restaurant.—Macquarie-street, College-street, Park-street and Elizabeth-street. Return: Elizabeth-street, Martin Place and Macquarie-street.

5th February.

Gathering of ex-service men and women, war widows and wards of Legacy at Hyde Park.—Macquarie-street, College-street, Park-street, Elizabeth-street, Liverpool-street.

School Children's Gathering at the Show-ground.—After the Hyde Park ceremony the royal party will proceed via Oxford-street, Flinders-street, Anzac-parade, Macarthur-avenue. Return: Macarthur-avenue, Anzac-parade, Flinders-street, Oxford-street, College-street, Macquarie-street.

Visit to Repatriation General Hospital, Concord.—Macquarie-street, College-street, Wentworth-avenue, Elizabeth-street, Eddy-avenue, Pitt-street, Railway Square, Broadway, Parramatta-road, Broughton-street, Concord Park, Patterson-street, Concord-road and Hospital-road. Return: Hospital-road, Fremont-street, Killoola-street, Concord-road, Ryde Bridge, Victoria-road, Monash-road, Ryde-road, Joubert-street, Fig Tree Bridge, Burns Bay road, Longueville-road, Pacific Highway, Sydney Harbour Bridge, Grosvenor-street, George-street and Bridge-street.

Lord Mayor's Ball at the Sydney Town Hall.—Macquarie-street, St. James road, Elizabeth-street, Bathurst-street and George-street. Return: George-street, Martin Place and Macquarie-street.

6th February.

Visit to Legacy House.—Macquarie-street, St. James road, Elizabeth-street, Park-street and Castlereagh-street.

Visit to the Randwick Racecourse.—Depart Legacy House by Elizabeth-street entrance, thence Elizabeth-street, Park-street, College-street, Oxford-street, Flinders-street, Anzac-parade and High-street.

Surf Life Saving Display at Bondi Beach.—Depart Randwick Racecourse and proceed via Alison-road, Darley-road, Carrington-road,

Birrell-street, Park-parade, Bondi-road, Campbell-parade and Marine-parade. Return: Marine-parade, Campbell-parade, Warners-avenue, Blair-street, O'Sullivan-road, New South Head road, Bayswater-road, William-street, College-street and Macquarie-street.

7th February.

Divine Service at St. Andrew's Cathedral.—Macquarie-street, Martin Place and George-street. Return: George-street, Martin Place and Macquarie-street.

9th February.

Visit to Newcastle, entraining Central Railway Station.—Macquarie-street, College-street, Wentworth-avenue, Elizabeth-street, Hay-street and Railway Station Ramp.

10th February.

Return by air from Dubbo landing at the Kingsford Smith Aerodrome.—Ross Smith avenue, Old Botany road, King-street, Florence-avenue, Gardeners-road, Cottenham-avenue, Roma-avenue, Lorne-avenue, Anzac-parade, Flinders-street, Oxford-street, College-street and Macquarie-street.

11th February.

Visit to Wollongong.—Macquarie-street, Queen's Square, College-street, Oxford-street, Flinders-street, Anzac-parade, Five Ways, Gardeners-road, Botany-road, General Holmes Drive, President-avenue, Princes Highway, Balgownie-road and Mount Kiera road. Return: From Showground, along Harbour-street, Crown-street, Marine Drive, Cliff-road, Bourke-street, Princes Highway, Lawrence Hargrave Drive (Lower Coast road), Lady Carrington Drive, Audley Causeway, Audley-road, Farnell-avenue, Princes Highway, Park-road (Kogarah), Ramsgate-road, Grand-parade, General Holmes Drive, Botany-road, Gardeners-road, Anzac-parade, Flinders-street, Oxford-street, College-street, Macquarie-street.

12th February.

Visit to Bathurst emplaning at the Kingsford Smith Aerodrome.—Macquarie-street, College-street, Oxford-street, Flinders-street, Anzac-parade, Lorne-avenue, Roma-avenue, Cottenham-avenue, Gardeners-road, Florence-avenue, King-street, Old Botany road and Ross Smith avenue. Return to Government House from Central Railway Station: Central Railway Station Ramp, Hay-street, Elizabeth-street, Wentworth-avenue, College-street and Macquarie-street.

13th February.

Visit to Wagga Wagga emplaning at the Kingsford Smith Aerodrome.—Macquarie-street, College-street, Oxford-street, Flinders-street, Anzac-parade, Lorne-avenue, Roma-avenue, Cottenham-avenue, Gardeners-road, Florence-avenue, King-street, Old Botany road and Ross Smith avenue.

18th February.

Visit to H.M.A.S. *Penguin*, Balmoral, from Kingsford Smith Aerodrome on return

from Canberra.—Ross Smith avenue, Old Botany road, O'Riordan-street, Bourke-street, Taylor Square, Oxford-street, College-street, Park-street, Druitt-street, Clarence-street, Sydney Harbour Bridge, Pacific Highway, Miller-street, St. Leonards Park, Falcon-street, Military-road and Middle Head road. Return: By barge to Man-o'-War Steps.

YAGOONA SCHOOL: DEMOLITION OF COTTAGE.

Mr. POWELL: I ask the Minister for Education whether on several occasions I have asked for the removal of an old cottage, owned by the department, between the two main buildings at Yagoona school? Is it a fact that this cottage is occupied by derelict men and women and is a public nuisance? If these are facts, will the Minister take positive action to see that the building is removed?

Mr. HEFFRON: It is true that the hon. member has made representations to me for the removal of the old building at Yagoona school. Some time ago I gave a direction that as soon as possible it should be vacated for demolition. I am unable at short notice to advise the hon. member just when the work is likely to begin, but I will make inquiries and advise him later.

PRICE CONTROL.

Mr. MORTON: I ask the Minister for Labour and Industry and Social Welfare whether the supervision of price control imposes a considerable burden on State finances? Is it a fact that the Government has considered the decontrolling of many items? Is it a fact, also, that in some cases the supply of goods adequately meets the demand? If these are facts, will the Minister recommend to the Government that price control be reduced to the absolute minimum and so save the State thousands of pounds in administration costs?

Mr. LANDA: The number of employees in the Prices Branch has been reduced. The amount of money at its disposal has been reduced also. I do not agree that the time has arrived for the Prices Branch to be discontinued. The unanimous opinion of all Prices Ministers, including the Liberal Premier of South Australia, was that price control should be maintained. That hon. gentleman was most enthusiastic

that this should be done for the protection of the ordinary people, and I had no hesitation in supporting his suggestion. It is regrettable that the Menzies-Fadden Government has taken from the State Government some of the financial resources necessary to maintain an adequate price-control service. At the last elections the Premier promised the people that price control would be reduced where necessary, and as in the case of other promises he made, that policy has been implemented and many articles have been decontrolled. More items have been decontrolled in this Labour-governed State than in the Liberal-governed State of South Australia. I do not agree that because there is an adequate supply of some goods to meet the demand price control on those goods should be abolished. Although the supply of goods may be adequate, the people have not as much money to buy them as they had previously. Traders who have been given the opportunity of handling many essential items without control have exploited the public, and in some cases those items have had to be recontrolled to protect the purchasers. My sole ambition in administering price control is to protect the ordinary worker so that he might be able to buy the necessities of life at the lowest possible price. An important item that has been subject to price control is petrol, and the public has been saved considerable sums as a result. It would be ridiculous in the extreme to suggest that the Prices Branch should be abolished when it is rendering such a magnificent service to the people.

SOUTH GRAFTON INFANTS' SCHOOL.

Mr. WINGFIELD: I ask the Minister for Education whether the department has approved two additional wooden classrooms for South Grafton infants' school? Is it a fact that the school is one of the best modern brick school buildings in the State? Will the Minister direct that the new classrooms be built of brick so that they will be in keeping with the existing building?

Mr. HEFFRON: I am not able to tell the hon. member for Clarence at once just what is being done in relation to the provision of additional accommodation at

South Grafton infants' school. I know the school well and it is, as the hon. member described it, a particularly fine, modern brick building. It was constructed a few years ago but it is still one of the best schools in the State. If it is possible the making of additions in timber will be avoided. I will look into the position and let the hon. member have a further reply at question time on Tuesday.

MAITLAND GIRLS' HIGH SCHOOL.

Mr. HOWARTH: I ask the Minister for Education whether it is a fact that for many years the building of a new high school for girls at Maitland has had a high priority on the list of school buildings that are urgently needed in this State? Is it a fact, also, that present accommodation is inadequate, obsolete and much below what is necessary for efficient results in education? If these are facts, can the Minister inform the House whether this school will be built in the near future?

Mr. HEFFRON: It is a fact that the high school at Maitland is quite an old building. It is a fact, also, that the department's programme visualises a new school there. The present building is in need of painting and repair, as is also the primary school, which stands in the same grounds. Some time ago I directed that these buildings be placed in a good state of repair and an estimate has been made of the cost of painting and general renovation. It is about £16,000. The job is so extensive that the department will have to call for private tenders rather than wait for the painting and repair staff to undertake the work and I propose to get on with the job as soon as possible. Of course, both the primary school and the high school have to be occupied while the renovations are made. It will not be possible for some time to go ahead with the new school, and the practical thing to do is to put the present buildings in the best possible state of repair, and to keep them so until the new work begins. Tenders will be called for the renovation work pending the erection of a modern high school at Maitland.

ROAD TAX: CEMENT AND LIMESTONE.

Dr. PARR: I ask the Minister for Transport whether on 1st March this year a road tax of 3d. a ton a mile was imposed on cement carried by road? Is it a fact that Metropolitan Portland Cement Ltd., according to the railway freight book, is 52 miles from Darling Harbour? Is it a fact, also, that this company carries cement by road and does not pay tax? Is it further a fact that this cement is supplied to agents north of the harbour? In addition, is it a fact that limestone is carried 69 miles from Marulan to Maldon, free of tax? If these are facts, will the Minister say why this company is receiving preferential treatment and how long the Government will continue to give such treatment to one company and not to another?

Mr. WETHERELL: I know something of this matter, though I am not familiar with all the details of it. The road tax is imposed upon road haulage over distances of more than 50 miles. The hon. member implies that it is 52 miles from the works of Metropolitan Portland Cement Limited to the Darling Harbour railway yards. The company has not paid tax because the distance from its works to the point at which it delivers the cement is less than 50 miles. Limestone has not been subject to the tax because no railway loading equipment exists at the point of its production.

Mr. PELLY: There are rail facilities!

Mr. SPEAKER: Order! In answering the question in his own way, as I have often ruled that Ministers are entitled to do, the Minister has made a statement, which the hon. member for Wollondilly denies and throws back in his teeth. The hon. member might as well say that the Minister is telling an untruth. I direct him to withdraw and apologise.

Mr. PELLY: I apologise for my interjection.

Mr. SPEAKER: Order! I directed the hon. member to withdraw and apologise for his offensive interjection to the Minister for Transport.

Mr. PELLY: I withdraw and apologise for my interjection.

Mr. WETHERELL: The railway line does not extend to the source of production of the limestone. I am advised that the works are about 4 miles from the nearest point of access to the railway. In view of the difficulties entailed, the Department of Motor Transport has allowed the transport of limestone without the obligation to pay road tax. The department years ago adopted the practice of allowing the transport by road without payment of road tax of goods that cannot be hauled by the railways. I have some personal knowledge of this privilege, and my experience as a member of this House leads me to believe that no preferential treatment is given to any company.

Mr. STEWART FRASER: Can the Minister say whether it is a fact that until 1st March of this year it was the Government's policy to assist and encourage home building by exempting from the payment of road tax specified building materials, including cement, which was an expensive item? Is it not a fact that the exemption of cement from the payment of road tax until 1st March last greatly assisted home construction? If these are facts, will the Government reconsider lifting the tax from all essential building materials?

Mr. WETHERELL: The hon. member has posed a serious question relating to the business policy of the Transport Department. It will require considerable thought and investigation to ascertain the general impact of these concessions upon transport finances. I will have inquiries made and reply to the hon. member later.

Later,

Mr. PELLY: I ask the Minister for Transport whether there is a railway station at Marulan and a railway station at Maldon? Is it a fact that both these stations are on the southern railway line? If these are facts, will the Minister say whether it is possible for goods to be carried between these points along a direct railway route?

Mr. WETHERELL: I must confess that I am not acquainted with the line, but I am prepared to admit that the railway

stations are on the railway line. I would be prepared to admit, also, that goods could be sent from one station to the other. I understand that the matter arises from previous questions as to the point at which a certain company produces limestone. I am advised that that point is more than four miles from the railway facilities available to the company. That is the point at issue.

SYDNEY CITY MARKETS: PARKING SPACE.

Mr. POWELL: I ask the Minister for Transport whether it is a fact that the parking space for the use of buyers at the Sydney City Markets is extremely limited and that some buyers are being prosecuted by the police for illegal parking every morning of the week? If these are facts, will the Minister ascertain whether more parking space could be allotted to these men and whether, in the meantime, the parking police could exercise a little discretion in the performance of their duties?

Mr. WETHERELL: I know nothing about the matter referred to by the hon. member, but I will have inquiries made and let him know what can be done to meet his wishes.

NORMANHURST BOYS' HIGH SCHOOL.

Mr. STOREY: I ask the Minister for Education whether some time ago I made representations to the Acting Minister for Education and to the Acting Premier to receive a deputation of residents in the Normanhurst area who wish to present a petition of 6,000 names requesting the immediate construction of the Normanhurst boys' high school? Is it a fact that land for this building was obtained by the department more than twenty years ago and that the Minister recently said that he hoped to be in a position to authorise its construction in the near future? If these are facts, will the Minister receive the deputation to which I have referred?

Mr. HEFFRON: In the past I have received not only deputations but also much correspondence from the hon. member himself and local residents regarding

the proposed Normanhurst boys' high school. The department has purchased a suitable site and has prepared plans for the building. Everything is ready for construction to begin as soon as finances will permit. Time after time I have made this clear to the people of the area through the hon. member, but apparently they desire to come along in another deputation to tell me something that I already know. I am always delighted to meet hon. members and, also, their constituents, but one's time is somewhat limited, and the time spent in seeing a deputation to discuss something that has already been discussed and agreed to could be better used in some other way. At the opening of a school in the hon. member's electorate last Saturday week, in company with the hon. member for Hornsby, I was waylaid by some persons who are interested in the Normanhurst school and I told them exactly what I am now telling the House. I am in complete agreement with their wishes, and work will proceed as soon as the money is available. If a deputation were to bring a petition containing 16,000 names, it would not impress me any more favourably on this matter than the hon. member has done over the years. In the circumstances no good purpose could be served by my receiving the deputation.

HOUSING: TEMPORARY DWELLINGS.

Mr. FREEMAN: Will the Minister for Local Government say whether many young couples have, while building their permanent homes, occupied various types of temporary dwellings on their land? Is it a fact that some suburban councils have now decided to discourage this action and have refused to provide electricity services to temporary dwellings? If these are facts, will the Minister take up the matter with the councils concerned and ensure that citizens are encouraged rather than discouraged in their efforts at self-help?

Mr. RENSHAW: It is true that a number of councils allow prospective home-builders to construct, not temporary dwellings, but generally structures that are part of the overall plan for the permanent home, often in the form of a large garage. This

enables such persons to live on their properties while undertaking the construction of their homes, sometimes with their own labour with the assistance of specialised men. If my memory serves me correctly another hon. member asked a question on similar lines some weeks ago but with the opposite purpose in mind, namely, that some persons obtained permission to build a garage or a temporary dwelling and made it a permanent living place. It was even suggested that in some instances owners had begun trading in dwellings so constructed. I understand that some councils have taken the action mentioned by the hon. member for Blacktown and, to ensure the bonafides of those erecting temporary dwellings, have refused to connect these premises with electricity until such time as there is evidence of the permanent work proceeding. The matter comes within the framework of the Local Government Act under which councils have been given authority by this Parliament to control building regulations within their own areas. So long as councils act within the terms and spirit of the Local Government Act it is not my intention, as Minister, to interfere in any way. However, if councils administer the Act without justice or reason it is my duty to see that the public is not pushed around.

Mr. BRAIN: That would happen but rarely!

Mr. RENSHAW: It is only a rare occurrence but it does sometimes occur. In view of the representations of the hon. member for Blacktown I will examine the matters raised by him and determine whether anything can be done to overcome the difficulties of persons who are anxious to build homes but are retarded by councils who will not give them the necessary encouragement.

NORTH STRATHFIELD SCHOOL: LIBRARY.

Mr. MURPHY: I ask the Minister for Education whether many parents and citizens' associations provide substantial sums of money from time to time to equip libraries in schools? Is it a fact that one of these associations is located at North Strathfield? Is it a fact, also, that this

association recently requested the department for additional furniture to accommodate their books? Further, is it a fact that the department's reply was that, because of financial restrictions, the request could not be acceded to? If these are facts, will the Minister give consideration to the suggestion that this policy be reviewed where it affects matters directly related to such important educational facilities, as distinct from other amenities?

Mr. HEFFRON: I have no knowledge at present of the matter referred to by the hon. member. It may be that it was dealt with during the period that I was away from the department. I shall be pleased to look into it, and if it is possible for me to assist in any way I shall be happy to do so, as I believe that every encouragement should be given to school libraries.

COOLAMON AND ARDLETHAN: SWIMMING POOLS.

Mr. DICKSON: I ask the Minister for Public Works and Local Government whether some time ago the Coolamon Shire Council asked him, through me, to receive a deputation to discuss the proposed swimming pools at Coolamon and Ardlethan? Is it a fact that the Minister replied that it was desirable that additional information should be supplied before an appointment was made? Is it a fact, also, that the council has now supplied this information? If these are facts, can the Minister say when the interview is likely to be granted?

Mr. RENSHAW: The matters stated by the hon. member are facts. As to the allocation of money for the construction of swimming pools this financial year, I should like to intimate to the hon. member that all councils concerned, Coolamon included, throughout the State were asked to submit information regarding their plans for swimming pools and the progress that had been made with them. Those particulars were submitted by councils, and the money available for this financial year was allocated to the country districts of New South Wales that had progressed with their plans to such an extent as almost to have completed the work. I am not in a position to make any further funds available for swimming pools this financial year,

so that any proposal that Coolamon Council may make to me would have to be considered in relation to the availability of loan funds during the next financial year and the stage to which the plans for the swimming pools had progressed.

TOWN PLANNING: WOLLONGONG.

Mr. CONNOR: I ask the Minister for Public Works and Local Government whether in 1951 a scheme of town planning for the City of Greater Wollongong and the Municipality of Shellharbour was adopted by the Council of the City of Greater Wollongong? Is it a fact that a condition attached to the adoption of the scheme was the submission of satisfactory estimates of the cost? If these are facts, will the Minister give consideration to assisting the council, through the good offices of the Town Planning Branch of his department, to arrive at satisfactory estimates of cost?

Mr. RENSHAW: The Illawarra planning authority, in 1951, adopted a town plan for Wollongong-Shellharbour and that part of the escarpment lying between Helensburgh and Shellharbour. The department, from time to time, has asked the planning authority to submit estimates of the cost of the initial plan. I am led to believe that a number of amendments which would improve the plan and lessen the cost could be made. The only satisfactory solution would be a financial investigation of each of the plans submitted. I should be happy to make available, for a reasonable period, officers to assist the people of Wollongong to prepare an estimate of the overall cost of the plan already submitted, and the possible cost of other plans submitted in amendment of the original.

Mr. FOWLES: I ask the Minister whether there is much discontent among the members of the Shellharbour Council, in the Illawarra area, concerning the failure to implement this plan? Has not the Minister been asked for funds to enable the plan to be implemented, especially in the Shellharbour district? If these are facts, will the Minister take them into

consideration when examining the question asked by the hon. member for Wollongong-Kembla?

Mr. RENSHAW: Objections may be expected to any plan that interferes with the *status quo* of an individual or commercial undertaking in a city or rapidly expanding area where previously there has been no plan. Indeed, this is encountered when the Main Roads Department wishes to alter the course of highways or build arterial roads. I am not aware that there is undue opposition at Shellharbour to the plan. Frankly, I think that the aldermen there recognise that town planning is necessary. In the first two or three years of operation of a plan people often do not realise what is contemplated.

Mr. TREATT: It gets worse as the years pass.

Mr. RENSHAW: The City of Sydney, in the absence of a plan, has been becoming worse as the years have passed. Sooner or later someone must face this problem, and it is a great pity that someone did not do so fifty years ago. Sydney is an example of what can happen to a great city when development runs riot. In another fifty years Wollongong could very easily be in the same position. I do not think that any hon. member would suggest that we ought not to plan just because we might be criticised. I have no personal knowledge of the financial aspect of the plan for Shellharbour, but I will inquire and reply to the hon. member later.

ANZAC HOUSE.

Mr. J. J. CAHILL: Yesterday the hon. member for King, the hon. member for Byron and other hon. members asked questions on the proposed Anzac House building in College-street. In answering the hon. member for Byron I said that I spoke subject to correction, and was indeed under a misapprehension. The Equity Court in 1945 decreed that the Returned Sailors, Soldiers and Airmen's Imperial League of Australia, New South Wales Branch, should be trustee of the fund raised by public appeal for the purpose of erecting and maintaining Anzac House. The Government paid to the League the sum of

£100,000 for this purpose. The deed of Trust by which the League accepted trusteeship of the fund provided for the setting up of a board of management for the trust fund. Under the deed, the League, as trustee, though delegating to the board of management comprehensive powers of management and day to day administration of the moneys and property which were the subject of the trust, could have overriding authority, subject to the terms of the trust. The League, as was stated by the hon. member for Byron, being trustee, purchased the land and premises at 26-36 College-street, Sydney. The League is the registered proprietor of the property and in pursuance of the duties imposed on it has taken action to terminate the tenancies of the premises. The body, of which I am the hon. president, is the board of management, but the actual owners are the League.

COMMONWEALTH-STATE CONFERENCE.

Mr. J. J. CAHILL: On 17th September the hon. member for Tamworth asked whether copies of the report of the proceedings of the conference of Commonwealth and State Ministers held in February last could be obtained for distribution to hon. members. A copy of the report was tabled on 13th August and was ordered to be printed by the Printing Committee on 15th September. I understand that copies will be available to hon. members at an early date.

PUBLIC ACCOUNTS COMMITTEE: TABLING OF REPORT.

Mr. J. J. CAHILL: Yesterday the hon. member for Tamworth asked whether the Public Accounts Committee recommended that its report should be tabled early in the session. The Public Accounts Committee in its third report of the Thirty-sixth Parliament recommended that "it is desirable that the report of the Committee should be tabled in the Legislative Assembly prior to the presentation of the financial statement and estimates of expenditure for the ensuing year". Owing to the pressure of work associated with the preparation of the Public Accounts, the

Budget, and the Loan Estimates, all in the first quarter of the year, it has not been possible to comply with the Committee's suggestion on this occasion. However, I have asked the Treasury to expedite completion of the information to be placed before the Committee and the time of completion of the Committee's report to Parliament will then be a matter for the Committee itself.

TAXI LICENCES: LIVERPOOL.

Mr. WETHERELL: On 2nd September the hon. member for Liverpool asked the late Hon. C. E. Martin, former Minister for Transport, a question regarding the taxi-cab service at Liverpool. Investigations made by departmental officers a short time ago revealed that there was justification for licensing two more restricted taxi-cabs for operation from the stand at Liverpool railway station. Accordingly, applications were invited through the press and a ballot in connection with the issue of the licences was held on 8th September. The successful applicants have been informed that they may now submit suitable cars for registration and licensing as taxi-cabs, and it is expected that the two additional taxi-cabs will be in service at an early date. When they are in operation, further investigations will be made for the purpose of determining whether the number of taxi-cabs at Liverpool is capable of reasonably meeting public requirements and, if not, arrangements will be made for issuing more licences.

KEMPSEY BRIDGE.

Mr. WETHERELL: On 12th August the hon. member for Raleigh asked the late Minister for Transport a question regarding the Kempsey bridge. I have ascertained that the existing bridge over the Macleay River at Kempsey on the Pacific Highway is not in an unsafe condition, but it has reached the stage when rebuilding is considered necessary. The rebuilding of this bridge involves two contracts, one for the supply of the steelwork and the other for the erection of the bridge. I am informed that a contract was let some time ago for the fabrication and supply of steelwork. The fabrication has not yet been

put in hand by the contractor because he has not been able to obtain all the steel sections required.

A tender has been received for the erection of the bridge, but the tenderer required that the bridge be closed to traffic for at least twenty-eight weeks while he installed the new work. One of the proposals of the Department of Main Roads had been that the bridge should be closed only for short periods, but no tender was received for this alternative. As the closure of the bridge for a period of twenty-eight weeks would result in some inconvenience to local traffic, especially if floods suspended a temporary ferry service, the department is investigating alternative methods of construction with a view, if possible, to reducing such inconvenience.

GREATER WOLLONGONG: TRANSPORT SERVICES.

Mr. WETHERELL: On 9th September the hon. member for Illawarra asked the then Minister for Transport a question regarding omnibus transport for workers in the Wollongong area. Inquiries have revealed that there were three matters causing concern:

(1) The issue of seven-day weekly tickets had been discontinued for travel between the Cross Roads, West Wollongong and the industrial establishments at Port Kembla.

(2) One of the omnibuses from the Cross Roads had terminated its journeys at the Steel Works instead of proceeding to the other industries—Coke Ovens, Commonwealth Rolling Mills and Metal Manufacturers Ltd.

(3) Discontinuance of an omnibus service for miners from Dapto to Mount Nebo colliery.

As to (1), recently the operator who had been providing workers' buses via the Cross Roads to Port Kembla found it impossible to continue, and the Department of Motor Transport immediately arranged for another operator to provide buses to transport the men. During the first week of the change-over it was reported that the new operator was not issuing seven-day weekly tickets and the matter was rectified at once.

With regard to (2), one double-deck omnibus and one single-deck omnibus are provided for the transport of the men from the Cross Roads. The double-deck omnibus proceeds to all the industries—Steel

Works, Coke Ovens, Commonwealth Rolling Mills, Metal Manufacturers Ltd.—but the single-deck omnibus carries workmen for the Steel Works only. The two buses arrive together at the Steel Works where the double-deck omnibus waits for any passengers for industries beyond the Steel Works. Inquiries reveal that this arrangement is working satisfactorily. It is intended, however, to keep the position under observation.

So far as (3) is concerned, the journey in question was operated at 5.40 a.m. from Dapto to Mount Nebo colliery. It was brought under notice that the journey had been discontinued because of lack of patronage. As the operator had not sought authority to discontinue the journey he was required to restore it so that a check could be made of the passengers carried. The journey was checked from 26th August to 3rd September and it was found that on five days no passengers were carried from Dapto and on the remaining days only one passenger travelled on each occasion. As the patronage did not justify its continuance, approval was given for the particular journey to be commenced from the Commonwealth Cottages, Unanderra, instead of from Dapto.

THIRD READINGS.

The following bills were read a third time:

Statutory Salaries Adjustment Bill.
Port Kembla (No. 6 Jetty) Bill.

WORKERS' COMPENSATION (AMENDMENT) BILL.

SECOND READING.

Debate resumed (from 23rd September, *vide* page 811) on motion by Mr. Landa:

That this bill be now read a second time.

Dr. PARR (Burwood) [11.58]: Few hon. members on either side of the House will have any objection to some particular provisions of this bill. It is a comprehensive measure and it is difficult to appreciate all its details. The Minister delivered his second-reading speech only yesterday and hon. members who are not conversant with workers' compensation legislation cannot straight away hope to

understand or discuss adequately the implications of the bill. I protest against the method of bringing down an important major bill such as this and of expecting hon. members to discuss it immediately after the Minister's second-reading speech. In order to do justice to the measure hon. members should have had at least three or four days to study it. On the other hand, I thank the Minister for giving me his notes a few minutes before the House met to-day. I should have liked to have them last night when I could have considered them about midnight or in the small hours of the morning when peace and quietness enables one to give more thought to a task than is possible at times in the hurly-burly of Parliament.

I listened carefully to the speech of the hon. member for Lake Macquarie and I congratulate him on it. He has had wide experience in matters of workers' compensation. Early in my medical career I had experience of workers' compensation cases, and I must admit that like most medical men I fought shy of them. Often a doctor did not like to meet the requests of solicitors to give evidence in workers' compensation cases because he frequently wasted many hours and sometimes, when the verdict went against the claimant, the doctor was not paid. Those conditions fortunately do not prevail in these times. I suppose that in the years of which I speak many young barristers took cases knowing that if they did not succeed they also would not get any fees. However, I repeat, those days are past.

The hon. member for Lake Macquarie mentioned particularly dusting of the lungs. I am glad that this bill will give extra benefits to men who have been dusted. Without doubt silicosis is a serious disease. In my early medical experience doctors saw many cases of it but on the whole they are not so frequent now. Thirty years ago an investigating group in Ontario, Canada, discovered that the adoption of specific precautions in many industries would cause a marked reduction in the incidence of silicosis in some and a complete absence of it in others. No compensation, however great, can give a man back the health of which he has been robbed by an industrial

disease such as silicosis. Such a man is often a chronic sufferer. Silicosis in many instances leads to pulmonary tuberculosis and the suffering of the man affected is grave. Therefore, anything that is done to ease the lot of these unfortunate persons will have the approbation of all hon. members. Dusting of the lungs can result from work in coalmines, but the incidence of the disease is not so great in that industry as in some others. Coal dust has virtually a retarding effect on silicosis. It does so by virtue of the small quantities of aluminium that are contained in coal dust and which cleave to silica particles and reduce their solubility.

Another industrial disease of the lungs that is not so well known is bagasseosis. This disease follows the inhalation of bagasse which is present in cane fibre and contains 6 per cent. of silica. The incidence of bagasseosis perhaps is not so great to-day because of improved engineering and medical techniques but it is important to realise that it is an industrial hazard and to make sure that it is prevented as much as possible. The prevention of dust diseases of the lungs is vital. As well as the saving of misery and suffering for the persons who might contract such diseases, there is a saving to the community at large. Any man who is even partially incapacitated through dusting is reducing the work force of the nation. His contribution to the general welfare of the community and the general production is reduced and when his illness becomes chronic he is a user of goods and services instead of a producer.

I have been glad to read of the success that has been achieved in the reduction of the incidence of silicosis throughout the industrial world. Tribute must be paid, first to the engineers who have evolved effective methods of control and prevention, and, second, to the medical fraternity who have instituted research and shown how to defeat the causes of dusting. Members of both professions, working in the closest co-operation, have reduced tremendously the inroads of this disease on workers in industry. The provisions of this bill to increase payments to sufferers from silicosis are valuable.

Every hon. member will be glad that these persons are getting a little extra. They often suffer sorely until death. They lead restricted lives because they are prone to bronchitis and related illnesses and are more or less confined to their homes. They suffer chronic ill-health and are deserving of the utmost sympathy. The hon. member for Lake Macquarie in drawing the attention of the House to the plight of dusted men has rendered them a service and I am glad that their compension is to be increased by the bill.

I am confident that no member of this House has the least objection to the principle of workers' compensation. I remember that in my early days of medical practice workers who were injured received low payments indeed, and often their wives had to work to stock the family larder. Undoubtedly, the conditions for injured workers were not good; to-day the people are much better off. Of course, all these improvements in workers' compensation have to be paid for. An injured worker has to eat, and must have services provided for him. This means that some other worker has to provide the food that he eats and the services that he uses. When one considers increases in workers' compensation payments one must consider also the importance of increased production. The community wishes to give better payments and better services to men who have been injured in industry and the cost must come out of the common production pool. This Act in effect gives injured workers goods and services that come from that common pool of production. It is fundamental, therefore, that if the compensation, whether in weekly payments or otherwise, is increased, production also must increase. I recently noticed that the worker in the United States of America has available for his work twice as much power as is available to the Australian worker. It should be possible, by providing more power in this country, to produce more wealth.

If production is increased it will be possible to apply some of the higher output to the benefit of injured employees. Over the years the compensation paid to them has progressively increased, and if the trend is to continue it is incumbent on every one

in the community and on hon. members on both sides of this Chamber to use their endeavours to increase production and to expand the common pool of goods and services upon which to draw for the benefit of injured workers who are no longer productive. It is only humanitarian to make this effort. Before the payment of compensation was introduced, a wife who had lost her husband tragically was required to go to work, leaving her children at home, the younger ones probably being in the care of a child of 11 or 12 who had been kept home from school to look after the house while the mother worked. Thank goodness those days have passed. In our democracy we are actuated by the great and worthy principle that one should do unto others as he would that they should do unto him. This principle, which is basic in a democracy, is exemplified in the Workers' Compensation Act and similar legislation, which really put Christian principles into practice.

I was impressed by the statistics of industrial accidents and disease that the Minister gave the House last evening. He told hon. members that in the last twelve years there have been 1,000,000 injuries involving absence from work for three days or more, and 30,000 cases of industrial disease. This incidence of suffering and tragedy is a challenge to the medical profession, to industrialists, to unionists, and to Parliament, all of whom must do their utmost to reduce the incidence of disease and injury. The Division of Industrial Hygiene of the Health Department is doing fine work in trying to reduce the incidence of diseases that are a direct consequence of working conditions. Hon. members may recall that not many years ago workers in the lead and the battery-making industries frequently suffered from the accumulation of lead in their bodies, which caused anaemia and chronic ill-health. Medical preventive measures have now substantially reduced "leading".

As the incidence of disability and incapacity in industry has been reduced the burden on industry has been considerably lightened. The medical profession must play a big part in the reduction of industrial diseases particularly. The Minister told the House last evening that in the

last twelve years there have been 3,000 deaths from industrial accidents and diseases. Occupational diseases, in particular, are likely to increase in the near future if adequate preventive measures are not taken. Radioactive isotopes are being ever more extensively used, and hon. members know something of the hazards of using radioactive materials. Many new chemical compounds, such as the organic phosphorous sprays that are being used so widely in industry and by entomologists in the control of plant diseases, are extremely hazardous in use; and already they have caused deaths in various parts of the world. There is a constant challenge to medicine to take care lest new materials becoming more common in various phases of commercial and industrial activity have deleterious effects upon those who use them.

I am happy to say that the various medical journals regularly publish articles by authorities on industrial hazards and on the methods of combating them, so as to keep medical practitioners throughout the British Commonwealth abreast of events in their campaign against death and disease in industry. An important fact, which the Minister mentioned in his second-reading speech, is that industry is making a serious attempt to reduce the number of accidents, which were reduced last year to 72,000, from a peak of 113,000 in 1947. It is extremely gratifying to see that the workers have themselves become conscious of the need for their active co-operation with employers in the reduction of industrial hazards. Management must do its utmost to ensure that the conditions under which employees are required to work shall not be detrimental to health and dangerous to life and limb.

It is noteworthy that most industrial accidents occur on Mondays and Fridays, and fewest on Wednesdays. One would expect that after the week-end break a worker would, on the Monday, feel exhilarated and rehabilitated, with the fatigue induced by his previous week's work dissipated, and would be more alert and attentive and less likely to suffer accident. But the fact is that the body requires to be constantly engaged on a particular task if the eye and

the muscles are to retain their co-ordination, skill and efficiency, and a break of even two days is enough to cause considerable diminution in the efficiency with which a task can be done. All hon. members will be pleased that the number of accidents in industry has been greatly reduced. One result is that industry does not have to bear such a high burden of cost as it might have done.

Mr. LANDA: The ratio of reduction is greater because there are many more employees to-day.

Dr. PARR: That is so. The actual number of accidents has been halved in the last fifteen years.

Mr. HOWARTH: A percentage basis would be a better comparison.

Dr. PARR: The reduction in accidents illustrates the great progress of the safety-first campaign in industry. Better lighting and improved layout of plant in modern factories have contributed to this result. To-day machines are better guarded and more efficient than they were years ago. Clearly, industry itself has played a large part in the reduction of accidents. In years gone by, a worker was a man who received only the basic wage, or, perhaps, a little more as a margin for skill, but under the bill the definition is extended to include any man who receives up to £2,000 a year. The professors of geology, chemistry, physics and other sciences at the Sydney University, to whom I referred last night, are brought within the scope of the Act. It may be said, of course, that they are skilled workers—

Mr. LANDA: They work very hard!

Dr. PARR: They certainly work more than forty hours a week.

Mr. HEARNshaw: They work long hours.

Dr. PARR: That is so. These gentlemen probably work up to eighty hours a week, and, perhaps, for longer periods in some instances. These men, who are fundamental to the intellectual life of the country and whose knowledge and skill may well alter the destiny of this nation in the next fifty years, are to become "workers" within

the meaning of the Act. I am concerned at the proposal to amend the principal Act by omitting from paragraph (a) of subsection (5) of section 6 the words "the contractor shall, for the purposes of this Act, be deemed to be a worker employed by the principal" and to insert in lieu thereof the words "the contractor and any worker so employed by him shall, for the purposes of this Act, be deemed to be workers employed by the principal." I do not know whether the Minister has given careful consideration to this amendment, which is one that I should have liked the opportunity of examining in more detail over the week-end. Its effect is that employees of timber contractors, for example, are to be deemed to be the employees of the principal with whom the contractor makes his contract, thus transferring the burden of insurance from the employer, who is the contractor, to, for example, a coal mining company, which has no control whatever over the methods of working of the insured or power to prevent him taking unnecessary risks.

Many men are employed in the North Coast districts to cut sleepers for the Railways Department and it seems that, under the bill, the Railways Department will have to insure a man employed by a contractor, although it will be unable to supervise the man's work in any way. In addition, the provision will facilitate the making of fraudulent claims for compensation. Timber workers do their work at a considerable distance from the mines for which the trees are being felled, and if their real employer, the contractor, is to be relieved of all responsibility, there will be no one in close touch with the workers with any real interest to ensure that a worker's account of how he suffered an injury is correct. If timber contractors were not men of substance, there might be some moral justification for this provision, but I understand that many of them are in quite a big way of business. The whole position is anomalous. In principle, it is wrong that liability to insure an employee should be transferred to a person who is not his employer and who has no power to control his method of working. The premium for timber getting is very

Dr. Parr.]

high and the financial advantage gained by the timber contractors under this provision will be considerable.

Mr. LANDA: To-day they are struggling to earn a living.

Dr. PARR: The Minister should give close consideration to this anomaly. In legislation of this nature it is quite easy to create anomalies and it is the duty of the Opposition and of Government supporters to detect them and seek explanations. Not only mining companies are concerned but also the Department of Railways because of the effect of the provision on sleeper getters.

Clause 2 (b) provides that if an employee suffers an injury prior to going on holidays he gets more than his compensation payment.

Mr. LANDA: No, he does not; he also gets his holidays.

Dr. PARR: He gains money from the bill.

Mr. LANDA: No.

Dr. PARR: That is how I have read it.

Mr. LANDA: His rights are protected. If he had not been injured he would have received his ordinary pay plus his holidays. If he is injured he should get compensation plus his holidays. Surely the hon. member does not wish to deprive an injured employee of his holidays.

Dr. PARR: If an employee is paid in full by his employer he is not entitled to any additional payment. This clause gives him more than compensation. In the coal industry employees frequently suffer minor injuries prior to Christmas holidays and they were receiving Christmas pay plus compensation until the court ruled against them. The bill will enable employees to gain a substantial advantage by inflicting upon themselves, immediately prior to their holidays, a minor injury. I know that 90 per cent. of the workers are honest men but in industry as in every other walk of life such malpractices occur. Everyone knows that there are the fraudulent types among all sections of the community.

Mr. HEARNshaw: That is why laws are framed.

Dr. PARR: I do not exonerate my own profession, intellectuals or workers.

Mr. DEPUTY SPEAKER: Order! The hon. member has exhausted his time.

Motion (by Mr. Wattison) agreed to:

That the hon. member be allowed an extension of time of twenty minutes.

Dr. PARR: I thank the House for its courtesy. The measure increases benefits paid to the widow and children in case of death and to the wife and children in case of accident and no one will quibble about that, because, since the measure was last before the House, the basic wage has risen from 187s. to 243s. I am glad that the Minister has included in the measure provision for the payment of medical and hospital expenses, ambulance services and the like. To-day medical service is most expensive and the cost of physiotherapy is substantial. It would be a tragedy if an injured worker did not receive full medical compensation, and, particularly when he is seeking to re-enter his employment, he should have no fear about the payment of his medical and hospital expenses. I cannot understand why legal expenses have been excluded from the measure because I know that in some instances when the claim is paid the legal expenses account for almost 50 per cent. of it.

Mr. LANDA: That would be a most unusual circumstance.

Dr. PARR: I know instances in which it has occurred. It might be unusual but in the legal profession as in all others there are persons who do not play the game and it would safeguard the workers if provision were made in the bill for legal expenses.

Mr. LANDA: The legal expenses are determined by the taxing officer of the Commission. They are taxed according to scale. Section 56 of the principal Act deals with legal costs.

Dr. PARR: I come now to the schedule. The increase is approximately 30 per cent. and gives just compensation for the injuries mentioned. However, I direct attention to the payment for the loss of a toe

or the joint of a finger. The loss of a joint of a finger is important. Provision is made in the schedule for the payment of £200 for the loss of one of the smaller toes. I have taken off a toe for people from time to time, and the persons concerned were better without the toe than with it. I feel that £200 is an excessive amount for the loss of a toe.

Lt.-Colonel BRUXNER: Sometimes a man parts with a toe willingly!

Dr. PARR: That is so. I know of many occasions when a person has parted with his small toe or a hammer-toe with great elation and paid the doctor a fee of ten or fifteen guineas for amputating it. It is ludicrous that an employer or an insurance company should have to pay a worker £200 for the loss of a toe. Apart from this, I am in favour of increases proposed in the schedule. I support also the provisions in clause 5 relating to the payment of compensation to members of bush fire brigades and those persons who do important work at those times of the year when fire hazards are great and it is essential to get men quickly together to fight fires. The men in our outback areas take tremendous risks when fighting bush fires, and I am pleased that the Minister has provided in this bill for the payment of compensation to any person who is injured while doing so. I support the greater part of the bill, but ask the Minister to examine the position of the contractor and to amend that part of the bill.

[Mr. Deputy Speaker left the chair at 12.43 p.m. The House resumed at 2.30 p.m.]

Mr. R. S. JACKSON (Drummoyne) [2.30]: I join in this debate because compensation is indeed a serious matter and deserves careful consideration. The hon. member for Burwood, who has just spoken, allowed his fears to run away with him. However, as in a previous debate, I am in the happy position of following an Opposition speaker who has unreservedly praised the Government for its bill. That is refreshing, and the hon. member for Burwood was indeed helpful. I congratulate the Minister upon his lucid explanation of

the bill. After being associated with industry for so long I was naturally interested to see what the bill would do for the worker. If it has done nothing else, it has increased the payments to those who are injured in the pursuit of their calling. I congratulate Opposition members on their good judgment in not opposing this bill. When speaking to the motion for the adoption of the Address-in-Reply, I forecast that that would be their attitude. Hon. members on both sides have co-operated in an effort to produce a bill that will benefit the community.

No doubt the measure will be found to be in need of improvement as experience is gained in its operation. Nothing is perfect, and in our daily lives we constantly find the need to revise plans in the light of experience. I do not put myself forward as an expert on compensation, but I have some knowledge of the difficulties that confront the worker in attempting to gain just compensation for his injuries. The Leader of the Country Party said that the first Workmen's Compensation Act was brought down by Sir Charles Wade when he was Premier of this State. The workers of New South Wales should get on their knees every night and thank the Almighty for the succession of Labour governments which followed Sir Charles Wade's regime and amended the compensation law until it became not a shadow but a thing of substance. The bill goes a long way towards removing some of the difficulties that have arisen during the intervening years. Yesterday the Leader of the Country Party referred to me facetiously as an embryo statesman. I was thrilled, because real statesmen emerge only occasionally, but if his prophecy should prove inaccurate, I shall be comforted by the fact that the hon. gentleman, after more than thirty years in this Parliament, can still be described as not having emerged from the embryo stage of statesmanship. However, I know that his approach to the bill was sincere, though he had doubts as to whether the workers would receive the benefits that the Minister intended them to receive. He said that I had made a very intelligent interjection. It is strange that to the hon. member an interjection is intelligent only

Mr. R. S. Jackson.]

when he agrees with it. I said that the improvements to the Worker's Compensation Act would be passed on to the worker, and through him to the community. Everything that better the lot of the worker better our community life. We all benefit indirectly if the worker enjoys security of wages and conditions, and compensation when he is in adversity. Security at a price is better than no security at all.

All who are engaged in industry value full employment and wish to see it restored in New South Wales. Any worker who objected to taxation for expenditure on public works and to provide him with security of occupation would be very foolish indeed. A worker receiving £15 a week would prefer to pay an extra £1 a week in taxation and so remain in employment throughout the whole year, rather than be relieved of that obligation and be in employment for only six months of the year at the same wage. Every hon. member knows that this bill provides security for the worker both in employment and when he meets with an accident or is prevented for some other reason from engaging in his employment.

The hon. member for Neutral Bay said that the bill should have been brought down earlier. He criticised the Government—not on the contents of the measure, because he showed that he approved of almost every provision in it—for the long parliamentary recess. He said that if that recess had not been so long the bill would have become law months ago. I have heard hon. members opposite complain that Parliament sat on only one day this year before the present session began and that they wanted something to do. If hon. members opposite wear out their nether garments for want of something to do, I, as the hon. member for Drummoyne, do not. My time has been fully occupied since 14th February in coping with the problems of the citizens in my electorate. My colleagues have had a similar experience. Following an election Ministers are busy with the work of their departments. No member of this House allows them to be idle. They have a great deal of administrative work to do and they have also to receive deputations, grant interviews, be present at public

functions and perform a host of other duties. They are perhaps more busy in the recess period than when the House is sitting. Perhaps some members opposite who have criticised the Government may think that the Ministers are still in recess.

Mr. MORTON: The hon. member has spoken truly.

Mr. R. S. JACKSON: The hon. member for Neutral Bay is worried about the possibility of extra litigation resulting from the bill. He said that the legal costs arising from its provisions would be equal to a 2s. rise in the basic wage. I do not know whether the hon. member would object to a 2s. rise in the basic wage. My previous argument as to the willingness of a worker to make a slightly increased contribution to maintain his employment is an answer to the hon. member's suggestion. The worker is as worried as is the hon. member for Neutral Bay about extra litigation costs involved in obtaining his rights concerning, not only compensation, but also other conditions. A former Minister for Labour and Industry brought down amending legislation to assist the worker with his legal costs. These are not the only liabilities connected with a claim for compensation. Sometimes a worker has to fight his case at common law.

I have sometimes thought how wonderful it would be if the Government could bring down legislation framed in such a way as to dispense with the need for litigation. It would be a splendid thing if the ordinary worker could read and understand every law that was enacted and consequently would not have to resort to legal interpretation. This bill will cost the workers no more in litigation than has any other law that has been passed. Bills are drafted by members of the legal profession in an effort to translate into law the policy of the Government. The draftsmen cannot be blamed if the measures contain anomalies, or the workers if they cannot understand them. No one would suggest that errors in drafting are made deliberately so that legal practitioners can reap a harvest from interpreting the law. The framers do their job conscientiously, but frequently, after a bill has been passed, the services of a solicitor have

been needed to interpret them. Hon. members know that often in the hearing of a matter in the courts there is a formidable array of leading counsel on either side of the bar table each trying to prove the other wrong on matters of law as well as on matters of fact. Eventually the issue is referred to a jury, or to a judge—who also is a member of the legal profession—to decide which interpretation of the law or of the facts is right. The Minister is a barrister.

Mr. MORTON: The hon. member is promoting him.

Mr. R. S. JACKSON: He is at least a member of the legal profession. The hon. member for Neutral Bay also is a member of the legal profession—in fact there are so many legal members of this House that I have wondered whether they outnumber the union secretaries. The House is graced also with a doctor and the arguments that I have just put forward concerning the legal profession can be applied to the part that the medical profession plays in matters of workers' compensation.

Shipbuilding is a heavy industry and workers have to handle weighty materials, such as timber and iron. The builders of small boats also have to do a great deal of manual work because they do not have the benefit of as much machinery as is available to the builders of larger vessels. In the circumstances there are in the industry many instances of heart injury and hernias. The hon. member for Lake Macquarie made to this debate a contribution that should be read by every hon. member; he knows the workings of compensation from A to Z and I am sure that he would agree with me that the most difficult cases which a union official has to handle are those relating to heart conditions and hernias. I recall that not so many years ago a member of my union suffered a coronary occlusion. The compensation doctor declared that this condition was not related to his work. The man's own doctor declared that in his opinion the heart trouble could have been caused by the workman's employment. This situation frequently arises, and many workers in industry are

denied their compensation rights, because the benefit of the doubt usually goes to the insurance company.

In this instance I had one doctor not trying to help and the other not trying to hinder. They were both within their rights in expressing their honest opinions. I had a conference with the insurance company concerned and its representatives acted fairly. They said to me, "If you fight the case you might lose and the man will get nothing. We will give him £100 and a three months' rest period." This incident occurred when compensation rates were lower than they are now. The insurance representatives said also, "There is a possibility of this man's heart healing. If it heals, he will be all right and he can go back to work after three months' rest." The man accepted the offer and fortunately his heart recovered. He is now back at work and in good health. Nevertheless, the situation was a most difficult one for him and for the union. We could have fought the case and perhaps lost or we could have accepted the insurance company's offer and perhaps the man would never have recovered. The point is that this man should not have had to face this difficult position. He should have been able to get his compensation without question.

Hernia cases are equally difficult. One often finds that one doctor says that the injury was not sustained at work and could have been caused while digging the garden at home or painting the roof or doing some other job. It is easy for a man to suffer a hernia at work but how many workmen have failed in their claims in the Workers' Compensation Commission because they cannot prove positively that the hernia was the result of their employment? A man may know full well in his own mind that the hernia is the result of his employment but he cannot describe exactly when and how it occurred. In those circumstances he cannot prove the elements that are essential to success. He, not the insurance company, has the onus of proving that the hernia is the result of his work. It is a heavy onus. I contend that the insurance company, in cases of doubt, should have to prove that the hernia did not happen at work. It is unfortunate that when differences of opinion arise among the legal

fraternity and among doctors, the worker has to bear the brunt. He is the meat in the sandwich.

The hon. member for Neutral Bay expressed some fears about litigation and legal costs. My suggestion is that the Minister, as well as fixing the price of coffins, should fix also the fees of barristers and solicitors in connection with the administration of the Workers' Compensation Act.

Mr. LANDA: There is no need for me to do that. The Workers' Compensation Commission does so.

Mr. R. S. JACKSON: It is strange how a man's fees rise when he changes his status from solicitor to barrister. The same man may be a solicitor to-day and a barrister to-morrow, but the person who engages him as a solicitor pays for cotton and when he engages him as a barrister he pays for silk. The same situation obtains in the medical profession. A doctor is practising in the suburbs to-day and he opens rooms in Macquarie-street to-morrow. He is still the same doctor but the increase in his fees is like a transition from coal dust to gold dust. The law is the same, whether the practitioner is a solicitor or a barrister, and the injury is the same, whether it is treated by a suburban practitioner or a Macquarie-street specialist. The worker has to pay all the time. These things have worried me a great deal when I have been handling compensation matters, and I know that they have worried other union officials who are active in furthering the interests of their members.

The Leader of the Country Party and the hon. member for Burwood have no cause to feel concerned about the provisions of this bill respecting contractors. The important thing is to make certain that the worker is covered by compensation insurance. Whoever has to pay the premium for that insurance will pass it on. This clause will not be a bar to the support of the bill by hon. members opposite. They have been fair enough in their consideration of it, but they seem to be worried lest the wrong person has to pay the premium for the insurance of a worker. I repeat, whoever gets the account will pass it on. Someone must look after the employees of sub-contractors who contract to supply sleepers, piles or

Mr. R. S. Jackson.]

other timber, and hon. members may rest assured that the sub-contractors will not neglect the interests of their employees. If they did their profits would be reduced and they would not achieve the production about which the hon. member for Burwood is so concerned. The Minister deserves commendation for this provision. The hon. member for Neutral Bay mentioned the clause that extends protection to the waterside worker who is injured on his way home after attending a pick-up at which he is not selected for work. It is not the Minister's intention, I am sure, to make the provision wider than that at present applying to workers generally in respect of the journey to and from work.

Mr. HEARNshaw: But the bill does not say so.

Mr. R. S. JACKSON: The Minister might clarify the point, but I am sure that it is the Government's intention that the provision shall not be wide enough to allow a waterside worker on his way home from the pick-up after failing to obtain work, to go, for instance, to a hotel, to the pictures, or for a game of bowls or golf. That would be stretching the limit too far. But the waterside worker who has missed selection for work at the pick-up should be entitled to protection on his usual journey home. A number of speakers have mentioned payment for holiday pay in addition to compensation for injury. Annual leave, long service leave, and sick leave benefits are taken into consideration by the courts in making awards, which, therefore, are perhaps not so high as they would otherwise have been. This will be well known to hon. members on both sides of the House who have been associated with the arbitration courts, either as legal practitioners or as industrial advocates. In the seventeen years in which I have appeared in the industrial courts for the New South Wales branch of the Federated Shipwrights and Ship Constructors' Association of Australia, I have taken part in the fixing of many awards, most of which have been obtained by conciliation—a fact that pleases me greatly.

Whether awards are made by agreement with employers or on the decision of a

judge following a hearing, allowance is made for the benefits of annual leave, long service leave and sick leave in the fixing of awards and margins. A worker who has been injured should not suffer both ways by being deprived of the benefits of annual leave and long service leave that have accrued up to the date of his injury. The provision made in this measure is designed merely to ensure that the injured employee shall not suffer this disadvantage. The hon. member for Neutral Bay was fearful that workers might become malingers if this provision were inserted in the Act. He said that some employees would probably take advantage of the provisions for sick pay and so arrange it that they could unjustly receive the benefits of proposed new subsection (2o) of section 7. In some awards, such as that for the metal trades, sick leave may not accumulate for more than three years. This means that in the third year of employment a worker who had not previously taken sick leave would be entitled to fifteen days' sick leave. Even after twenty years' service he would not be entitled to more, whatever illness he might suffer. The employee, knowing that his award wage has been limited to some extent by the allowance made by the courts for sick leave, decides that he will not lose both ways, and ensures that he gets his sick leave from year to year. I do not say that this is honest, because I deplore a person's taking sick leave unless he is really ill, for he helps to deny to his fellow workers the opportunity of improving sick leave benefits, which are vital to them.

Mr. BRAIN: It is dishonest for a worker to take sick leave unless he is ill.

Mr. R. S. JACKSON: I agree, but if the restriction on the accumulation of the leave were removed there would be no inducement for him to do so, because he would know that at any time he had a serious illness he would be entitled to sick leave cumulative throughout his service. We must not legislate with the idea that because a small minority of employees might abuse the sick leave provision made in this measure, it should not be made for the benefit of the honest workers. It would

not be fair or honest to take this view. The conscientious union official who is concerned in the administration of awards of the courts does the right thing when he finds a union member malingering or prejudicing the interests of his mates. If the sick leave provisions are to be of true benefit to employees who suffer illness the leave should be allowed to accumulate throughout an employees' service.

Hon. members opposite have not criticised the bill but rather have sought enlightenment as to the Minister's intentions in regard to some provisions. In addition, they have made some helpful suggestions. I support the point made by the hon. member for Lake Illawarra that the loss of a leg above the knee should be compensated in the same way as is proposed for the loss of the greater part of an arm. In my opinion a leg is even more important than an arm, and this appears to me to be the only real flaw in the measure. I hope that, in the Committee stage, I shall be able to make some suggestions designed to improve one or two provisions in it. I congratulate the Government upon the introduction of the bill, the Opposition for supporting it, and the Minister for his lucid explanation of its provisions.

Mr. HEARNSHAW (Eastwood) [3.12]: I want to draw the attention of the House to four matters in the bill. The first is the amendment regarding the responsibility of sub-contractors for injuries received by their employees, to which I take strong exception. It merely means double insurance and legalised opportunity for breaking the law, and it violates one of the most responsible principles of commercial practice that has grown up in past centuries, namely, the sanctity of contracts. In addition, it arbitrarily places liability where there is neither contract nor consent. I want to refer also to the proposed amendment designed to enable compensation to be paid to workers who are injured on their way home from pick-up centres; also, to a worker's election to exercise either his common law or statutory rights for compensation.

First, I want to refer to the question of holiday pay, which was raised by the

hon. member for Drummoyne. Hon. members on this side of the House have offered no criticism to the proposition that, in the normal course of events, a man should receive either compensation or holiday pay, and the real issue was admirably stated by the hon. member for Burwood. If a man is not injured, he receives his pay for work done, but if by chance he suffers an injury, then he goes off on compensation, and there has been no suggestion that he should receive his weekly wages in addition to that compensation. Why should there be any difference in principle in regard to holiday pay?

The Hon. D. CLYNE: Would the hon. member not agree that holiday pay is an accrued right?

Mr. HEARNSHAW: I do not question a man's right to holiday pay, but I say that it is wrong in principle to pay an extra amount of money simply because a man is injured. If he receives his holiday pay, he receives, in effect, a holiday and his pay as well.

The Hon. D. CLYNE: That pay is assessed on the services that he has rendered to his employer.

Mr. HEARNSHAW: Hon. members on this side of the House do not question a man's right to holiday pay. I believe that he should have it; my point is that he should not have holiday pay in addition to compensation pay for the same period. He would not receive compensation when he was working and earning his ordinary wage. Why should he receive compensation when he is on holidays and receiving his pay? If a man's holidays happen to accrue to him when he is suddenly injured, and he chooses to take his vacation, then he should receive compensation less the amount of his holiday pay. It is wrong in principle that there should be two payments made for the particular circumstance of an injured worker enjoying holiday pay.

Mr. McCaw: In respect of the same period.

Mr. HEARNSHAW: That is so. By this provision the Government is loading industry with new responsibility which I

should be sorry to see thrust upon it. One important amendment deals with the liability of a sub-contractor, and the hon. member for Burwood has explained the significance of the relevant provision in the bill. I do not intend to traverse what he has said, but will add one or two points on the matter. Hon. members should be clear in their minds as to whether a sub-contractor is or is not an employer. The hon. member for Burwood gave the illustration of sub-contractors in the timber trade who supply sleepers to the Railways Department. These sub-contractors in the North Coast districts are in business to contract for the supply of timber. Such men are employers in the accepted sense of the word, and they should therefore be regarded as employers within the meaning of the Workers' Compensation Act. However, the proposed amendment simply makes a pretence and regards a sub-contractor as not coming within the definition of employer under the principal Act. I am not a lawyer, but it seems to me that that is thoroughly bad law, and would be upset if contested in a court. I am certain that it is thoroughly bad commercial practice to regard such a man other than as an employer. If this contractor is an employer he is charged with certain responsibilities, one of which is to furnish to the insurance company a return of wages paid by him. What has that to do with the Railways Commissioner? However, can it be argued that a man who buys a product should be responsible for furnishing a return to another body for wages paid in that industry? It is so fantastic as to be incredible. How could the Railways Commissioner know or ascertain what wages were paid to men in the forests on the North Coast? Perhaps the wording of this provision could be modified. The Railways Commissioner should not be asked to accept responsibility for making a return of wages paid to timber getters on the North Coast. Section 18 (7) (a) of the principal Act reads:

Every employer applying to an insurer to issue or renew a policy of insurance or indemnity against liability under this Act shall

supply to the insurer a full and correct statement of all wages paid to workers in his employment during the period relevant to the determination of the premium payable by him for such policy of insurance.

That is the law and the Commissioner cannot possibly meet its requirements so that the Government sanctions the defeat of its own law. Paragraph (a) of subsection (7) reads:

Any employer who fails to supply such full and correct statement of wages in respect of any such period shall be guilty of an offence against this Act.

It is now to be provided *ipso facto* that the Railways Commissioner or anyone else who deals with a contractor must violate the law. The hon. member for Neutral Bay will agree that it is bad law to make a man liable in respect of actions of which he has no knowledge and for which he can take no responsibility, but that is what the bill does. The Workers' Compensation Committee prescribes the rate for compensation and it determines it upon the amount of wages paid. Here the same problem is met. How can the Committee, if unwittingly a false statement of wages paid has been made, determine what rate should be charged. If the contractor does not reveal to the purchaser the amount of his wages or gives him a false statement, the purchaser is still responsible to make a declaration on facts that he does not know to be true. Under this clause industry has imposed upon it the responsibility of having a rate fixed in circumstances of which it has no knowledge. That is bad law and should not be passed by this Parliament. If premiums are to be raised on industry, the cost of services will be increased. For example any increased premium on timber would raise the cost of building. This Government should amend this provision in an effort to keep down the cost of living.

Mr. EARL: How could those contractors be covered?

Mr. HEARNshaw: If they are employers they are liable to insure their employees. If they do not do so the law provides a remedy, but the responsibility cannot be placed upon a man who has no relationship to them. Here is an arbitrary determination saying that A shall be responsible for the neglect of B and it will

have no sanction from me. The contractor on the North Coast employing timber getters is an employer of labour and it is his obligation to care for his employees by effectively insuring them. There is no doubt about that and a suitable provision could be inserted in the contract. Opposition members support the sanctity of contracts and are opposed to the violation of them; that is why this clause is not acceptable. Employment is a contract of service and the employer is required under the principal Act to insure his employees.

Mr. EARL: The hon. member would sacrifice the timber getters because the contractors will not insure them.

Mr. HEARNshaw: I am sacrificing no one. If there is some misfeasance on the part of the contractor no British law will place the responsibility for it on someone else, but that is what the bill does. If it is considered an important matter it can be written into the contract, which is the simple way of remedying the position.

Mr. LANDA: The employer could not be covered by compensation.

Mr. HEARNshaw: There is a contract between the principal and the contractor. That is a direct contract and it could be made a condition of it that the employees shall be insured. To extend the principle of a contract to a person who has no relationship with the employee is bad law and bad in principle.

Mr. McCaw: Why should the contractor be relieved of a responsibility that every other employer must carry?

Mr. HEARNshaw: That he must carry under the law.

Mr. BLACK: What is the reason for the amendment?

Mr. LANDA: It was in the 1926 Act.

Mr. HEARNshaw: It appears that the Government wishes to relieve the contractors of their liability. The Opposition is not so naive as to think that the Government is always altruistic in the benefits it gives to unionists. Sometimes it has ulterior motives. It is not unknown to hon. members that a former president of the

Cessnock branch of the Timber Workers' Union employs labour, and if he does so it is for the purpose of making a profit, although one must shiver when one mentions the word "profit" in relation to trade unions. He pays wages as an employer, and therefore should be in no different position from any other employer merely because he is a trade unionist. The very basis of insurance is that the insurance pool provides for specified circumstances. It is true that the big man and the little man make their contributions according to the liability undertaken, and that this is an overall compensating factor in regard to recoupment from an insurance pool. No employer of labour should escape the obligation that attaches to other employers.

I have no quarrel with the principle that a wharf labourer should be covered by insurance when proceeding to and from work, provided that some limitation is placed upon the employer's responsibility in respect of persons returning to their homes after ceasing work. As has been pointed out, there is a degree of freedom as to what a wharf labourer shall do after a call-up has been made and he has not been employed. He cannot be compelled to go straight home. I do not know what provision the Minister is making in that regard.

Mr. LANDA: The ordinary interpretation is that the journey home should be made by the ordinary route with the minimum of delay.

Mr. HEARNshaw: I share the doubt that has been raised by the hon. member for Neutral Bay. It is important, in amending the Act, that this matter should be placed beyond all doubt. It may be that the hon. member for Neutral Bay may choose to clarify the matter by suggesting an amendment to the bill.

Mr. McCaw: There must be no deviation from the ordinary route.

Mr. LANDA: The ordinary worker is protected on his journeys to and from his place of employment. That protection is in accordance with the principles laid down by the Workers' Compensation Commission. Under the Act a wharf labourer who goes to the pick-up place for a job did not

become entitled to protection unless he obtained a job, so that the Government had to make special provision to protect him. However, that protection has applied only to his journey to the pick-up centre, and not to the journey home. It is proposed now to give him protection on his homeward journey, but only in the same way as the ordinary worker is covered.

Mr. HEARNshaw: It is the responsibility of the Minister to make the position clear so that no confusion will arise. In respect of compensation to an injured worker, there has been talk about placing a limitation on any deviation from the ordinary route that the worker takes on his way home. I ask the Minister to consider placing a time limitation on the liability of the employer. For instance, if the pick-up is at 8 a.m., then the liability must cease by 10 a.m. I make this suggestion on the grounds that industry must not be saddled with an unknown or unspecified liability. The question arises: Who is to be responsible for paying compensation to a casual worker who is injured on his way home from work? I presume that it is the previous employer. That raises the complex problem as to how long an employer must carry the liability after a worker has left his employment.

Mr. LANDA: For the previous twelve months.

Mr. HEARNshaw: Do I understand the Minister to say that the liability attaches to an employer for twelve months after a worker has left his employment?

Mr. LANDA: An employer might be called upon by one of the succeeding employers to contribute to the compensation paid to a worker suffering from an occupational disease.

Mr. HEARNshaw: I am talking about an accident occurring to a wharf labourer returning home from the pick-up centre after he has failed to obtain employment.

Mr. DEPUTY SPEAKER: Order! Such questions could well be asked when the bill is being discussed in Committee. No doubt the Minister will make a note of what the hon. member is saying and will reply during the Committee stage of the bill.

Mr. HEARNshaw: I am sorry if I have delayed the House. I should now like to refer to the deletion of the election provision in respect of common law rights. This is a serious problem. The Act provides for the payment of adequate compensation—adequate in the sense that it is awarded by an independent tribunal. Under the measure a worker, having enjoyed the benefit of a decision by an expert tribunal, may take action at common law. There is an uncertainty of liability. I believe that an employee should make a determination when he appears before the workers' compensation tribunal that he will accept the sum fixed in the schedule—for instance, £200 for the loss of a toe—as full and complete satisfaction of his claim. All the circumstances surrounding the occasion for the claim are investigated by the Workers' Compensation Tribunal. It is thoroughly bad in principle that a man should enjoy the benefit of an award of £200 for the loss of a toe and then be able to take an action at common law. I cannot see how such an action could possibly succeed. The injured man's case has already been examined, and an award made and accepted by him. For that reason, I am not concerned so much about the position of the worker. By the simple and inexpensive process of issuing a writ at common law, an injured worker can institute proceedings against an employer, who must then meet the expense of interviewing witnesses and employing legal advice.

Mr. LANDA: The hon. member means the insurance company.

Mr. HEARNshaw: We are talking now about the employer, who should be covered.

Mr. LANDA: Under the workers' compensation law, he must be covered.

Mr. HEARNshaw: I am talking now about a common law action. The insurance company does not enter into the matter at all. In this case the real premium payers are the members of the community.

Mr. BLACK: The consumers.

Mr. HEARNshaw: The consumer pays because production costs increase. The employee does not care so long as he does not have to pay. Employees who are awarded compensation and then elect to go before the court in a common law action are humbugging the community and adding to the cost of production. They are imposing upon industry a stress and strain that it cannot bear. If, in the first instance, an injured worker wishes to exercise his common law rights, industry will be only too glad to co-operate. I agree that while a man is waiting for his case to be heard he should be given compensation, but no man should expect to be paid twice. He cannot have it both ways. He cannot play with a double-headed penny and not be caught eventually.

Mr. EARL: It will be impossible for him to get it both ways.

Mr. HEARNshaw: When he has received compensation he will be able to go before the court on a common law action.

Mr. LANDA: If he succeeds, the compensation payment will be deducted.

Mr. HEARNshaw: Why can he not make a choice, so that industry will know what its liabilities are to be? This bill takes from industry the right to know where it stands. One cannot milk a cow all the time: sooner or later it goes dry. Those who drafted the original legislation thought that industry was entitled to the privilege of knowing where it stood. If this amendment can be withdrawn industry will be better able to assess its responsibilities and meet more successfully the needs of injured workers in these cases.

Mr. CROOK (Cessnock) [3.49]: I have listened with interest and some amazement to the speeches of hon. members opposite. Almost without exception those gentlemen have said that they did not oppose the bill. Indeed, the hon. member for Burwood said that this was an example of Christian principles being given practical effect.

Dr. PARR: I said compensation principles.

Mr. CROOK: I think we all understand that we are dealing with a compensation bill. Why should hon. members opposite raise such an unholy clamour against this bill. Under it a worker who is injured will have the right to compensation during a holiday or annual leave period. The Opposition objects to that, and says that the worker is being paid twice. That is a ridiculous assertion and hon. members who make it do not understand what goes on in industry. Annual leave accrues to the worker on the number of days that he works during his period of employment. It is a form of payment on his day-to-day work. It is a portion of the payment that he receives for his work that is suspended and paid to him in a lump sum by way of holiday pay. He earns every penny of it. If unfortunately, he is buried by a fall of stone in a coalmine or run over by a railway engine, or injured in some other way while at his work, and the leave to which he is entitled accrues during the period of his incapacity, hon. members opposite argue that he should not receive both compensation and holiday pay. That is ridiculous. He is merely receiving something that he earned before the accident occurred, and no one can object to that. If workers are to have awards containing provisions of that sort, made by arbitration courts and industrial tribunals after long investigation, are they to be deprived of those benefits and suffer a further penalty when they are injured at their work? Is that what hon. members opposite advocate? Government supporters are totally opposed to such a suggestion. Despite all the talk about high wages and high costs of industry workers are not to-day receiving, in return for their labour, an equal share of the wealth that they produce for the nation.

The Government has no intention of depriving the workers of anything that they have been able to win from an arbitration court or tribunal by way of annual leave or any other form of holiday pay. It is tragic that anyone should suggest that because a worker has been injured in industry he should be deprived of his annual leave or its equivalent. Some workers are so badly injured that they

cannot return to their occupation and qualify for holiday pay. Hon. members opposite are hypocritical in their arguments. This provision will not impose a burden that industry cannot carry. When hon. members opposite speak about industry they do not mean the workers in industry, but the owners, and their chief concern in debating a bill of this kind is to do everything possible to prevent any interference with the profits made by owners of industry.

Dr. PARR: Legitimate profits.

Mr. CROOK: Profits, legitimate or otherwise. There is no denying that fact.

Mr. BLACK: I deny it.

Mr. CROOK: Member after member of the Opposition has said it, and the hon. member for Eastwood was the last one to express that view.

Mr. BLACK: He said that the cost would go on to the consumer.

Mr. CROOK: I understand what the hon. member for Eastwood meant. Hon. members opposite are not opposed to the bill, but evidently they have criticised it merely for the sake of doing so. Much has been said by them about the possibility of extra legal actions resulting from this measure, and increases in legal costs. They suggest that industry will not be able to meet that extra financial demand. The position is that the employer insures his employees against injury, and the Act provides a schedule of payments—weekly or lump sum or in some other form—and there is no need for a tribunal to decide how much shall be paid. In the majority of cases the payment is made automatically. Unfortunately, in some cases the legal representatives of an insurance company will dispute a claim and the matter is taken to court. Legal argument from each side is advanced, and the cost of proceedings is heavy. The lawyers who appear in these cases are highly trained, and they are paid handsomely for their work. I have no objection to that, because they are specialists, but I object to the insurance companies and the owners of industries employing the cleverest lawyers they can find

for the express purpose of so interpreting the law as to deprive the unfortunate injured worker of his compensation rights.

Examples of how smart legal brains have been used to defeat a worker in a just claim for his compensation rights are well known. Were it not for this policy of using legal procedures to defeat workers' claims, many of the cases that are now contested would never go to court. Insurance companies and others use every effort to evade their responsibility to injured workers. Hence the frequent legal wrangles. Members opposite have expressed concern about piling costs on industry and have voiced their fears that industry will not be able to carry its burden. One hon. member on that side said, "You cannot go on milking the cow forever. It will go dry." This cow will never go dry. If it did the whole economic system of the nation would collapse. The simple fact is that the cow that is being milked is the worker himself. The workers are the buyers of the products of industry. Industries are established to provide goods for the workers. The workers are industry's market. These persons who have been shedding crocodile tears about the burden on the owners of industry and on insurance companies know full well that all that those industrialists and companies do is to take their rake-off from industry, which is supported solely by the worker.

The cost of compensation will be added to every commodity and it will be borne in the end by the consuming public—the workers. The margin of profit that any owner of industry had before any bill dealing with compensation became law was maintained after it became law, and that position will continue. The concern of members opposite to ascertain what costs may be applied to industry as a result of this bill has but one basis—they are concerned to know how much industry will have to pass on to the consumers so as to maintain its profits. The fears of members opposite amuse me. I worked for many years in an industry to which the hon. member for Burwood referred. That hon. member declared that unfortunately the position of my employer was such as to prevent him from supervising my methods

of working and from making sure that I was taking the necessary precautions to prevent myself from being injured. Those may not be the hon. member's actual words but they contain the purport of what he said.

Dr. PARR: I referred, not to coalmining, but to timber getting!

Mr. CROOK: I invite the hon. member to choose any colliery owner in New South Wales and I will go underground with that gentleman. I will go to work in any place that the hon. member cares to nominate, be it bord, cut-through or pillar. My first concern will be to work in a manner that will protect me from injury and I will be tickled pink if any owner of industry is able to tell me how to do that. I can tell the hon. member what would happen if that owner and I were in the mine together. The first time the place gave a bit of a bump I would have to tie him up to stop him rushing back to the pit-top. Bush workers and miners have been referred to by previous speakers. The manager in industry is incapable of telling practical men out in the bush or down in the mines how best to make conditions as safe as possible, because he has never worked in the bush or in the mines. Indeed, if he were taken into the bush, asked to fell a good tree and cut a billet, or given a squaring axe and asked to cut a railway sleeper, the first thing he would do would be to make a thorough job of cutting off his foot. The hon. member for Burwood suggested this morning that the manager will be penalised, because he is not in a position to exercise supervision and ensure that the isolated employee does not suffer injury. There is no doubt that that was the hon. member's meaning.

Dr. PARR: But the manager would not supervise the worker in the bush.

Mr. CROOK: I am coming to the manager now. In the mining industry the owner employs a colliery manager, who, in turn, employs under-officials such as under-managers, over-men and deputies, who are mostly practical men and who supervise the workings and ensure that conditions are made as safe as possible. Indeed, the Coal

Mines Regulation Act authorises these officials to instruct any worker to make his position safer or, if it were necessary for his safety, to send him out of the mine. Why should we worry about the owner? As I have said, he would know nothing about the job. Like hon. members opposite, his only interest is in profits.

Dr. PARR: Owners could not pay the wages of the employees unless profits were made.

Mr. CROOK: The owners could pay wages without making a penny profit. The only "wages" that they could not pay would be their own. The Government is not worried about the "wages" of the owners, any more than the owners are concerned about the wages of the workers. Much of the criticism that hon. members opposite have levelled at the Minister and at the bill is sheer hypocrisy. Hon. members are neither sincere nor sure of their arguments. When I was only a lad, before first aid facilities were provided and compensation was paid, I was injured when a full skip of coal fell on my foot, which was wrapped in a handkerchief with a bag tied over it, before I was sent home on horseback. But the Government does not intend that those days should return. It intends to go ahead and, by the enactment of provisions for the payment of reasonable compensation, to make workers happy in their working conditions and in their relations with employers and, above all, to give security to themselves and their wives and children. The hon. member for Burwood this morning referred to the tragic fact that in the past women who lost their husbands through industrial accidents or diseases were forced to slave at the washtubs to earn the wherewithal to rear their children. I agree with the hon. member that far too many women have had this experience. But I do not wish to live in the past.

The Workers' Compensation Act was amended in 1929 by an anti-Labour Government, which reduced by half the value of the Act to the workers. If the Opposition parties are no more sincere to-day

than they were in 1929, there will be little hope for the citizens of New South Wales if by some unlikely mischance, the anti-Labour parties should be elected to govern in this State. The bill does not go far enough and there is still room for improvement. Last night the hon. member for Lake Macquarie made a worthwhile suggestion in regard to compensation for the loss of the greater part of a leg. However, all hon. members realise that perfection cannot be achieved at one attempt on this or any other matter. After the bill becomes law I have no doubt that in the course of time smart lawyers will find loopholes which a future government will have to remedy by amending legislation in order to preserve the intention of the Legislature when the original Act was passed. Unfortunately, courts of law must give a literal interpretation to the words of an Act and a keen lawyer seeks to give to words in any piece of legislation a meaning favourable to his client, whether he is an injured worker, an insurance company, or a leader of industry. He will argue for days on the meaning of a word, and often the decision of the court as to what is the correct interpretation nullifies the original intention of the legislation. Although the present measure does not give perfection I pay tribute to the Minister for the way in which it has been drafted and for his sincere attempt to give some justice to workers who are injured in industry. The Minister has done a good job and my statement will be confirmed by workers throughout industry. Criticism against the bill was for the most part insincere. The Opposition has said that it will not oppose the measure, that it agrees with the principle of compensation, yet it is continually critical of the provisions of the bill. Obviously members of the Opposition spoke with their tongues in their cheeks. When a bill comes before this House all hon. members should say whether they oppose it or accept it.

Mr. HEARNshaw: An hon. member is entitled to criticise a bill.

Mr. CROOK: He is entitled to say what he likes. I am not suggesting that the remarks made by the Opposition should not have been made, but I say that they were not made sincerely.

Mr. Pelly: That is not fair.

Mr. CROOK: It is fair. I cannot reconcile the statement of any Opposition member that the bill applies Christian principles in a practical manner when he proceeds to criticise the benefits it confers. It is not straight thinking. No worker in industry will injure himself deliberately and very few accidents are caused by carelessness. The vast majority of workers want to work regularly for a reasonable income so that they can keep their families. No worker wishes to be a burden on his wife and children. The suggestion that a great deal of supervision is required to prevent persons from being injured is not a sincere one. It is contrary to the law of human nature that a person should deliberately injure himself. Injuries cause pain and nobody likes being hurt. Workers will do their utmost to avert injury and the Australian worker will do a fair day's work, though some employers do not encourage him to do so. They do not supply the necessary materials with which to protect their employees. I know many occasions on which miners have been on strike for several days because the colliery owners would not provide sufficient timber for their protection. I therefore reject the suggestion that workers will deliberately allow themselves to be injured or that they are normally careless. There may be here or there an isolated instance of carelessness by workers, but I suggest that there are more instances of negligence on the part of the employer than there are of carelessness on the part of the employee. I again commend the Minister for bringing down the bill.

Debate adjourned.

House adjourned at 4.21 p.m.