

HOUSE OF ASSEMBLY.

Wednesday, August 29, 1951.

The SPEAKER (Hon. Sir Robert Nicholls) took the Chair at 2 p.m. and read prayers.

FLOODING OF ROADS.

Mr. MACGILLIVRAY—Has the Minister of Works any information about the possible flooding of roads in the Upper Murray areas as a result of the high river reported to be coming down?

The Hon. M. McINTOSH—I have a report from the Highways Commissioner's Office that the expected position regarding road approaches and punt crossings along the river following heavy rains is difficult to gauge at present because the water is slow-moving and comes down not only in accordance with the amount of rain but with the nature of the winds along the river. The present indication is that the Kingston-Cobdogla Road and the Morgan ferries approaches will be flooded. There is also a possibility that the Berri to Bookpurnong Hill approach may be closed to traffic. That is only an indication. Everything depends on circumstances, and it is too early to make any definite statement.

HILLS ROAD TRAFFIC.

Mr. SHANNON—Statements appeared in yesterday's *Advertiser* from Mr. F. H. Stevens, President of the South Australian Road Transport Association, and by Mr. Charles Johnson, of Sydney, who is credited with being a big interstate haulier. Both gentlemen, who should be in a position to assess the situation, could see no valid objection to regulating heavy transports during peak hours on our bottlenecks through the hills. This could be done by restricting the hours during which long vehicles can use the road. Has the Government had an opportunity of examining this matter and has it taken into consideration the views of these men, which must be respected?

The Hon. M. McINTOSH—I thank the honourable member for the question and ask leave to make a somewhat longer statement than is usual in a reply to a question. The Government has been considering this problem for many months. It is not a remedy to prohibit long vehicles from coming through the hills at certain peak periods. There must be a period when they have to come through in any case, and it could happen that if only two were on the road the danger would be just as acute as in the peak period. The question has to be looked at

not only from the point of view of danger but from the point of view of convenience and of the economy of the State. The economy side of it is probably more important than the danger aspect inasmuch as the National Safety Council has made no representations to the Government on the matter, nor has the Royal Automobile Association. I suggest that the accidents in the hills are rather fewer than on the open highway, where people think "It can't happen here." Towards overcoming the difficulties, which are many, the Government has decided to refer the question to the State Traffic Committee, which handles this problem to some degree in an advisory capacity. That committee is composed of all the interests I know of that are competent to decide this question, the only Parliamentary member being Mr. Pattinson, who is chairman. All the other members can be regarded as being non-partisan and non-political.

Mr. O'Halloran—You would not say he was partisan?

The Hon. M. McINTOSH—Not as chairman, but he is partisan to the extent that he would look after the welfare of this State. The Government is submitting to the committee the question of what steps should be taken under the Road Traffic Act or any other Act to regulate heavy vehicle traffic on the roads in the interests of road safety and to prevent undue damage to roads. The Government looks at the problem from a long-range view point. It does not want to unduly restrict the movement of interstate traffic if there is an alternative to offer, and it has been endeavouring through the Loan Estimates, with the assistance of the House, to put the South Australian Railways in a position to handle all the goods offering, either going or coming. When the railways are in that position we shall probably be able to take a rather different view of the matter. Other States are not in anything like the same position to handle the goods offering as this State is. The problem today is not the inadequacy of the railways, but the fact that they have had burdens placed on them that hitherto they have not had to carry. If we could overcome the difficulties on the waterfront, where there is much congestion on the wharves, we would be in a much better position. The South Australian Railways are now handling 38 per cent more traffic with only 5½ per cent more manpower. The whole question is a much wider issue than one of convenience or danger. It is one of transport generally and the Government is doing its best to see that the other

States give higher priority than they are giving today for the free interchange of interstate traffic. The State Traffic Committee will be able to handle all aspects of the problem, and if any member or body has evidence to put before the committee I am sure it will be welcomed.

Mr. STEPHENS—One matter which should be considered by the State Traffic Committee is the length of vehicles. No doubt members have seen vehicles on the roads which are really trains; some are 60ft. in length. All members will agree that they constitute a positive danger on any road, and more so on hills roads where there are so many turns. Because of the length the vehicle takes up all the road when going around a turn. It also happens on the Port Road and in the city. It is not allowed in Melbourne. According to the Victorian Act such a vehicle may not go through the city after dark. Will the Minister of Works have the matter of length of vehicles referred to the State Traffic Committee for a recommendation as to whether or not the Act should be altered in order to reduce the length?

The Hon. M. McINTOSH—The terms of reference of the committee obviously cover that matter. Specifically they are to consider and report as to what steps should be taken under the Traffic Act, or any other Act, to regulate heavy vehicular traffic on our roads in the interests of road safety and to prevent undue damage. As a matter of interest, for a long time this subject has been a live one before interstate traffic committees, and the advisory committee has recommended to the various Governments that the maximum length of vehicles other than omnibuses (which is 33ft.) should be 31ft. except semi-trailers, which should be limited to 45ft. Our limit is 66ft., which was agreed to by Parliament largely because of the type of traffic emanating from this State. We had lighter traffic taking motor bodies, and the vehicles went to that great length. At the time there were relatively few of them, but now it appears that most people build vehicles to the maximum length. What was regarded once as an odd vehicle is now apparently standard equipment. This is one of the matters which the committee will have to consider, and on which it will be glad to have the advice of anybody.

BUTTER PRICE.

Mr. STOTT—Has the Minister of Lands any further information to give in reply to my question of yesterday about butter prices?

The Hon. C. S. HINCKS—I had an opportunity of conferring for a few moments this morning with the Chief Secretary and the information he gave me is similar to what has already been supplied. The four States previously mentioned are conferring because New South Wales and Queensland, so far, are not prepared to co-operate with them. It is hoped that a statement will be made within the next few days.

POLIOMYELITIS EPIDEMIC.

Mr. HUTCHENS—Has the Minister of Lands any further information in reply to my question of last Thursday about prohibiting children, because of the poliomyelitis epidemic, from attending the musical festival to be held from September 3 to 6?

The Hon. C. S. HINCKS—I have received the following report from the Director-General of Public Health:—

At the beginning of the epidemic in 1949, the State Advisory Committee on poliomyelitis brought under notice various measures which were relevant in attempting to limit the spread of infection. It was pointed out, among other matters, that the crowding of children in rooms, halls or other enclosed places was undesirable. Experts in virus diseases recognize the value of some precautions in the early stages of an epidemic, as a means of slowing down the rate of spread of infection. In that way the virulence of the infection is likely to be reduced. It appears that virus infections, in rapid passage from person to person, tend to gather increased virulence and so cause greater damage to the victims. Now that the outbreak has persisted so long, the effect of restrictive precautions is not likely to be appreciable. The virulence of the infection is probably fairly stable and should in any case be losing rather than gaining in strength. The Advisory Committee does not consider that, at this stage, the postponement or abandoning of the musical festival would be helpful. The committee advises that children who are not well at the time or those who have suffered from a cold, sore throat, or any minor general illness for a week or ten days prior to the festival should not participate. Any contact of a case of poliomyelitis who is attending school or is under the age of 14 years is required to be isolated for a period of at least 14 days. Apart from this provision there is no legal power to prohibit children attending the festival or the rehearsals.

STATE TRAFFIC COMMITTEE.

Mr. SHANNON—Can the member for Glenelg, as chairman of the State Traffic Committee, say what steps are taken to call evidence and whether private individuals who have personal experience of road traffic are allowed or invited to give evidence before the committee when it meets, I understand, on Fridays?

Mr. PATTINSON—The personnel of the committee includes the Parliamentary Draftsman, as deputy chairman, the Commissioner of Police, the Registrar of Motor Vehicles and representatives of the Royal Automobile Association, the National Safety Council, the South Australian Road Transport Association, the Local Government Association, the Insurance Underwriters' Association of South Australia and the Adelaide City Council, and information is sought from the various organizations represented on the committee. Any interested organization or person is invited to submit written views to the committee, confer with it or give evidence, which is recorded by members of the *Hansard* staff. That includes members of Parliament. The committee has a high regard for the knowledge and practical experience of members, and it would be indebted to any member who would give it the benefit of his knowledge and experience on problems before the committee.

Mr. FRED WALSH—I am surprised that there is no representative of the Amalgamated Road Transport Workers Union on the committee. I do not know of any body more competent to express an opinion on transport matters than that union. Can the Minister of Works say if consideration will be given to the appointment on the committee of a nominee of the union?

The Hon. M. McINTOSH—I will take up the matter with my colleagues in Cabinet, as it is a matter of policy. I will give the honourable member an early reply, probably tomorrow.

SUPERPHOSPHATE SUPPLIES.

Mr. FLETCHER—Following upon questions by the member for Victoria and myself about superphosphate supplies to primary producers in the South-East, the Minister of Agriculture gave a full reply to Mr. McLachlan on August 16, but did not reply to a letter forwarded by an ex-serviceman settler on Pareen Estate, stating that although he had placed an order for superphosphate with a manufacturer last January, he did not receive supplies, whereas others did. Can the Minister say whether his department is making any investigations into the reasons why producers who placed their orders in February and March have received supplies and the settler in question has not?

The Hon. Sir GEORGE JENKINS—The question of priority of supplies is an old one in regard to superphosphate supplies. Frequently it has been claimed that people have got supplies before those who placed earlier

orders, but the companies which distribute superphosphate always claim that they distribute it according to the time orders are received, giving a priority to the early orders. I do not know that we have any power to compel the companies to supply superphosphate at the price obtaining at the time of the order. The contract made will no doubt indicate whether or not the company is vulnerable on that point. I will take up the matter further on the representations of the honourable member and get what information I can for him.

FAT LAMB AUCTIONS ON EYRE PENINSULA.

Mr. PEARSON—I understand a move is on foot to establish a system of selling fat lambs by auction at some centres on Eyre Peninsula, one probably being Port Lincoln. The producers for a long time have advocated such a system so that they may take advantage of the wider competition that is offered. Port Lincoln has produced the best fat lambs in the State and is capable of producing more. Every encouragement should be given to the enlargement of the industry. Can the Minister of Agriculture say whether the matter has been brought to his notice and, if so, has he any statement to make?

The Hon. Sir GEORGE JENKINS—Over a long period the breeders of fat lambs on Eyre Peninsula have felt that they have been at a disadvantage in regard to their sales as compared with breeders on this side of the gulf, in as much as the breeders here have the advantage of selling in the Abattoirs market, where there is the competition of butchers and others, or of putting supplies through the depot if they wish to do so. The question has been raised whether we could hold auction sales in the yards of the Produce Department at Port Lincoln. Some stock agents are interested in the matter and it is being investigated at present. I am very sympathetic to the suggestion and no bar will be raised to auctions being held in the yards of the depot if a satisfactory scheme can be arranged. It would be to the advantage of the breeders themselves because they could offer fat lambs by auction and then, if they did not get the price they asked, they could put the fat lambs through the Port Lincoln works and get what the works paid.

ADULTERATION OF TEA.

Mr. TAPPING—It has been stated to me that it is the practice of some firms to mix permanganate of potash with their teas, and that this has an injurious effect on people who

may be suffering from certain disorders of the stomach. Will the Acting Leader of the Government ascertain if the statement that tea is adulterated in this way is correct, and, if it is so, whether such a practice does not constitute a breach of the Pure Foods Act?

The Hon. C. S. HINCKS—Yes.

INDUSTRIAL CODE AMENDMENT BILL.

Mr. O'HALLORAN, having obtained leave, introduced a Bill for an Act to amend the Industrial Code, 1920-1950.

Read a first time.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

Second reading.

Mr. O'HALLORAN (Frome—Leader of the Opposition)—The purpose of the Workmen's Compensation Act is to place on employers the responsibility to compensate employees for incapacity (that is, loss of earning capacity) due to accident or industrial disease incurred in the course of their employment. The Act makes it obligatory on employers to guarantee that their employees will be compensated in accordance with the conditions laid down, and employers conform to these conditions by insuring their employees under policies in terms of the Act, so that when a workman is injured or contracts an industrial disease in the course of his employment, the benefits prescribed are available. The cost of this insurance is a normal business expense and, of course, is ultimately reflected in the price of the goods or services produced by industry.

All the compensation Acts now in operation in various parts of the world have evolved and their provisions have gradually become more generous and humane; but not one Act that I know of expresses completely the requirements of social justice, and our own Act is far behind most others in this respect. Generally, the argument raised against liberalizing the benefits under the Act has been that industry cannot afford to pay more than a certain amount, and the pure justice of the injured employee's case has been ignored. Recent amendments of the Act have been made largely for the purpose of adjusting the monetary value of the benefits to the rising cost of living rather than recognizing fundamental principles. For example, there still remains the absolutely unjustifiable idea that an injured workman should receive something less than his earnings, presumably so that he will have an incentive to get well as quickly as possible in

order to return to work. Opponents of the extension of compensation benefits have also argued that industry can afford to pay so much and no more. So justice has been sacrificed to expediency and to practical difficulties which can be solved in other ways than by unjustly limiting compensation payments. My Bill proposes certain fundamental changes in the approach to the question of workmen's compensation.

Before dealing with the provisions of the Bill, however, I desire to review some of the main provisions of the Act as it now stands. In the first place, the Act unnecessarily restricts the meaning of the term "workman." The restrictions applied are all set out in section 7. Some of them are unavoidable, but two of them cannot be justified. One is that a workman must, for the purpose of determining eligibility for compensation, receive not more than a certain weekly wage, which at the moment is £15 a week. I do not know what reasoning led to the insertion of this restriction in the Act, unless it was that an employee receiving more than a certain wage could be expected to make private provision for relief during incapacity, whereas an employee receiving less than that amount could not. This distinction does recognize, in some measure, the need to give assistance to a workman receiving bare subsistence wages—which is, of course, better than nothing; but the imposition of an earnings limit is fundamentally unsound. Under the present Act, if a workman receiving just over £15 a week is injured, he receives no compensation at all, while a workman receiving £15 a week can receive up to £8 per week. If the former wished to protect himself against the risk of being incapacitated through accident or disease suffered in the course of his employment, he would have to do so privately. Even if the Act provided for a sliding scale of benefits so that the compensation payable would decrease as earnings increased, there would not be so much to object to. But if the right to compensation suddenly stops when the weekly earnings exceed a given amount, extreme hardship is necessarily imposed on workmen receiving just above the prescribed limit, whatever it is. I might add that workmen receiving more than £15 a week are excluded from all the benefits of the Act—not merely the weekly payments during incapacity but also any lump sum compensation in respect of death or permanent disablement. A workman receiving more than £15 a week is not a workman

within the meaning of the Act. I might also add that the fixing of any particular maximum (especially under existing circumstances) necessitates frequent amendment of the Act to bring it into line with realities. The general effect of limiting earnings is that some *bona fide* employees are always excluded from the benefits of the Act; moreover, with the cost of living rising so rapidly, more and more employees are continually being excluded, and I should imagine that the bookkeeping involved both in employers' and insurers' accounts must be considerable.

The solution of the particular problem associated with the definition of workmen is to amend the Act to include all *bona fide* employees. As I have said, the purpose of the Act is to compensate employees for incapacity incurred in the course of their employment, and the principle that industry is responsible for such compensation should be completely implemented in the application of the Act to all employees regardless of earnings. The other restriction to which I referred is contained in subparagraph (c) of section 7. The wording of the subparagraph is obscure, but I think it is intended to apply to workmen related to their employer and living in his home; and I suppose the reason for this particular restriction is that there is difficulty in proving that such persons are *bona fide* employees owing to the informal nature of their employment and the absence of wages returns, etc. If the reason for their exclusion is, as I suggest, a practical one, then practical measures could be devised to ensure that they are provided for.

The next phase of the Act to which I wish to refer is the amount of compensation payable under it. If a workman dies as a result of his injury and leaves dependants wholly dependent on his earnings, the amount of compensation payable is a sum equal to the workman's earnings during the preceding four years, with a minimum of £500 and a maximum of £900, plus £50 for each dependent child under the age of 16 years. If the dependants are partially dependent, the compensation is some proportion of the amount provided for total dependants. If the workman leaves no dependants at all, the compensation is payment of medical, hospital, and other such expenses up to a maximum of £50, plus funeral expenses up to a maximum of £20. I am for the moment, of course, referring to the provisions contained in section 16 of the Act, which deals with compensation payable at death. These provisions are

less generous than the corresponding provisions in most other State Acts. The four years' earnings provision is largely, if not completely, inoperative owing to present-day wage levels, and it appears to have been lost sight of altogether in the fixing of the minimum and maximum amounts payable under the section.

In this connection, I point out that for many years before the Act was amended in 1940 the maximum compensation payable at death was three years' earnings or £400—whichever is greater—but not exceeding £600. It will be noted that £400 is equivalent to an average rate of £133 per annum (or about £2 10s. a week), while £600 is equivalent to an average rate of £200 per annum (or about £4 a week); and in those times the wage level was such that the compensation payable bore some reasonable relation to earnings. But the provision now is for four years' earnings (or £500, whichever is greater—but not exceeding £900) plus £50 for each dependent child. The sum of £500 is equivalent to £125 per annum, or about £2 10s. a week; while £900 is equivalent to £225 per annum, or about £4 10s. a week. The absurdity of the present provision, in view of current wage levels, is obvious. If a given number of years' earnings are considered to represent fair compensation, the actual earnings of the workman should be the basis of computation, and the amount of compensation should not be limited by an entirely artificial maximum.

Weekly payments—that is, compensation payable during what might be called temporary incapacity (for example, when a workman is in hospital and unable to work at all, or not in hospital but being treated)—are determined according to an elaborate formula. The provision is to the effect that weekly payments during total incapacity shall be two-thirds of the workman's weekly earnings, plus £1 a week for a wife and 10s. a week for each dependent child under 16 years of age. It is almost unnecessary for me to point out that this formula is practically inoperative because the maximum weekly payment under the Act is £6 for a single workman and £8 for a workman with dependants. The weekly payment continues at this absurdly low level until the workman is considered to be able to earn something, and then it is reduced by whatever that something may be. During the period of partial incapacity, as this condition is called, the workman receives weekly payments at the reduced rate until the maximum for weekly payments is reached or until either he or the

employer moves to substitute a lump sum in redemption of future weekly payments. Under the Act either party may require the other to agree to a redemption at the end of six months, if such an arrangement has not already been made.

The Act provides that the maximum amount of compensation payable in the form of weekly payments (whether for total or partial incapacity) shall be £1,150. This maximum is the lowest provided by the various State and Commonwealth Acts. I might mention in passing that in order to receive the maximum a workman would have to be totally incapacitated for 192 weeks (or nearly four years) if he is single and 144 weeks (or about two and three-quarter years) if he has dependants. It has been impossible to ascertain the average period of incapacity involved in compensation cases, but I understand that the average for most types of cases in New South Wales is about four weeks. In the great majority of cases where the maximum compensation for weekly payments is paid the workman has suffered some permanent diminution of earning capacity, and it can be said that in most ordinary cases the total weekly payments do not amount to very much. I have never been able to satisfy myself that there is any justification for limiting a weekly payment to some fraction of the workman's weekly earnings. For years, until there was specific provision for the payment of medical, hospital and allied expenses (which assists the workman to meet additional expenses during a period of illness following an accident) the workman needed more than his wages during incapacity; but even if adequate provision is made for such additional expenses, the workman should receive the equivalent of his wages during incapacity to meet the normal expenses of his household. These expenses are not any less merely because the bread-winner is prevented from working as a result of an accident suffered at his work. The rent has to be paid, food has to be bought, and other regular and necessary expenses are incurred week by week. Where a workman is absolutely prevented from working because of incapacity he should receive his full wages and not a grudging pittance representing some arbitrary percentage of his normal earnings.

Under the Act, weekly payments are deductible from lump sum compensation payable in respect of death or the specific injuries set out in the table to section 26.

Formerly, such weekly payments were deductible *in toto* from the compensation payable at death, but recently this harsh provision was modified to exempt £500 from such deduction. The effect of deducting weekly payments is that if a workman is totally incapacitated for a long period and ultimately dies (or suffers some permanent injury such as the loss of a limb) the compensation payable in respect of death or that specific injury may be considerably reduced below the maximum provided. Very frequently a workman is longer in hospital because of an accident which ultimately results in his losing a limb than when death results from the accident, yet all weekly payments are deducted from compensation payable in respect of the loss of a limb. Further, in such a case the maximum for medical and allied expenses is more likely to be exceeded, because of the length of the workman's illness, with the result that the workman has to meet additional expenses when he recovers. If there is a sound reason for partially exempting compensation payable at death from deduction of weekly payments, there is a sound reason for similarly exempting compensation payable in respect of permanent incapacity.

Originally, as I have said, all weekly payments were deductible from any lump sum provided because a lump sum was regarded as the redemption of future weekly payments, and the maximum for such weekly payments automatically determined the total amount of compensation a workman or his dependants could receive. But there is no real justification for this. Weekly payments ought to be regarded as compensation payable during temporary incapacity and ought not to affect any compensation that may become payable because of the death of the workman or because of any permanent incapacity resulting from the accident.

I turn now to another aspect of the Workmen's Compensation Act, which provides that a workman's injury must arise out of and in the course of his employment. I suppose this is to ensure that industry will be responsible only for injury directly due to a workman's employment and during the time that he is actually engaged at work. In this respect our Act is narrower than any other Act in Australia and my Bill proposes to widen it considerably. I will consider this aspect more thoroughly when I discuss the particular provisions of the Bill. Section 18a of the Act provides for the payment of medical, surgical, hospital, and other allied expenses

incurred by an injured workman, with a maximum of £50. One criticism of this provision is that it prescribes too low a maximum, having regard to present-day costs. Although in the great majority of accident cases the expenses incurred might easily be covered by the maximum prescribed, extreme cases, of which there are relatively few, are well beyond that limit. This particular provision also comes up for criticism because the rapidly rising cost of living today renders any fixed maximum unrealistic after a while, but I have no solution of this difficulty other than to suggest a higher maximum than the one fixed now. As for the type of expense allowed under this provision, it is a curious anomaly that if a workman has his sight impaired by an accident he may be provided with spectacles if they will help him, but if he already wears spectacles and they are destroyed in an accident he cannot have them replaced by way of compensation. The same criticism applies to the provision of artificial limbs and other aids as against the replacement of such limbs and aids.

The maximum amount of compensation payable under section 16 of the Act in respect of any one accident is £900 (plus £50 for each dependent child). But this maximum may be reduced by weekly payments to £500, plus £50 for each child. The maximum compensation payable in the form of weekly payments or for specific injury under section 26 is £1,150 and the maximum under section 18a is £50. Thus it would be possible for the total amount of compensation in any one case to be £1,700, plus £50 for each child but only when a workman died after a very long illness leaving dependants wholly dependent on his earnings. Another general criticism of the Act is that because of the restrictions expressed in it elaborate directions have been included for the determination of such things as the sum a workman earned over a period of years before an accident and the difference between earnings before and after the accident. Still another criticism is that workmen injured before an amendment of the Act are ineligible to benefit from any improvement effected by such amendment. These and other unsatisfactory features of the present Act have led to dispute and litigation. The provision of some simple and definite system would have the advantage of clarifying the position and at the same time would place the Act more in keeping with social justice.

My Bill contains provisions based on entirely different conceptions of workmen's compensa-

tion from those expressed in the Act. I propose to explain the provisions now, but in doing so it will not be necessary or desirable for me to take the clauses in the order in which they appear. The first important amendment is contained in clause 5, which provides for the deletion of sub-paragraphs (a) and (c) of section 7 of the Act. The effect of this amendment is to include all *bona fide* employees regardless of earnings and whether they happen to be members of their employer's family. The deletion of an earnings limit renders justice to employees and at the same time removes a number of practical difficulties associated with the imposition of a limit.

The next important amendment is in clause 4, which really widens the interpretation of the expression "arising out of or in the course of 'the employment'." The effect of this amendment is to cover workmen when temporarily absent from their work during ordinary recesses, travelling between pick-up places, between home and place of employment or training school, and to obtain medical treatment or compensation payments. Similar provision is now included in the Commonwealth Act and in all States except South Australia and Western Australia. It expresses the general principle that travelling to and from work is an essential feature of employment; in fact, much more travelling to and from work is involved today than formerly because of a number of factors, especially the housing position—and it is likely that more and more will be done in future. But whether most workmen have to travel or not and whether a workman travels long or short distances the fact remains that travelling in order to engage in employment is determined by industrial and other factors over which the workman has no control. One might claim that it is desirable that workmen should live some distance from their work.

One of the main arguments used against the extension of the Act to cover workmen when travelling to and from work is that it would be difficult to determine the facts, that is, to determine whether the workman was travelling to or from work at the time of the accident. In this connection, the Bill provides that a journey must not include any substantial deviation unconnected with travelling to or from work. If, for instance, a workman on leaving work visited some friends for the evening and afterwards went home instead of returning home by the normal route, he obviously would not be covered. With

the safeguard mentioned, it is unlikely that there would be any more litigation or uncertainty than there is in other directions under existing provisions of the Act. Moreover, the provision now proposed has worked satisfactorily in other States. Travelling between pick-up places has been included to provide for cases in which such travelling is involved as a special feature of certain types of employment and not normally covered in the provision "travelling to and from work." Moreover, workmen, especially apprentices, may be required to attend a training school as part of their employment or training, and the Bill thus provides for coverage of workmen while travelling to and from such school or while in attendance. The Bill also provides for a workman travelling to obtain medical and other treatment or compensation payments while incapacitated. As another modification of the condition that the injury must arise out of and in the course of the workman's employment, the Bill provides that if a workman is injured while doing some act connected with his employer's trade or business he will be covered, notwithstanding that he was acting in contravention of any regulation or without instructions from his employer. This provision is intended to apply to cases where an employee disregards regulations in order to achieve the purpose of his work, as in the case of an emergency for example. It sometimes happens that if the workman strictly observed regulations disastrous consequences would ensue. In reference to the amount of compensation payable under various circumstances, the Bill prescribes, in general, that compensation shall be computed in terms of the workman's weekly earnings. Whether the compensation is in the form of weekly payments or a lump sum payment, this rule applies. The Bill bases compensation on the actual earnings of a workman. There are no fractions and no elaborate formula for the addition of arbitrarily and artificially determined amounts. If a workman is injured and cannot engage in his employment, he is to receive during his incapacity a weekly payment equivalent to the weekly amount he would have been receiving if he had not been injured. If the workman dies as a result of his injury, the compensation payable will be based on a multiple of his weekly earnings, and the same applies to compensation for specific injuries under section 26.

Clause 7 sets out the amendments proposed to section 16 in so far as this principle applies to compensation payable at death. If there

are dependants the compensation payable will be 156 times the weekly earnings of the workman at the time of the accident or 156 times the weekly amount he would have been earning, but for the accident, at the time of his death. In other words, the compensation is a sum equal to three years' earnings, calculated as at the time of the accident or the death of the workman. The clause provides that where there are total dependants compensation payable at death shall not be less than 156 times the living wage in force at the time of the workman's death. The Bill perpetuates the provision now in the Act that if the dependants concerned are partial dependants a proportion of the compensation payable in the case of total dependants is to be paid; but the Bill goes further in this respect by providing that members of a family (to the maintenance of whose home an unmarried minor was contributing before the accident) are to be regarded as partial dependants of such minor.

The Bill also provides that whatever the amount of compensation determined in accordance with the foregoing rules it is not to be reduced by any weekly payments paid or payable in respect of temporary incapacity or by any lump sum compensation paid or payable in respect of any permanent incapacity, including specific injury under section 26 of the Act. This is in conformity with the view that the various types of compensation payments should be regarded as separate and that compensation payable under one section of the Act should not be set off against compensation payable under another section. In order to make perfectly clear the proposed separation of compensation payments it has been necessary to include in the Bill provisions directing the parties concerned to take certain action which, I believe, they take now in determining what compensation is payable when it is a question of redemption. For example, the Act provides that if a workman has been receiving weekly payments for six months either party may require the other to agree to a redemption of future weekly payments. This arrangement, of course, necessitates medical examination, direct negotiation and sometimes an approach to an arbitrator or the court. As far as the actual procedure is concerned, all the Bill does is to set it out in the legislation, and this is necessary because of the proposed removal of all reference to redemption of future weekly payments. If the various compensation payments are regarded as separate there will, of course, be no scope for

redemption; but there will still be scope for decisions as to whether a workman has recovered, whether he is still temporarily incapacitated or permanently incapacitated, or likely to recover, etc. A consideration of the actual provisions of the Bill in this respect will make the position clearer. Clause 9 provides that where a workman is injured so as to be totally incapacitated (that is, unable for the time being to engage in any kind of work) he shall receive weekly payments equal to his weekly earnings for not longer than 26 weeks (approximately six months). If the workman dies within that period, the weekly payments will cease as from the time of his death and the provisions of section 16 of the Act will then apply. If the workman recovers before the expiration of the 26 weeks mentioned the weekly payments will cease as from the date of his recovery. At any time during the 26 weeks a medical practitioner may examine the workman to determine his condition, and such medical practitioner may, at his discretion, declare the workman to be either completely recovered (to his former condition of health, etc.), or permanently incapacitated, either totally or partially. In other words, if a workman is injured so as to be totally incapacitated he will be entitled to weekly payments equal to the wages he would have earned, but for the accident, until his death, or until he is declared to be completely recovered or permanently incapacitated in some degree; but the maximum liability of the employer under this provision is 26 such weekly payments.

If the provision went no further, however, there would be a temptation on the part of the employer to have the workman "declared" sooner than might be fair to the workman. I have therefore added the proviso that the medical practitioner must not make such declaration before the end of the said 26 weeks unless in his opinion the workman has completely recovered or is not merely temporarily incapacitated at the time of the examination. The medical practitioner must not anticipate the likely recovery of the workman or the time of such recovery as a result of an examination made at any time during the 26 weeks. The medical practitioner must be satisfied before making a declaration before the expiration of the 26 weeks that the workman's incapacity at the time of the examination is not temporary. A further safeguard is provided in that if such a declaration is made before the expiration of the 26 weeks an

appeal may be made to a medical referee in accordance with section 35 of the Act, and that such medical referee shall review the medical practitioner's declaration, that is, decide whether it should have been made and, if so, review the assessment of permanent incapacity (if any) declared by the medical practitioner. It is to be understood, of course, that the medical practitioner referred to would be appointed by the employer (as is the practice under the present Act) and the medical referee would be appointed in accordance with the provisions of section 35 of the Act, which provides that a medical referee may be appointed by a local court on the application of both of the parties concerned. One of the minor amendments included in the Bill is to the effect that the court may appoint a medical referee on the application of either of the parties.

At the expiration of the 26 weeks prescribed, if no declaration has been made, or, if made, has not been upheld by a medical referee appointed as provided, and the workman is still receiving weekly payments, a declaration must be made; and this declaration, with the same right of appeal to a medical referee, must be to the effect that the workman has completely recovered or is permanently incapacitated in some degree. Another difference between the declaration which may be made before the expiration of the 26 weeks and the declaration which must be made at the expiration of that period (if one has not already been made) is that the latter may have regard to any temporary condition of the workman as a degree of permanent incapacity; for example, the medical practitioner's estimate of how long it will be before the workman is able to return to work is to be regarded as a degree of permanent incapacity. The aspects for the medical practitioner or referee to consider in this respect are set out in proposed new section 20. After considering these matters the medical practitioner or referee is to express the workman's degree of incapacity as a percentage of total permanent incapacity. For example, if he considers the workman to be capable of returning to work in three months' time (when he considers the workman will be completely recovered), and assuming that the workman has not suffered any specific injury as set out in section 26, the compensation payable would be in accordance with the ratio of that period to the period of three years, which under the Bill corresponds to total permanent incapacity. In this case the workman would be

deemed to be permanently incapacitated to the extent of one-twelfth, or 8½ per cent. If any other factors, as set out in the proposed new section 20, further reduce the workman's earning capacity, the degree of permanent incapacity will, of course, be further increased.

The Bill provides that the table in section 26 shall remain in force on the same basis as at present, that is, that certain compensation will be payable for certain injuries; but instead of providing a maximum of \$1,150 (or any other fixed amount) it is proposed to provide three years' earnings as the maximum compensation payable to any workman suffering such injuries. This maximum is to be regarded as compensating total permanent incapacity, as, for instance, the loss of both eyes and the other injuries assessed in the table as imposing 100 per cent disability; and the amount of compensation payable in respect of any other injury mentioned in the table will be such percentage of that maximum as the table indicates. However, the Bill does more than substitute a new maximum and a new principle on which that maximum is determined. It provides that the percentage of incapacity allocated to the various injuries set out in the table shall be taken into consideration in conjunction with any other factor affecting the earning capacity of the workman in accordance with the provisions of proposed new section 20. For example, if a workman suffers the loss of a leg he is to be considered (as he is now under the Act) as 75 per cent permanently incapacitated by virtue of that loss, but if in addition there is any other circumstance, such as impairment of health, disfigurement, etc., preventing the workman from securing employment or from remaining in reasonably regular employment, such circumstances must be assessed as a percentage and added to the percentage in respect of the loss of limb sustained; and compensation will be payable in accordance with the percentage which all such factors represent of total permanent incapacity.

I believe that procedure similar to this is followed in the negotiations associated with redeeming future weekly payments under the existing Act, although perhaps not explicitly acknowledged. One of the advantages of the proposed provisions is that this procedure will be laid down as such, and another is that the principle of the Bill, namely, the separation of temporary and permanent incapacity for the purpose of determining compensation payments will be clearly expressed and render the whole position more satisfactory. In effect

the Bill provides that if a workman is still unable to work, or able to work only in a limited way, after a given time, he must be declared to have sustained some degree of permanent incapacity, for which compensation is to be paid separately regardless of weekly payments made during the period of temporary incapacity following the accident. And because this compensation is to be paid irrespective of weekly payments, it has been necessary to make separate provision for permanent incapacity instead of treating its compensation merely as a redemption of future weekly payments. For that reason, also, weekly payments are not to be deducted from any compensation for permanent incapacity.

The Bill also provides for the adjustment of compensation payments to living wage fluctuations. This provision fills a long-felt need and at the same time will render the frequent amendment of the Act unnecessary. As I have pointed out, if prices rise in the future as they have risen during the last two or three years, the Act, as it is now framed, will have to be amended every year, and even then injustice will continue to be done to workmen who are receiving compensation payments at the time any amendment is passed. The Bill proposes that weekly payments shall reflect any automatic living wage adjustments applicable to the earnings of the workman concerned. Another improvement that this provision would effect is, of course, the automatic adjustment, as from the time of the passing of this Bill, of compensation payments now being received by workmen under the present Act. One of the greatest disadvantages associated with the Act is that when a new rate of compensation is approved that rate applies only to workmen injured after the incorporation of that rate in the Act; but under the Bill any workman receiving compensation payments now would automatically receive the rate prescribed in the Bill. For the future, of course, under legislation such as I am proposing, the position would not need any legislative attention, and as far as this particular phase of compensation is concerned, the Act would never need to be amended again.

Under the Act elaborate provisions lay down the procedure to be adopted in ascertaining the workman's earnings over a period of years preceding the accident. This has been rendered necessary by the emphasis placed on average earnings. The Bill, however, in general bases compensation on actual earnings at the time of the accident, and it will be seen

that such elaborate provisions for the ascertainment of earnings over a period (as in the Act) would not be required. Some of these provisions are, of course, desirable, or may turn out to be so under the proposals of the Bill, and they, together with others consequential on the substitution of actual earnings for average earnings, are contained in proposed new section 22. Under this section, it will be observed, amounts paid for overtime worked by an employee are not to be counted as earnings for the purpose of determining compensation. The Act now lays down that in determining whether a workman is eligible for compensation benefits, that is, whether he is within the earnings limit now prescribed, overtime is not to be counted; but if all employees are covered regardless of earnings, as under the Bill, such provision becomes superfluous. The other provision relating to overtime now in the Act—that for the purpose of determining compensation payments overtime shall be counted—was inserted because it had the effect of bringing such payments a little nearer the actual earnings of the workman. Under no circumstances would it be possible for a workman to receive weekly payments equivalent to his normal wages and overtime because of the operation of the formula in conjunction with the maximum prescribed in section 18 of the Act. But under the Bill a workman would be guaranteed his weekly earnings during incapacity, and that is a very considerable advance on present conditions, notwithstanding that in some cases (where overtime may be a regular feature of employment) relative hardship may be imposed. In other words, in proposing to exclude overtime for the purpose of determining weekly payments or any other form of compensation, the Bill does not place any workman in a worse position than he is in under the present Act. Expressed in general terms, the weekly earnings of a workman will be those laid down for the normal working week, and whatever that amount is for any particular workman, it will be the weekly earnings on which compensation in his case will be calculated.

There are, however, one or two necessary qualifications of this general rule. Where a minor turns 21 during a period of incapacity, it is only right that he should become eligible to receive weekly payments equivalent to the wages he would normally have received on reaching that age. The same principle has been applied to apprentices and improvers who, but for their incapacity, would have completed their apprenticeship or ceased to be

improvers, as the case may be. Another qualification regarding earnings has been included to provide for cases where a workman is employed by two or more employers. The rule at present is that the earnings of the workman in his various jobs are to be regarded as earnings in the employ of the employer for whom he was working at the time of the accident. The implication is that for purposes of determining compensation payable, the workman's earnings are deemed to be the total amount earned in the various jobs; but this may result in the assessment of a workman's wages on an entirely artificial basis, and the Bill provides that in such cases if the workman undertakes other work in addition to his ordinary 40-hour a week job, his earnings are to be regarded as the wages received in that job if they exceed the living wage. The proposed new section 22, which sets these qualifications out, also provides for necessary minor adjustments regarding workmen employed by the hour or at annual salary.

One or two other minor amendments are contained in clause 8, which provides for the amendment of section 17 of the Act, increasing the maximum funeral allowance from £20 to £30. This is merely an adjustment to present-day costs and needs no great amplification. Like the maximum set for medical and similar expenses, this maximum can only be fixed at some amount deemed fair and reasonable. Proposed new section 24 provides more adequately than the present section 18a for the payment of medical, surgical and similar expenses. Besides considerably increasing the scope of the section it provides for replacement as well as the supply of artificial limbs, etc., and raises the maximum from £50 to £100. This proposed new section, with the exception of the provision I have just mentioned, has been adopted from the Commonwealth Act. In addition to amendments to the principles expressed in the Workmen's Compensation Act the Bill proposes certain other amendments deemed necessary from experience in administering the Act. One of these is contained in clause 17, which provides that if an employer is responsible for undue delay in making compensation payments, an arbitrator or special magistrate may order the compensation to be increased by not more than 10 per cent. Another provision, contained in clause 18, clarifies the position regarding the rights of workmen and employers in connection with the recovery of damages and setting off compensation against damages. The clause repeats

section 69 of the Act and re-enacts it in a more suitable form. Still another provision is for the posting in conspicuous places of information relating to the obligations and benefits under the Act. This provision is contained in clause 20, which adds new section 115. The last clause of the Bill repeals the existing schedule of industrial diseases and substitutes a more comprehensive schedule, taken from the Commonwealth Act.

The Bill represents an entirely new approach to the question of workmen's compensation, and I trust members will give the proposals it contains their earnest consideration. It seeks to establish the principle that, if a workman is injured in the course of his employment (as defined in the Bill), he shall receive during his incapacity compensation equivalent to his normal earnings. It seeks to establish a distinction between temporary and permanent incapacity and provide for compensation separately for each of these conditions. It seeks to make fair and adequate provision for compensation based on the actual earnings of a workman in cases where the injury results in death or permanent incapacity. It seeks to include all *bona fide* employees irrespective of their earnings or type of work. I move the second reading.

The Hon. C. S. HINCKS secured the adjournment of the debate.

HOUSING POLICY.

Adjourned debate on the motion of Mr. Frank Walsh—

That in the opinion of this House, in order to co-ordinate all activities for the provision of urgently needed homes not only in the metropolitan area but also in the country, under one administrative head, a department of housing under the control of a Minister with no other departmental responsibilities should be established and that a building advisory panel consisting of representatives of the Institute of Architects, Master Builders and Building Trades Unions should be appointed to advise the Minister as to the best methods to employ in the mobilization of building resources, the utilization of labour, the control of materials, the expansion of production of essential basic materials, and, if necessary, the importation of materials in short supply.

(Continued from August 22. Page 407.)

Mr. SHANNON (Onkaparinga)—The subject of this motion is not new to members. In 1949 the then Leader of the Opposition (the Hon. R. S. Richards) moved a similar motion which stressed the need for a special depart-

ment of housing under a Minister whose sole duty would be to tackle this problem. The debate on that motion was adjourned on the last day of that session without the motion having been debated on a number of sitting days prior to that adjournment. It would seem that the sponsors of that motion did not think this matter of such great moment then as we are led by the member for Goodwood to believe it is today. In essence this motion is a vote of no-confidence in the housing administration in this State. The first man involved is the Premier, who is in charge of the housing programme of the State. I do not know whether the member for Goodwood intends his motion to be so taken, but it seems to imply a lack of confidence in the administration of that programme.

Mr. Frank Walsh—That is farthest from my thoughts.

The Hon. S. W. Jeffries—The member for Goodwood did not pay a compliment to the Premier in introducing the motion.

Mr. SHANNON—I do not know if he did or did not.

Mr. O'Halloran—Surely you do not admit that the Premier is such a dictator that he will not accept advice from anybody on any subject?

Mr. SHANNON—I could instance occasions when he accepted advice and acted upon it, but let me develop the argument in my own way. The motion can be nothing but a want of confidence in the Minister in charge of housing. If I cannot put forward a case to support not only the Premier but also the departments which come under his direction and supply sufficient information to warrant the continuance of the House's confidence in what is being done I shall have no complaint if the House carries the motion. Some members may say, "Why worry about this motion? It is only a pious resolution and cannot force the Government to do anything." In the past Parliament has carried resolutions which have not been acted upon by the Government of the day, but were merely pigeon-holed, but it is not wise for the House to take private members' motions lightly. If a motion is carried the Government of the day should act upon it, even if it is only a pious resolution, as some may describe it. I was first elected to Parliament in 1933, the year in which the Premier first came here. We supported the first real move to provide homes for those who could not pay a deposit to purchase one

of their own or even the rentals of houses to let. The then member for Sturt, Mr. H. C. Hogben, brought forward a proposal to build homes of a restricted size and low cost to provide houses at a cheap rental for people on limited incomes. Mr. Playford was then a back-bencher, but keenly supported Mr. Hogben's motion. As a result the foundation of the South Australian Housing Trust was laid. The trust's activities have expanded enormously, probably far beyond the conceptions of Mr. Hogben in 1936. However, I do not think anyone in this Chamber would say that the trust has exceeded its responsibilities. Perhaps the motion suggests that the Housing Trust and the State Bank have not done all they could. If so, I point out that South Australia's housing programme has been favourably commented upon by people from other States, even States under a Labor Government; in fact, at times their glowing comments have been almost an embarrassment to the Government of South Australia. Our costs per square in solid construction are lower than in any other State and have been a source of amazement to experts on housing. They want to know how we can provide homes at such a low cost.

Mr. A. W. Welch, an officer of the Commonwealth Department of Works and Housing, visited South Australia and all other States under instructions from his Minister to investigate housing programmes. His comments that were published in the press were to the effect that South Australia leads the band in providing homes for the people. In moving the adoption of the Address in Reply in 1950 the member for Angas quoted the following remarks of a member of the Tasmanian Parliament, Mr. D. J. Lonergan:—

Not only Tasmania, but the whole of Australia could learn something from the South Australian Housing Trust's emergency housing plan. I know of no other State doing as much as South Australia to overcome the housing shortage. The emergency housing scheme is a progressive move. We must do something on those lines in Tasmania, and pretty quickly.

I remind the House that the emergency housing scheme was our Premier's own plan. Admittedly, it is not an ideal method of housing people, but under the stress of the housing shortage it is a quick method of providing homes. If this scheme had not been implemented energetically there would have been many more families without a home. Even an emergency dwelling is better than a tent, back

verandah, or shed, which unfortunately must be used by a considerable number today. Members on this side of the House are not unmindful of the hardships suffered by people who cannot get a home, and we are doing something about it. This State is not taking a back seat in providing homes for the people. If anyone says we should be doing more I can put forward certain suggestions. Much more could be done if the factors causing the shortages of materials were rectified. In this field the Premier, as Minister in charge of housing, has used our softwoods in bargaining to secure other essential building materials which are not produced in this State. He has supplied other States, particularly Victoria and Western Australia, with softwoods from our pine forests in exchange for their hardwoods. This has proved a wise policy and shows a proper understanding on his part of the need for supplies of basic materials to carry out our building programmes. Last year the Premier set a target to build about 7,000 homes, and that figure was achieved. Last year the Rt. Hon. R. G. Casey, when Commonwealth Minister for External Affairs, said:—

There still remains the fact that the number of houses that are going to be built in Australia will depend on the amount of coal mined in New South Wales. For on coal depends bricks, cement, and corrugated iron and much else. And the amount of coal mined in Australia to enable us to build the number of homes that the Australian people need depends, in present circumstances, on Moscow and not on Canberra.

That clearly indicates that Mr. Casey was thinking of restrictions and limitations on the amount of work which could be done by people in a day or a week. I raised this matter the other day and was taken to task by the member for Goodwood. My charge was that New South Wales coal miners were limited to what is known as the "darg"—the number of skips of coal that a coal miner might win from the mine each shift. Mr. Walsh did not contradict my statement that numbers of miners, having completed their darg, could go home for a mid-day hot meal, nor did he suggest I was wrong about bricklayers laying 300 bricks a day. He suggested that the number was nearer 600.

Mr. Frank Walsh—Over 600.

Mr. SHANNON—Yes, depending on the type of building. I do not accept his figure because I have checked the information I was supplied with and my informants still say that

300 bricks is the number that the average bricklayer lays today. If a workman speeds up his workmates say, "You are a pacemaker, we cannot work with you." Even if I discard my figure of 300 and accept 600 or 700, I remind the honourable member that in the good old days bricklayers laid 1,200 bricks a day. If that number were laid today we could cut the labour for building the walls of houses by half.

Mr. Frank Walsh—It is not only the type of building, but the workmanship.

Mr. SHANNON—Does the honourable member suggest that our present-day workmen are weaklings? Have we any inbred feature in society whereby the men of today are not fitted to do the work our grandfathers did?

Mr. Davis—Would you like to work under the conditions that your grandfather did?

Mr. SHANNON—I probably have and it has not killed me. The cure for rising costs lies in one quarter only—the trade union movement of Australia. If the trade union movement will do what it states it will—clean out the Communists from all directive policy in union affairs—we will get away from the daily darg and the limitations that are placed on this, that, and the other thing.

Mr. Frank Walsh—Do you insinuate that the bricklayers' organization in South Australia is Communist-controlled?

Mr. SHANNON—I never make insinuations, but statements. The limitation of output is Moscow-inspired in every instance. In other industries only a certain number of bags are allowed to be handled each shift. Slaughtermen at the Abattoirs are allowed to kill only a set number of stock, after which their day's work is done and they can go home. As long as the present policy of the limitation of output is pursued there will be inflated costs, and nothing can cure that evil until the arbitrary control on output is lifted and a man is allowed to do an honest day's work. I do not criticize the rank and file working men; they are under the dire necessity of having to agree to whatever directions the union gives. It is more than their job is worth to be out of step with the instructions given by union bosses. If our working men are left to themselves and have the management of their own affairs I have no fear for the future, but so long as they allow a small section in the union to direct union affairs we shall continue to have these restrictions on output. Mr. Frank Walsh did not make out a good case for the establishment of a Department of Housing under a Minister

of Housing with no other responsibilities. If that were done practically all the Minister would have to do would be to administer the Advances for Homes Act, the work of the Housing Trust, and the State Bank housing activities. It has been suggested that all building materials should be subject to the Minister's supervision, but we already have a Minister of Forests, who is in charge of a huge output of essential material required for home construction. If we took from him one part of his activities and handed it over to a Minister of Housing it would mean dividing the activities of the Forestry Department between two Ministers. The whole thing is impracticable and should not be considered. We shall only aggravate the position if we appoint one of the present Ministers as Minister of Housing and divide the rest of his Cabinet responsibilities amongst his colleagues. It would only be adding to the difficulties under which our Ministers are working. We would have to increase the size of the panel of Cabinet Ministers to make it conform with the work the State is doing today compared with what was done a quarter of a century ago. I suggest that members do not follow blindly what looks like a lead to overcome a difficulty because the adoption of the motion could create other difficulties. Who would suggest that we should load the Minister of Health or the Minister of Works with additional duties? I support the Government in this matter. I have had much to do with Mr. Pollnitz, who has an important task to perform.

Mr. McKenzie—He is a good man.

Mr. SHANNON—I think so, but the motion suggests that he is not doing his job properly. It is impossible for everybody to get a permit when they want to build a house, because insufficient materials are available. Mr. Pollnitz knows very accurately just what materials can be obtained. For instance, in galvanized iron he knows practically to the sheet what will be available in the next few months. It is his duty to assess the position and give permits to those in the greatest need. If anyone wants his job I think Mr. Pollnitz would be glad to go, provided he could get a living wage elsewhere.

Mr. Quirke—Would anyone want his job?

Mr. SHANNON—No. He has a very difficult job to decide which people should get permits. In his view the man with the large family has a higher priority than the man with no family, irrespective of whether or not

the latter is an ex-serviceman. The men under the Premier who are associated with this work are doing an excellent job and I will not be a party to anything which can be taken as a reflection upon their work.

Mr. TAPPING (Semaphore)—I have pleasure in supporting the motion. The Deputy Leader of the Opposition paid special attention to the matter and gave abundant reasons why the motion should be carried. He moved it for the sole purpose of bringing about a spirit of co-operation amongst all parties in order to overcome our housing shortage, which has been aggravated in recent years. Figures prove that it is worse now than ever before. It is due mainly to the increased number of marriages and more people wanting homes. The Housing Trust has a tremendous task in coping with the demand for houses. Like other members I pay a tribute to the trust for the work it is doing. It is a pleasure to contact the staff, which suffers a great deal from strain through overwork. Although a member may think a case should get special consideration, the officers of the trust always consider it on its merits, and I think they do an excellent job. Mr. Shannon was inclined to delve into Party politics when discussing this matter. The Deputy Leader of the Opposition forgot Party politics in his attempt to get something done to overcome the housing shortage. Mr. Shannon said that if the motion was carried it would be a vote of no-confidence in the Government, but that would not be the position. Mr. Walsh suggests the appointment of a panel of representatives of the trade union movement, architects, and other people so that all our resources may be marshalled in an attempt to get more houses built. Why should the Party on this side of the House be denied the opportunity to have a scheme put into operation? Let us forget that we are members of the Labor Party. We want to see a move made to improve the lot of the many people who are living under poor conditions. In the metropolitan area people are living in sub-standard homes, shacks, and tents; consequently the number of divorce cases is increasing each month, and the health and morale of the people are being undermined. Members, particularly those who represent industrial areas, have people come to them seven days a week with pitiful stories about wanting homes. We approach the trust and ask for special consideration, but in doing an excellent job the trust officials consider each case on its merits. Mr. Shannon said that

Communist influences are undermining the production of Australia, and thereby causing a shortage of building materials. He mentioned several industries, one of which was the coal industry. For years the coal miners have been charged with being disloyal and causing a reduced production of coal. In the Address in Reply debate I gave figures which proved conclusively that in 1942 the New South Wales coal miners produced the record total of 12.2 million tons of coal. By the end of 1950 production had increased to 12.8 million tons. This shows that the coal miners are doing a good job.

Mr. Christian—A lot of the production was in open-cut mines.

Mr. TAPPING—Yes, but many New South Wales coal miners have drifted from the industry because conditions are no longer congenial. They have gone to other industries where better money can be obtained and where working conditions do not undermine their health.

The Hon. S. W. Jeffries—Have not some of the mines been mechanized?

Mr. TAPPING—Yes, but that has been offset by the drift from the industry.

Mr. Whittle—On the average the coal miners are working less than 30 hours a week.

Mr. TAPPING—For many years now it has been possible to read in the press week after week that there has been a dislocation of work in the coal mines. That industry is different from any other industry. It is most unhealthy and many of the coal miners die at an early age. Because of these things there will always be dislocation in the industry.

The Hon. M. McIntosh—Surely the position has been remedied to some extent.

Mr. TAPPING—No. There is always a danger associated with the industry. Despite the drift from it, production is high. It is wrong to say that the Communists are behind all the stoppages on the coal mines. I can prove beyond doubt that those who cause trouble are in the minority. Mr. Shannon said that employees at our Abattoirs went home after they had killed a certain number of beasts. Such a statement reflects upon an agreement entered into between employers and employees in that industry. The employees have worked overtime for many years and are doing all the employers desire. I have heard of no complaints from the latter. The employees should not be castigated, because they are doing what is expected of them. Mr.

Shannon went on to say that Communists control our trade unions. Let us look at election results. Every time a Communist stands for election in this State he forfeits his deposit. That proves that the Communists are not as strong here as some members opposite say. Over the past years Communists have been defeated in elections for key positions in trade unions. Members opposite are wasting their breath in trying to blame somebody for the existence of this problem: they should take steps to solve it. Better results will be obtained by the appointment of a Minister of Housing who will have no other duties but to tackle this problem. Today's *News* asks the question, "Is Mr. Playford Overworked?" It lists his portfolios and mentions how often he must leave South Australia to perform official work. While he is away another Minister must do his job. The housing of our people is so important that a full-time Minister is necessary to do the job properly. This press report implies that the Premier is overworked, and I agree with it. I know how hard the Leader of the Opposition works. Surely the Premier, with his many duties, has a huge task.

Although not specifically mentioning the 40-hour week, the member for Onkaparinga implied that the production of building materials had lagged because workers were not putting sufficient time into their jobs. The 40-hour week was awarded by an Arbitration Court after it had heard evidence that the Australian economy could bear it. The reduction of the weekly working hours by four has been more than offset by closer employer-employee relationships and the increased use of machinery. It is wrong to say that the 40-hour week has caused a decrease in the production of housing materials. Statistics prove that cement production has increased over the last two years. This is mainly due to the extension of one of the biggest plants in this State. Its rate of production today is 35 per cent greater than two years ago. I am sure no member would care to work in a cement plant, where the work is very dirty and unhealthy. I commend the Adelaide Cement Company for its enterprise in increasing its plant. This extension has involved large expenditure, and the firm has been assisted by this Government on the recommendation of the Industries Development Committee. The proposed advisory panel and a Minister for Housing should be appointed so that this problem can be properly tackled.

Mr. PATTINSON secured the adjournment of the debate.

BETTING CONTROL BOARD RULE: MINIMUM BET.

Adjourned debate on the motion of Mr. Tapping—

That paragraph II. of the amendments of rules of the Betting Control Board made under the Lottery and Gaming Act, 1936-1949, on November 30, 1950, and laid on the table of this House on June 27, 1951, be disallowed.

(Continued from August 22. Page 409.)

Mr. FRED WALSH (Thebarton)—I support the motion. The member for Semaphore has given this matter careful consideration and his speech warrants the attention of every member. Many people associated with horse racing, particularly members of the betting public, feel that some regulations made by the Betting Control Board are made at the instigation of some other interested party, either the bookmakers, racing clubs or the Government. One is sometimes forced to question whether the board has not exceeded its powers in promulgating some of its regulations. Recently the Kadina Racing Club was advised that the board would not supply a betting service at its November meeting. For many years that club has been racing on that particular Thursday in November—the day of the Oaks meeting at Flemington. A full betting service has been supplied for many years at that meeting, as it is supplied at trotting meetings held on days on which racing is also conducted in other States, for instance, at the trotting meeting held at Gawler on Melbourne Cup day. The chairman of the board has taken it upon himself to say that mid-week racing interferes with production because it increases absenteeism, but I question that. A country race day is generally recognized as a half holiday in the district, and local people make a day of it, not for the purpose of gambling but for pleasure. That being so, how can it interfere with production?

Mr. Heaslip—Have you tried to drive to Adelaide on a country race day against traffic coming from Adelaide?

Mr. FRED WALSH—Yes. Has the honourable member ever travelled to Gawler or Oakbank against the traffic on days when race meetings have been held at those courses?

Mr. O'Halloran—Surely the member for Rocky River does not contend that country racing should be eliminated?

Mr. FRED WALSH—The honourable member should advocate the abolition of racing in his district and see the reception he would get. It is true that a number of bookmakers,

their assistants, and members of the public attend country race meetings. Workers on shift work or those off duty sometimes desire to spend a day out at a country meeting. The regular punter also attends; but he would not work anyhow. He never has worked, unless it was during the war years when he was forced to. When there is no race meeting he is to be found around the city streets. His attendance at country race meetings does not affect production, because he is not a worker. In England he is known as a "spiv." The local residents attending a country race meeting are entitled to a full betting service. The chairman of the Betting Control Board is reported by the press as having said, in reply to a statement by the secretary of the Owners and Trainers Association, that people who compared mid-week race meetings with golf and bowls ignored the facts. I suggest that the Premier himself ignored the facts, because that was the comparison he made a few weeks ago in reply to a question from the member for Mitcham. He said he considered there was no difference between various sports in their effect on production, and that those who played golf and bowls were in the same category as those who attended race meetings.

Mr. Dunks—One is organized sport, but the other is not.

Mr. FRED WALSH—We often read of prizes of £1,000 or more being offered for golf tournaments. Is not that organized sport?

Mr. Dunks—Those tournaments are for professionals only.

Mr. FRED WALSH—Golf tournaments are frequently held at Kooyonga. Moreover, many people follow the golfers, though they may not understand the game.

Mr. Dunks—Tournaments are only held once a year at Kooyonga.

Mr. FRED WALSH—If that is not organized sport I do not know what is, if they call it sport. The particular rule complained of reads:—

No bookmaker betting on the flat in the metropolitan area who is offering odds against a horse shall—

(a) accept a bet of less than 2s. or in the case of a win and place bet of less than 2s. each way, or

(b) refuse to lay such odds to any sum not being less than 2s. nor more than 10s.,

provided that he need not risk more than £10 on a straight-out bet.

It would be found that there is little difference between the prices offered by bookmakers and the totalizator odds. This applies in all States. After the betting has settled down the bookmaker adjusts his prices according to the totalizator indicator and is able to lay the totalizator odds, showing a profit of 12½ per cent on the totalizator investments. Further, he has a chance of getting a skinner, which the totalizator has not. Like the member for Semaphore, I am familiar with the people who patronize the flat. In the main, they back horses for more than 1s., but there are some, particularly women, who wish to lay bets of 1s., not for the sake of winning anything, but for an interest in the race.

Mr. Dunks—According to the member for Semaphore they only go to the races for amusement.

Mr. FRED WALSH—I am just making that point. If the House rejects the motion of the member for Semaphore members will be compelling people to put more money on a horse than they wish to. There are usually seven races at each meeting, but sometimes eight. If we force people to put at least 2s. on a horse they may lose 14s. or 16s. at the meeting, besides their fares and price of admission, although I admit that admission to the flat at Victoria Park is free. If a bet of 1s. has been good enough over the years surely it is good enough today.

Mr. Quirke—Isn't the main point that we should not compel people to put any particular sum on a horse?

Mr. FRED WALSH—Yes. Those people who are opposed to the provision of betting facilities would make the amount as low as possible. It makes one wonder what was the motive behind the decision of the Betting Control Board. Was it instigated by the bookmakers? By the elimination of the 1s. bet they save ½d. on every ticket, and over a period they would save a considerable amount. Again, it may have been the desire of the Government to bring everybody within the ambit of the winnings taxation because under a minimum bet of 2s. a horse at 6 to 4 involves a bettor in 3d. taxation if it wins. On the other hand, 1s. invested on a horse at 7 to 2 would be excluded from winnings taxation. The Government had in mind that type of gambler, otherwise it would not have made the minimum for winnings taxation 5s.; there would have been no minimum at all.

At the trotting meetings at Wayville bookmakers must not refuse to lay bets to any sum of not less than 5s. in the grandstand. Why is not such a provision applied to racing? Many bookmakers who operate in the stand enclosure would reject a 5s. bet, 10s. being the lowest they would accept. Some people say we should not be concerned about those who go on the flat, but last Saturday there were 40 bookmakers operating in the grandstand, 49 in the derby, and 67 on the flat. That shows that, although patrons of the flat do not invest the greatest amounts, the greatest volume of business is done there. I trust that serious consideration will be given to the disallowances of the regulation in question.

Mr. WHITTLE secured the adjournment of the debate.

SWINE COMPENSATION ACT
AMENDMENT BILL.

Received from the Legislative Council and read a first time.

CATTLE COMPENSATION ACT
AMENDMENT BILL.

Received from the Legislative Council and read a first time.

CONSTITUTION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

SUPPLY BILL No. 2.

Returned from the Legislative Council without amendment.

PAYMENT OF MEMBERS OF PARLIAMENT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

SUPREME COURT ACT AMENDMENT
BILL.

Returned from the Legislative Council without amendment.

AUDIT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

PUBLIC WORKS STANDING COMMITTEE
ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

POLICE ACT AMENDMENT BILL.

Read a third time and passed.

PORT PIRIE PARK LANDS ACT
REPEAL BILL.

Second reading.

The Hon. C. S. HINCKS (Yorke Peninsula—Minister of Lands)—The sole object of this Bill is to repeal the Port Pirie Park Lands Act, 1932—an Act which empowers the Government to grant the fee simple of a certain area of park lands at Port Pirie to the Catholic diocese of Port Augusta. The history of the matter is that in 1932 an arrangement was made between the Port Pirie council, the Commonwealth Minister of Defence, the State Government, and the Catholic diocese of Port Augusta under which the Commonwealth Minister was to surrender a lease of certain park lands at Port Pirie which he then held in order that the land might be sold by the Government to the diocese for use as a school. It was intended that after the surrender, the price of the land should be fixed by the Land Board and it should be offered to the diocese at that price. The Commonwealth duly surrendered its lease and the price was fixed, but the diocese did not proceed with the purchase.

In recent years the Department of Lands has received a number of requests for rights to use portions of the Port Pirie park lands for such purposes as school reserves, recreation grounds, and club rooms. In order to grant such requests; where the Government considers they are justified, it is necessary to make proclamations dedicating the land for the particular purpose for which it is to be used. Before such proclamations are made it is desirable that the title to the land should, as far as possible, be cleared of outstanding rights and interests. The 1932 Act may be interpreted as creating a restriction on the Crown's interest in the land and the Crown Solicitor has advised that it should be repealed.

The Catholic diocese of Port Augusta has been written to and has informed the Government that it no longer desires to avail itself of any privilege of purchase conferred by the 1932 Act. The Act is therefore now of no use to the diocese and as it may be regarded as a restriction on the right of the Government to dispose of the park lands in other lawful ways it is proposed to repeal the Act. The Bill is for this purpose. I move the second reading.

Mr. DAVIS secured the adjournment of the debate.

ADJOURNMENT.

At 4.54 p.m. the House adjourned until Thursday, August 30, at 2 p.m.