

**LEGISLATIVE COUNCIL.**

Thursday, October 18, 1951.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2 p.m. and read prayers.

**ASSENT TO ACTS.**

His Excellency the Governor intimated, by message, his assent to the Advances for Homes Act Amendment, Imprint, Pharmacy Act Amendment, and Uranium Mining Act Amendment Acts.

**FINES ON INTERSTATE HAULIERS.**

The Hon. F. J. CONDON—According to the Auditor-General's report the sum of £3,090 is outstanding for fines and costs imposed on interstate hauliers for breaches of the Road and Railway Transport Act. Can the Attorney-General say if there is any legal obstacle in the way of collecting these fines?

The Hon. R. J. RUDALL—The only difficulty is that the defendants are resident in another State. The practice adopted on the first occasion, about two years ago, in collecting fines was to send a member of our police force interstate to collect them. The attempts were successful and I think that the great

bulk of the outstanding fines was collected. The same procedure will be followed on this occasion.

**AUSTRALIAN WHEAT BOARD REPRESENTATION.**

The Hon. F. J. CONDON—Has the Chief Secretary any further information to give in reply to my question on Tuesday about an attempt which was made at the recent Agricultural Conference in Canberra to remove the millers' and mill employees' representatives from the Australian Wheat Board?

The Hon. A. L. McEWIN—The Minister of Agriculture advised me on his return from Canberra that a motion was submitted to the conference along those lines, but was rejected.

**POTATO SUPPLIES.**

The Hon. K. E. J. BARDOLPH—Has the Chief Secretary any further information to give in reply to a question I asked this week about potato supplies?

The Hon. A. L. McEWIN—I referred the honourable member's question to the Minister of Agriculture and have received the following report from the Potato Board:—

Due to seasonal conditions South Australian production for the season 1950-51 was seriously affected, as indicated by the following comparison with season 1949-50:—

Season.	Local	Interstate	Total.
	production.	imports.	
	Tons.	Tons.	Tons.
1949-50 (1/11/49 to 31/10/50) . . . . .	28,213	3,474	31,687
1950-51 (from 1/11/50) . . . . .	20,484	3,116	23,600
			8,087
	Deficiency . . . . .		8,087

To meet the shortage of approximately 8,000 tons in local production, every endeavour was made to secure supplies from interstate sources, but due to seasonal conditions and decreased production in the eastern States additional supplies could not be obtained.

A supply of potatoes from Western Australia will arrive here shortly.

**HEALTH ACT AMENDMENT BILL.**

Read a third time and passed.

**WORKMEN'S COMPENSATION ACT AMENDMENT BILL (No. 2).**

Adjourned debate on second reading.

(Continued from October 17. Page 957.)

The Hon. A. L. McEWIN (Northern—Chief Secretary)—This Bill has been criticized from two entirely different viewpoints; one, that it is too generous, and the other, that it is insufficiently so. I therefore assume that

the Government has chosen a reasonable middle course. It must be recognized that South Australia is in a far different industrial situation than it was nearly 20 years ago when the principal Act became law. Then secondary industry was languishing and nothing like so far developed as in New South Wales and Victoria, but today this State ranks as a very highly developed industrial State.

The Hon. F. T. Perry—You would not say equally developed.

The Hon. A. L. McEWIN—I do not know the honourable member's interpretation of equality, but having regard to our population we are a highly industrialized State. Statistics reveal that the proportion of our population in the metropolitan area is the highest of any city in the Commonwealth, and that is a sufficient indication that we are highly industrialized. It is therefore necessary to

provide a compensation measure, in substance, as liberal as that provided elsewhere. In my second reading speech I intimated that the Government had taken into account the most recent alterations in the provisions in the other States' Acts, and that the endeavour was to raise the South Australian rates so that on the whole they would be somewhat above the general Australian average. In bringing this Bill before the Legislature the Government has had in mind that there will inevitably be increases in wage levels in the next 12 months and that the other States are most likely to raise their rates also shortly. This is the principal reason why the maximum rates for weekly compensation payments provided for in this Bill are at present generally somewhat above those existing in the other States. As compared with the original Act in 1932, weekly compensation has been raised from one-half of the average weekly earnings to three-quarters. In addition, provision is made for additional payments to the wage earners' dependants. Today only Western Australia provides for less than three-quarters of the average earnings, and it provides two-thirds, whilst all of the States provide supplementary payments on account of dependants.

Dealing with the maximum payable as weekly compensation, the proposal in this Bill is £8 a week for a single person and £12 for a married person, with the further limitation, as heretofore, that no person shall receive greater compensation than the average weekly earnings. At the moment, clearly these maxima exceed the maxima provided for in the other States, being perhaps 25 per cent higher. However, as I pointed out, we must expect the other States to amend their legislation shortly. What those amendments may be, of course, we have no information, but perhaps some indication may be obtained from the fact that over the past 12 months the basic wage has risen by more than one-third, and the average earnings not far short of one-third. As it would be most undesirable to bring an amending Bill before the Legislature every few months it has been considered wise by the Government to attempt to look a short distance into the future and provide against it. So, in accordance with what I have mentioned, the basis of compensation has been increased by one-third. With the increase in the quarterly adjustments of the basic wage nobody can say how long this is going to remain in the same relation—

The Hon. F. T. Perry—Why encourage it?

The Hon. A. L. McEWIN—This has nothing to do with the fixing of the basic wage. That is fixed by a properly constituted authority, which takes no consideration of what this Bill does, but we are obliged, because of the determinations made from time to time, to keep somewhere in step with it, and that is all this Bill proposes to do. We have been carrying on for a period behind the comparison with the basic wage and therefore, if it is good for one party to accept it while we are hanging in arrears, there cannot be any objection to going a little on the other side for a period. That is only a balancing out, because the honourable member would not suggest that we are not justified in anticipating some increase very shortly because of the altered "C" series index figures.

I do not believe the present proposals will encourage any delay towards returning to employment. I quite appreciate that it is undesirable to place any person in the position where compensation is an encouragement to delay his return to employment, but we are raising the benefits only comparatively with the adjustments in wages and they are likely at a very early date to start to recede again. To reduce the maximum below £12 a week for periodical payments would perhaps avoid the few cases where such temptation may exist, but it would, on the other hand, reduce the compensation available to the far larger section of people who really need it badly; *i.e.*, the married man with considerable family responsibilities. In any case it should be possible to eliminate the few malingerers by a reasonable check-up by the employers and the insurance companies. The Government, with its responsibilities to a very large number of employees, does not find this very difficult and it may be expected that private enterprise can take similar precautions. In any case the average earnings of the adult male worker today are a little over £12 a week and rising, and in many industries, particularly those where the risk of injury is greater, it is higher. In fixing the maximum compensation payable or proposed to be paid under the Act the Government has always had in mind the relationship of the average earnings to the living wage. The original maximum weekly compensation of £5 a week in 1932 was 1.6 times the living wage, and in 1940 1.3 times the living wage. The present proposals of £8 a week for a single person and £12 a week for a married man as maxima are respectively 0.9 and 1.3 times the present living wage. Likewise the maximum of persons to be covered by the Act was, in

1932 about 3.2 times the then living wage. In 1940 it was 2.6 times, and the proposal now is 2.6 times the present living wage. In similar manner both the proposed death payment and the maximum of compensation payable compare in much the same way with the 1932 and 1940 provisions.

A suggestion has been made that the imposition upon industry for meeting the proposed additional payments is excessive. I have already shown that, other than for a moderate anticipation of the near future, the proportions to total wages have not been greatly altered. Undoubtedly the cash payments will be higher, but likewise the wages bill of industry, on which insurance premiums are levied, has risen greatly. Again, whilst it is reasonable to expect that, in the long run, insurance premiums will adjust themselves to the level of claims payable plus reasonable administrative costs and a fair profit, recent statistics indicate that the premiums collected have latterly, because of rising wages, risen much more rapidly than have claims payable. In such case, if some upward adjustment in premium rates should eventually be necessary it will assuredly be far less than the full proportionate adjustment in benefits which this Bill provides.

In all the circumstances, whilst the proposals are undoubtedly a reasonably liberal provision for the workman in accordance with his needs, and in accordance with recognized modern standards, I do not agree that they constitute, as some have suggested, an unreasonably heavy charge upon industry, or a serious encouragement to malingering or irresponsibility. It has been suggested that these rates can be claimed as a generous assessment for workmen's compensation, but it can be expected that next month there will be an adjustment to the cost of living. Such adjustments are made each quarter and the Government does not desire to bring amending legislation before Parliament every few months. Our workmen's compensation has lagged for some months and it is reasonable that we should try to provide more security.

Bill read a second time.

The Hon. F. J. CONDON moved:—

That it be an instruction to the Committee of the Whole Council that it have power to consider a new clause relating to liability of employers to workmen for injuries.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

New clause 2a—'Liability of employers.'

The Hon. F. J. CONDON—I move to insert the following new clause:—

2a. Section 4 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 4 being read as subsection (1) thereof):—

(2) An accident shall be deemed to arise out of and in the course of the employment of a workman if it occurs on the daily or other periodic journey of the workman between his place of abode and place of employment: Provided that an accident shall not be deemed to arise out of and in the course of the employment if it occurs during or after any substantial interruption of or substantial deviation from any such journey, which interruption or deviation is made for a reason not connected with the workman's employment.

I appreciate the Government's action in introducing this Bill because it brings the rates payable in this State close to those paid in other States. We have been lagging behind for a long time. My amendment is to cover workmen who may be injured going to or coming from their employment. Can the Chief Secretary say what is the position regarding an apprentice who is attending a trades school? He has to attend at certain times when directed. Under the present law would he be entitled to compensation if injured on his way to the school? During my second reading speech I mentioned cases of people who were not entitled to compensation although in employment. Although a person receives travelling time when going to a job, he is not entitled to compensation. Members may argue that a man may take an unnecessary time in travel and because of that he should not be covered by the Act. When another Bill was discussed yesterday there was a plea for more uniformity. This amendment applies in all States except Western Australia and South Australia, so what about a little uniformity on this? The South Australian workman is the equal of any workman in the Commonwealth.

The Hon. A. L. McEWIN—Uniformity is a good thing when the pattern is good, but circumstances alter cases. I am not an authority on workmen's compensation but, as I understand the position, the Act is designed to cover workmen and not scholars who attend trade schools. Once an employee has left the place of his employment, or until he gets there, he is not under the control or direction of his employer, who is in no way responsible for the workman's actions and who does not know what risks the workman is taking. I consider the amendment to be outside the scope

of this legislation, which is to compensate a man who is injured during his employment. The Bill covers a workman when he is actually engaged in his employment. We will be stretching things too far to go beyond that.

The Hon. F. T. PERRY—As regards apprentices, they are paid for the time spent in attending a technical school and for the period when travelling to and from school. The position as regards workmen has been fully explained by the Minister.

New clause negatived.

Clauses 3 to 5 passed.

Clause 6—"Compensation for incapacity."

The Hon. F. T. PERRY—I move:—

To delete "twelve" in new subsection (2) and insert "ten."

The amendment will mean that the maximum compensation payable to a workman with dependants shall be £10 a week. Employers have no objection to the payment of compensation for injury, and the methods of compensating workmen have gradually developed since workmen's compensation first operated about 1888. There has been a great improvement in compensation payments since then. The Chief Secretary said that £5 was the maximum in 1932, being 1.6 per cent of the basic wage. There was another provision, however, which limited compensation payments to half the amount of wages received. At that time the weekly wage was £2 18s. and the real compensation was about 30s. a week. The figures quoted by the Chief Secretary are likely to mislead members. Today compensation is paid up to 1.3 per cent of the basic wage. We should not depart from what has been regarded over the years as reasonable compensation for workmen who have greater risks of injury outside a workshop than within it. Prior to last year compensation was £6 a week, but the Bill proposes to increase it by 100 per cent to £12 a week. The Chief Secretary has argued that the alteration last year was fixed at £8 and mentioned the affluence of South Australia as regards industrial development. The fact that we get a disabilities grant of between £5,000,000 and £6,000,000 from the Commonwealth indicates where we stand so far as industrial development is concerned and the statement that South Australia can hold its own and ranks with any other State, both industrially and commercially, is not borne out by facts. I think we are going the wrong way about this matter. We must take into account the amount of compensation

paid to workmen in other States. In New South Wales the maximum compensation for injury is £9 a week. In Victoria, which is perhaps the most industrialized of all States, it is £8 a week and in Western Australia £6. I think that the Victorian rate of £8 came into effect last February. Since the known facts were considered by the House last year the basic wage has risen by £1 6s. a week. My amendment proposes to raise the £8 weekly payment to £10, a £2 increase, as against the £1 6s. increase in the basic wage, whereas the Bill provides for a £4 increase in compensation. The Minister's arguments are most disturbing. We want discouragement of inflation and not encouragement and the sooner the present trend of inflation is stopped the better. Where can we get a better example than the anticipation by members that the basic wage will rise by 40 per cent? There are many anomalies as regards workmen's compensation and the Committee would be well advised to agree to my amendment.

The Hon. A. L. McEWIN—The honourable member said I referred to the affluence of South Australian industry, but I did not. I mentioned the industrial development of the State. Neither did I refer to the Grants Commission, but since the honourable member considers it has some bearing on the case, let us consider it. The whole reason for the Grants Commission was to make the necessary adjustments when, in about 1945, we ceased to collect our own income tax. If we did so now we would have more revenue than we get with the assistance of the Grants Commission, so it is useless to talk about that in connection with workmen's compensation. The amount set down in the Bill is based on its relationship to wages and has nothing to do with inflation. The premiums payable are based on the weekly amount of wages paid, and I have some comparable figures showing that the premiums have not altered very much. In 1947 premiums paid amounted to about £250,000, and the amount paid in claims represented 74 per cent of the premiums. In 1950 the total premiums were £728,000 and the claims £353,000, or 49 per cent, which does not suggest that our compensation has been so liberal that men stayed away from work, or dropped sledge hammers on their toes deliberately so as to get compensation. In fact, what we have paid has gradually receded. The honourable member is surely drawing on his imagination when he suggests that the amount of compensation paid to the unfortunate workman who is injured is a

contributory influence in inflation; it has nothing to do with it. It is based, in the same way as it always has been based, on average earnings, which are at present £12 a week, and which cannot be exceeded, but the honourable member goes further and wishes to penalize the thrifty man who puts something away.

The Hon. F. T. Perry—Who suggested that?

The Hon. A. L. McEWIN—The honourable member said that there was no reason why a man should not have additional earnings because he could subscribe to a lodge, or a sick and accident fund. The man who does that is a thrifty man and is not the kind to stay away from work with a self-inflicted injury merely to collect workmen's compensation. I know the basis of the change and I referred to it. In 1932 it was half of the weekly earnings and in 1940 it was three-quarters, but that is accepted everywhere and is nothing new.

The Hon. F. J. CONDON—I recognize that Mr. Perry, as a captain of industry, knows a great deal about workmen's compensation. I know it on the other side, as I handle probably more men in this connection than he does. We do not want to return to the days when 3d. in the pound was deducted from our wages for compensation. The last occasion when the Government introduced any legislation in connection with workmen's compensation was in 1947. Last year a Bill was introduced in another place by a private member, but we have been lagging behind for many years. When we considered the measure last year Mr. Perry moved to reduce the amount which had been agreed to by the other place, which likewise agreed to the £12 contained in this Bill, without challenging it. On the previous occasion this Council reduced the £8 a week to £6.

The Hon. F. T. Perry—We would now increase the actual rate from £8 to £10.

The Hon. F. J. CONDON—The amendment would reduce it from £12 to £10. I know men who are earning £15 to £20 a week and some, by working overtime, as much as £25. Such men are contributing something to industry and to the State, and we should not kill incentive. Let us consider a man with six children. If the maximum is £10 a week, what does he get for himself and his wife? If I am any judge, in a few weeks time the basic wage will increase by at least 8s. a week, so that in the industry I represent the lowest paid man will receive £11 8s. a week. I understand there is a suggestion to increase

the price of wheat for home consumption from 7s. 10d. to 16s. 1d. a bushel, or more than double, yet nothing is said about that. Let me ask how many men this Bill affects? What percentage of men in industry meet with accidents? Today accidents are generally of a minor nature and very few. I speak from knowledge because, as president of an association with over 4,000 members, I know how few claims we have.

The Hon. C. R. CUDMORE—As usual, the honourable member has been very interesting and persuasive, but I do not think there is anything in his argument. We come back to the question that when we originally passed this kind of legislation it was intended that if a man was injured at work he should get something to keep his family going while he was absent from employment, and it was fixed at half the amount of the weekly wage. We subsequently raised it to two-thirds and now we are putting it up to three-quarters. It cannot be said that the Government has done nothing since 1947, because the measure before us last year was sponsored by the Chief Secretary and so the Government is entitled to any credit, or discredit, for it. The Chief Secretary said that the average weekly wage is a little over £12 at present. At the same time it is suggested that the payment to people who are not working should be £12. That is entirely wrong and I disagree with the premise that we have to look ahead. We are pushing up the inflationary spiral by looking ahead and saying there is likely to be a rise of 8s. in November and other rises later. This Bill goes too far. A man who receives £1,300 a year should be able to do something for himself rather than have to rely on workmen's compensation. I was not present when the main debate took place but I agree with Mr. Perry that where the average weekly payment to a workman is over £12 a week a man who is not working should receive £10 a week. It is wrong that a person who is not working should receive almost the same as a man who is. By providing £12 a week compensation a man is discouraged from going back to work. A workman should receive reasonable subsistence whilst incapacitated but he should not receive the same as a man who is working. I support the amendment.

The Hon. K. E. J. BARDOLPH—I oppose the amendment. I was surprised to hear Mr. Cudmore argue that it was wrong in principle for an incapacitated person to receive virtually the same amount as the person who was working. This Bill purports to cover the man who,

because of an unfortunate set of circumstances, may be maimed or injured in industry. It is wrong to suggest that because a worker will receive £12 a week compensation he will be encouraged to loaf. I disagree with Mr. Perry that the Bill gives the inflationary spiral another lift. Compensation does not increase the spiral of inflation.

The Chief Secretary gave figures relating to the small percentage of persons who will come within the provisions of this Bill. It is moonshine to suggest that because payments are to be increased to £12 a week it will increase the spiral of inflation. Members who oppose the Government's proposals disagree with the properly constituted tribunals who fix wages, because compensation is paid on average earnings. Whilst the Bill proposes to increase the amount to £12 a week the basic wage increase as announced in the press is 11s. Basic wage increases are fixed by a properly constituted tribunal and if such a system was adopted in fixing profits and other industry charges we might ultimately reach a stage where the so-much vaunted fear of the spiral of inflation would vanish over night. Mr. Perry mentioned that the first Workmen's Compensation Act 30 years ago provided for half the wage to be paid as compensation, but the ordinary wage earner then received in the vicinity of £2 10s. to £3 a week. Later compensation was increased to two-thirds of the average earnings. Mr. Cudmore suggested that the last measure to increase compensation was introduced by the Government. If he refers to *Hansard* he will discover that the Bill was introduced by a private member in another place and was accepted by the Government. I think members will agree that no worker in industry would attempt to cause accident to himself or another workman in order to be covered by workmen's compensation. I hope members will not accept the amendment.

The Hon. F. T. PERRY—My objection is that the Government is anticipating the growth of inflation and that the provision for £12 a week is based to a degree on that assumption. Any responsible person who anticipates inflation to that extent is doing a disservice to the public.

The Hon. E. ANTHONY—Industry will be saddled with extra costs as a result of increasing compensation payments and I am not convinced that those costs will not increase the inflationary spiral.

The Hon. A. L. McEwin—Premiums are paid on wages.

The Hon. E. ANTHONY—When commodities rise in price there is an immediate application for an increase in wages. Premiums have to be paid by industry and the added costs are passed on to the consumers by increasing the cost of commodities. I have always been an advocate of arbitration and I stood for its principles years ago—not to my own advantage. I have come to the conclusion, which is shared by some members of the Labor Party, that arbitration has been a failure.

The CHAIRMAN—I think members have been inclined to drift away from the Bill in talking about the spiral of inflation and arbitration courts. I ask them to restrict themselves to the Bill.

The Hon. E. ANTHONY—I am not convinced that the increased costs being added to industry will not affect the inflationary spiral.

The Committee divided on the Hon. F. T. Perry's amendment—

Ayes (10).—The Hons. E. Anthony, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude, A. J. Melrose, F. T. Perry (teller), C. D. Rowe, and Sir Wallace Sandford.

Noes (8).—The Hons. K. E. J. Bardolph, J. L. S. Bice, F. J. Condon, A. A. Hoare, A. L. McEwin (teller), W. W. Robinson, R. J. Rudall, and R. R. Wilson.

Majority of 2 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 7 passed.

Clause 8—"Consequential amendments."

The Hon. F. J. CONDON—I move:—

To add the following new paragraphs:—

- (aa) The word "but" in the third line of subsection (2) is struck out and the word "and" inserted in its place.
- (ab) After the word "shall" in the fourth line of subsection (2) the word "not" is inserted.

Section 26, subsection (2) of the Act states:—

Nothing in the said table shall limit the amount of compensation payable for any such injury during any period of total incapacity resulting from that injury, but any sum so paid shall be deducted from the compensation payable in accordance with the said table.

My amendment will make subsection (2) read:—

Nothing in the said table shall limit the amount of compensation payable for any such injury during any period of total incapacity resulting from that injury and any sum so paid shall not be deducted from the compensation payable in accordance with the said table.

Some members use any old argument to bolster up their case. We were told that other States paid so much and therefore we should not increase the amount here. The table in the Act shows the percentage ratio that compensation payments for certain injuries bears to £1,150. For the loss of both eyes it is fixed at 100 per cent, and for the loss of a toe (except the great toe of either foot) or of a joint of the finger  $7\frac{1}{2}$  per cent. Notwithstanding the nature of an accident the amount of weekly compensation payments is deducted from the total amount payable. Some workmen do not receive any lump sum compensation for the loss of a joint because the amount specified has been received by them in weekly payments. I know of cases where men have lost two and three fingers and when they have returned to work have received very little compensation. My amendment provides that the amount set out in the table shall be paid in a lump sum without any deductions. The provision will not apply to a man who meets with a minor accident and returns to work without suffering any disability. Consideration should be given to cases where a man loses a limb.

If I were working in a factory and met with an accident I might be absent from my employment for two months before returning to work and would not get the amount prescribed under the Act because I suffered no permanent disability. Take the case of one man who was injured and the final medical report set his disability down at 20 per cent. By the time he returned to work he had received more than the 20 per cent in compensation payments. Today that man has an injury from which he will never recover. I know another man who lost three fingers on both hands. The amount of compensation he received in weekly payments for the six months he was away from work was deducted from the lump sum compensation payable under the Act, which is unfair. My amendment should be accepted so as to meet cases where workmen are severely injured and suffer permanent disability.

The Hon. C. R. CUDMORE—I hope the Committee will realize what Mr. Condon's amendment means. The Government's proposal under clause 8 will increase the total liability to £1,700, and the percentages in the table referred to by Mr. Condon will be fixed on £1,700, and not £1,150. Mr. Condon's amendment will alter the whole scheme of the Act

and should not be agreed to until it has received the most careful consideration. If a man is injured he receives weekly compensation payments until such time as final disability is agreed upon. When the final settlement is made the total sum paid in weekly payments is taken into account. If a man is entitled to £1,700 and receives £200 in weekly payments, he will get the balance of £1,500. Under the amendment it may be possible for a man to receive several hundred pounds in weekly payments and then get the amount fixed under the Act. I do not think we should agree to it as it would be taking a tremendous step, for the effect would be to alter the whole scheme and basis of workmen's compensation. Therefore I ask the Committee not to agree to the amendment.

The Hon. A. L. McEWIN—Mr. Cudmore has explained the position and I agree with him that the amendment does alter the whole policy of workmen's compensation. In the circumstances I must oppose the amendment.

The Committee divided on Hon. F. J. Condon's amendment to add new paragraphs (aa) and (ab)—

Ayes (3).—The Hons. K. E. J. Bardolph, F. J. Condon (teller), and A. A. Hoare.

Noes (15).—The Hons. E. Anthony, J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude, A. L. McEwin (teller), A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, R. J. Rudall, Sir Wallace Sandford, and R. R. Wilson.

Majority of 12 for the Noes.

Amendment thus negated; clause passed.

Clause 9 and title passed. Bill read a third time and passed.

Later a message was received from the House of Assembly intimating that it had disagreed to the Legislative Council's amendment.

Consideration in Committee.

The Hon. C. R. CUDMORE—I move that the Council insist on its amendment. I do not think it necessary to elaborate the matter at this stage, as it has been fully discussed and we have decided on what we thought was right.

The Hon. F. J. CONDON—I oppose the motion because I do not think the matter is worthy of further consideration and this Committee should agree to the wishes of the other place.

Motion carried.

A message was received from the House of Assembly requesting a conference and intimating that in the event of a conference being agreed to the House would be represented by the Hon. T. Playford and Messrs. Whittle, Pattinson, O'Halloran and Fred Walsh.

The Hon. A. L. McEWIN moved:—

That a message be sent to the House of Assembly granting a conference as requested and that the time and place for holding the conference be at the conference room of the Legislative Council at the hour of 5.20 p.m., the Council to be represented by the Hon. A. L. McEwin, F. J. Condon, C. R. Cudmore, L. H. Densley and F. T. Perry.

Motion carried.

A message was received from the House of Assembly agreeing to a conference.

At 5.20 the managers proceeded to the conference, the sitting being suspended in the meantime. They returned at 8.50 p.m. The recommendation was:—

That the Council do amend its amendment by inserting "eleven" in lieu of "ten" and that the House of Assembly do agree to the amendment as so amended.

The Hon. A. L. McEWIN (Chief Secretary) moved—

That the recommendation of the conference be agreed to.

The Hon. C. R. CUDMORE (Central No. 2)—I support the recommendation which is a very obvious compromise. The two Houses were at variance and for a long time we could not see any possibility of a compromise, but having gone into the figures we realized that Parliament last year established a principle by making a difference between the maxima payable to single and married men. That is obviously widened from the point of view of the married man, who has the expense of keeping a family. The point was that our amendment, as carried in this House, was to increase the payment to a married man to £10, which retained the previous £2 difference. We brought the single man up to £8 and kept the married man at £10, whereas £11 gives a little more to the married man. We had a good many figures before us as to the number of people involved and endeavoured to arrange something that would be agreeable to both Houses in order that the legislation should be effective. I feel confident that the House will agree to this recommendation which still maintains a little more benefit for the married man as against the single man by fixing the difference at £3 ahead of the single man.

Motion carried.

Later the House of Assembly intimated that it had agreed to the recommendation of the conference.

#### HOSPITALS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 17. Page 951.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—This is a Bill which can be better dealt with in Committee, but at this stage something should be said with reference to the general position of our hospitals, and I would therefore briefly draw attention to the services rendered by the Hospitals Department to the people of South Australia, and the cost of those services. If this Bill is passed the Government will derive an additional £25,000 in annual revenue. I ask members to examine proposed new section 57, which deals with the service of notice, and compare it with the provisions for the service of notice under the Health Act which we discussed yesterday. Is there any consistency in the two measures?

Expenditure from revenue on hospitals, medical services and public health for 1951 amounted to £2,570,000, an increase of £472,000 over the previous year. Revenue derived from hospitals and other services was £490,000 including £279,000 received under the Commonwealth Government Hospital and Health Benefits Schemes. In the past four years the cost to the State has increased by 143 per cent and therefore the Government is entitled to consideration in its endeavour to obtain £25,000 under this measure. I ask members to forget about insurance companies in this matter. The insurance companies will have to meet this cost to the tune of £25,000, which they would not have to meet under workmen's compensation.

The Hon. L. H. Densley—They will deduct it from the compensation payable.

The Hon. F. J. CONDON—Today the Government gets nothing, but under this Bill it will receive £25,000 which will have to be paid by the insurance companies. I ask members not to forget the arguments they raised in the previous debate. Receipts derived from the following sources were:—

Commonwealth Hospital Benefits Scheme .. . . . . .	£159,000
Commonwealth Mental Institutions Benefits Scheme .. . . .	£34,000
Commonwealth Tuberculosis Scheme .. . . . . .	£53,000

It is not generally known what it costs the Government to care for the sick and accommodate them, and the following table is revealing:—

	NO. OF PATIENTS.	COST PER BED OCCUPIED.	
		Daily average.	Daily average.
		£	£ s. d.
Royal Adelaide . . . . .	809	990	2 14 3
Barmera . . . . .	17	929	2 10 0
Mount Gambier . . . . .	67	838	2 5 11
Port Augusta . . . . .	36	1,074	2 18 10
Port Lincoln . . . . .	33	883	2 8 5
Port Pirie . . . . .	85	768	2 2 1
Wallaroo . . . . .	25	1,173	3 4 4

I mention these figures to illustrate what it costs the Government to run our hospitals. Members know that it is proposed to build a Western Districts Hospital at Woodville. Work on that hospital is not far advanced but when it is completed the Government's expenses will increase. It is a question of what action should be taken to meet the expenditure which the Government is called upon to meet. We must do all we can for the sick. Patients in our hospitals receive treatment which is equal to that provided in hospitals in other parts of the world. In 1951 the total number of out-patients at the Royal Adelaide Hospital was 56,491. The number of attendances a year was 248,717. That illustrates what a terrific job the hospital is called upon to do, and it is a strain upon our medical profession and nursing staff. The total cost of out-patients was £41,579; the cost per out-patient was 14s. 9d., and the cost per attendance 3s. 4d. The revenue received from out-patients was £14,809 and from attendance 1s. 2d. each. As the Bill aims at recovering certain money I support the second reading.

The Hon. E. H. EDMONDS (Northern)—I am sure members always listen with considerable interest to Mr. Condon, especially when he gives figures to support his case. Whilst he was reading figures in connection with hospital treatment in this State, the thought went through my mind that it was a complete answer to the people who sometimes decry what the Government and authorities are doing for the sick and suffering. The figures show fully that our efforts compare favourably with the social services provided in other States. The Bill is designed to simplify the provisions enabling hospitals to collect fees incurred for treatment of victims of accidents. Many hospitals, and particularly

country hospitals, have difficulties in that regard. It is the hospitals administration's solemn obligation to take in anybody and everybody who may require treatment, care, and attention.

The person who admits patients to a hospital cannot argue on the doorstep or question the intended patient as to his prospects of paying for treatment. That question has to be decided later. From my experience of the administration in some country hospitals I realize the difficulty of tracing people, particularly those involved in accidents. A person may be involved in an accident many miles from his home town and even outside his own State. In due course he leaves the district where the hospital is situated and is not heard of again. Unfortunately those who, one would think, would be most appreciative, show an inclination to disregard their responsibilities. Previously this matter was provided for under the Hospitals Act and the Road Traffic Act, but not as satisfactorily as under this Bill. The Minister's explanation was clear enough to indicate that the difficulties experienced will be overcome and the Bill will be of benefit to those associated with the administration of our medical affairs. The figure of £25,000 quoted is a considerable sum which represents the income which should be available to the Government hospitals alone. When you add what has been incurred in private hospitals and semi-Government hospitals to that amount it represents a large sum which should be collected. The difficulties of collection will be overcome by this Bill. I support the second reading.

The Hon. E. ANTHONY secured the adjournment of the debate.

#### CONSTITUTION ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 17. Page 951.)

The Hon. C. R. CUDMORE (Central No. 2)—I have pleasure in supporting this measure which is somewhat overdue. As the Chief Secretary pointed out, the Governor's salary was fixed in 1922, and we all realize that the value of money and costs are now out of all proportion to what they were then. We did pass a small temporary measure of relief, but it is time the matter was put on a proper basis. I agree with the Minister that we have been extremely lucky in those who have represented His Majesty in this State. It is to my mind very desirable we should continue to have gentlemen coming from England who are

in personal touch with His Majesty. That is another reason why we should make it possible that those who do accept the heavy responsibility of this position will not be out of pocket.

The demands upon the Governor have increased out of all knowledge in comparison with what they were a few years ago. The same applies to the Royal Family. Those demands, as part of our democratic age, have increased beyond all bounds and, unless there is some curtailment of what they are expected to do, it will not be possible to get anybody physically or mentally able to stand up to what is required of them. I could not help noticing that particularly when seeing the Royal Family at various functions in the Old Country from which I have just returned. They do look tired. They are continually asked to attend functions and to do far too many things. Too much is required of the Royal Family and they try to do everything. We will be wearing them down and doing not only them but the whole of our democratic institution a wrong if we insist on an increased tempo of what they are expected to do. There is nothing to add about the details of the Bill. I used to think I knew something about geometrical progression and trigonometry, but I do not understand this magic figure 1,657. I imagine that if costs rise above that figure the salary will increase, but if costs go down, so will the salary.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

#### BUILDING MATERIALS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 17. Page 959.)

The Hon. E. ANTHONY (Central No. 2)  
—This Bill amends the Act in three directions—extending its operation for another 12 months, raising the limit of advances which can be made, and attempting to overcome certain evasions. Although there has been tremendous building activity in South Australia, the leeway has not been made up and the position is no better than it was three years ago. The demand for houses is still great and a large number of people are waiting for homes. I congratulate the Government on its building programme. We are progressing as well if not better than any State. I am pleased to note that the Housing Trust is providing for the

construction of roads in new areas preparatory to building. It has purchased large blocks of land in the metropolitan area and in many cases not provided roads or other services, with the result that after heavy rains it has been impossible for trades-people to get anywhere near the houses. When abroad I took great interest in the housing problem. Most of the building being carried on in England is under Government supervision and management, and roads are built and services provided before people are allowed to occupy the houses. It is all right to build houses, but tenants should have reasonable means of access. I am glad that the Housing Trust regards road construction as one of its responsibilities, especially when we know that councils cannot cope with the work through lack of funds.

The Bill raises the amount of advance for building houses of different sizes by about £300. It also provides for granting permits to people who want to build houses up to £2,200. If a person wishes to increase the permissible area of his house he must obtain a permit. In his second reading speech the Minister said that permits were easy to obtain, but it must not be forgotten that materials are in short supply and that only imported materials can be used under those permits. These materials are considerably dearer than local materials and make home building most expensive. The provision increasing the amount which can be spent on repairs to £150 is important. The Government is also providing for the erection of temporary houses. That has been forced upon it through necessity, as many people who come to the State cannot be accommodated in permanent homes. I would like to see more provision for the construction of playgrounds, halls, and similar amenities in building areas. It would be a great thing if the Housing Trust planned for recreation areas in all community centres. In some cases it has purchased land where recreation facilities existed, but were not carried on.

The Government is tightening up the Act in regard to the use of building materials. No matter what Act of Parliament is passed, some loopholes will always be found. One loophole in the Act is that it has not always been possible to trace materials used in buildings. This is to be remedied by the Bill. It is a great pity that some people take advantage of every loophole in an Act and will not keep within the law if it is possible to get around it. I regret that the Act has to be constantly extended, but it is necessary in order to

apportion building materials amongst contractors and home builders. I regret that a man, having obtained one permit, is to be prevented from getting another to build a second house. If private enterprise can do a little more building so much to the good. If a man who has a house and is enterprising enough to build another, under permit, why should he be prevented from doing so?

The Hon. F. J. Condon—Why should a man be able to do that under present conditions?

The Hon. E. ANTHONY—He must have somewhere to live.

The Hon. F. J. Condon—And be allowed to make a profit?

The Hon. E. ANTHONY—Why not? A man cannot live in two houses at the same time. What is wrong with private enterprise sharing the materials available? I do not like

home building being restricted to a monopoly like the Housing Trust. It is wrong to prevent a man from making a contribution towards our housing programme. Like other members I am looking forward to the time when we will be able to have a little freedom. I hope that in the near future this lack of freedom and the restrictions which we have had to put up with for years will cease and that we will be able to operate as free citizens. I trust that conditions will so improve that they will not only benefit ourselves but our fellow men. I support the second reading.

The Hon. F. T. PERRY secured the adjournment of the debate.

#### ADJOURNMENT.

At 9.5 p.m. the Council adjourned until Tuesday, November 6, at 2 p.m.