

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 21 NOVEMBER 1947

Electronic reproduction of original hardcopy

FRIDAY, 21 NOVEMBER, 1947.

Mr. SPEAKER (Hon. S. J. Brassington, Fortitude Valley) took the chair at 11 a.m.

QUESTIONS.**HOUSING AT COLLINSVILLE.**

Mr. PATERSON (Bowen) asked the Secretary for Mines—

“In view of the answer given to me on 20 November by the Secretary for Public Works that only five houses are expected to be completed at Collinsville before 30 June, 1948, will he take steps to have the State huts at Collinsville roofed with galvanised iron or fibro corrugated sheeting before the commencement of the wet season to protect the tenants from damage and inconvenience caused by leaking roofs?”

Mr. T. A. FOLEY (Normanby) replied—

“Seventy-one hutments for married men and twenty-one hutments for single men were erected in 1942 to provide temporary housing accommodation for more than one hundred miners who volunteered to go to Collinsville to step up production to meet the urgent wartime demand occasioned by the threat of invasion. The hutments were of light construction with malthoid roofs. Maintenance is being regularly effected by the manager of the mine and on 1 October the manager advised a committee representing occupants that repairs to roofs were being effected as materials became available, 50 rolls of roofing material having been used just prior to 30 September, 1947, on which date a further 50 rolls had been received. In addition, a further 50 rolls had been ordered. The construction of the hutments is such that extensive structural alterations would be necessary if it is desired to roof them with galvanised iron or fibro corrugated sheeting, which expenditure would not be warranted. In any case sufficient galvanised iron or fibro corrugated sheeting is not available at the present time. The hon. member can be assured that the roofs will be kept in a good state of repair pending housing accommodation becoming available.”

CAUSES OF RAILWAY ACCIDENTS.

Mr. PATERSON (Bowen) asked the Minister for Transport—

“In view of the fact that the night officer on duty at Tamaree on the night of the rail disaster has now been acquitted on the charge of manslaughter and that the matter is no longer *sub judice*, will he answer the questions 1 to 4 which I asked him on 23 October?”

1. Since the Traveston disaster, how many (a) mail trains, (b) other trains, have been involved in (i.) head-on collisions, (ii.) other major accidents on the Queensland railways, and what was the cause of each collision?

2. Have any of the railway unions (a) suggested or urged that track-locking systems should be installed on the main line and the loop line at crossing stations; (b) suggested that the W.H. pump and the cab windows on B18½ engines should be lowered to provide a clear and unobstructed view from the engine cab, and that engine crews should be allowed to use the bright electric headlights to ascertain the position of other trains when approaching and passing through crossing stations; or (c) objected to the fitting of A.6.E.T. brake equipment to B18½ engines?

3. What has been the department's attitude to these proposals?

4. Will he table the minutes of a deputation from the A.F.U.L.E. to the Commissioner for Railways on or about 16 July, 1946, and a copy of the letter sent in reply on or about 21 August, 1946? If he will not table this information, will he state whether the reply to the union stated, inter alia: 'There are more urgent jobs in the shape of interlocking of stations to be carried out before consideration can be given to track-locking, which, after all, is a mechanical means to avoid the risk of carelessness in the observance of the rules and regulations. Any mechanical device which tends to reduce vigilance on the part of station-masters and others is not altogether desirable?'

Hon. J. E. DUGGAN (Toowoomba) replied—

'1. The preparation of this information would entail a vast amount of searching of records and the importance of the information does not warrant the expenditure of the time that would be incurred in preparing it.

'2. (a) The Australian Federated Union of Locomotive Enginemmen on 16 July, 1946, suggested that the Commissioner might obtain a report on the possibility of track locking stations on single lines where the electric staff is in operation. They stated they were not asking that the work be undertaken straight away. (b) Yes. (c) The Australian Federated Union of Locomotive Enginemmen protested against the installation of the A.6.E.T. Westinghouse brake equipment on any more locomotives, alleging that it was of no more advantage but was more complicated than the older type of brake equipment.

'3. (2a) The Commissioner undertook to obtain a report from the Chief Engineer, but stated he felt certain that nothing could be done at the moment, as the department was being frustrated in any work it undertook by lack of technical officers and skilled tradesmen. He pointed out that the proposal was a very elaborate one, but there were a number of stations on the North Coast line at which the department had not yet been able to provide interlocking, and that work would have to be done first. Only a limited amount of work could be undertaken each year, and it was a question of doing the jobs in their order of importance. On

21 August, 1946, a reply was sent to the Australian Federated Union of Locomotive Enginemmen stating that the report from the Chief Engineer confirmed the view which the Commissioner had expressed at the deputation. The words quoted in question 4 were included in that reply. (2b) One engine has been so altered and an undertaking has been given that as soon as opportunity presents itself action will be taken to have the work put in hand on other locomotives. At present the acute position in regard to engine power, and the urgent repair work to be undertaken, preclude the carrying out of these alterations, which, however, have been embodied in the design of the six 'B18½' locomotives now under construction by Walkers Limited. The suggestion that engine crews should be allowed to use the bright electric headlights when approaching and passing through crossing stations was carefully considered, but the consensus of opinion was that the existing practice should not be altered, as the glare of the headlights temporarily blinds those coming within its range, and there is a danger to employees working in yards, including enginemmen shunting, as well as to the officer whose duty it is to hand up the train staff. The glare also affects the ability of employees to see signals being given by hand lamps and also has an effect on other signals. In April, 1928, a collision occurred between two goods trains at Cambooya. The evidence at the inquiry disclosed that the accident was caused through the electric headlight which had not been dimmed on the engine of the down train standing at the station reflecting a phantom green (line clear) in the glass of the up signal, which actually stood at danger and which should have been showing a red light, and beyond which the incoming train should not have passed. (2c) The equipment referred to is the most modern development by the Westinghouse Brake Company. It has greater flexibility and enables the brake to be applied more evenly, reducing bunching of trains. This equipment is widely used on other systems. A representative of the Australian Federated Union of Locomotive Enginemmen, who was consulted with regard to the equipment on Beyer-Garratt locomotives now being ordered from England, raised no objection to this equipment being used, and the State Secretary of the Australian Railways Union wrote the Chief Mechanical Engineer on 15th instant inter alia, as follows:—In connection with the A.6.E.T. brake, we are of opinion that this brake is more efficient and have no objection to its introduction.'

'4. See 2 and 3.'

STRIKE BY AUSTRALIAN RAILWAYS UNION MEMBERS.

Mr. PATERSON (Bowen) asked the Minister for Transport—

'1. How many members of the Australian Railways Union (a) are employed at the Ipswich workshops, (b) worked at the Ipswich workshops on Tuesday, 18 November?

"2. Who is the responsible officer at Ipswich who supplied the information that only 111 members of the Australian Railways Union were absent from work without reason on that day?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"1. (a) 550; (b) 18.

"2. The Chief Mechanical Engineer and Workshops Superintendent."

Mr. AIKENS (Mundingburra) asked the Minister for Transport—

"1. How many trains left Mayne Junction on Tuesday last without being examined?"

"2. Why were they not examined?"

"3. Is it considered that the mere running of a train is more important than the safety of the passengers and crew?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"1. None.

"2 and 3. See answer to 1."

Mr. AIKENS (Mundingburra) asked the Minister for Transport—

"How many (a) passenger trains, (b) mixed trains, (c) goods trains, and (d) shunting engines were scheduled to run but did not run on Tuesday last in the Southern, Central, and Northern Divisions, respectively?"

Hon. J. E. DUGGAN (Toowoomba) replied—

—	Southern Division	Central Division	Northern Division	Total.
Passenger trains ..	38	5	16	59
Mixed trains ..	8	7	10	25
Goods trains ..	54	36	53	143
Shunting engines ..	10	18	32	60
Total ..	110	66	111	287

Mr. AIKENS (Mundingburra) asked the Minister for Transport—

"1. Is it a fact that a departmental instruction was issued to train crews on Tuesday last in the Brisbane suburban area that they were to pass any signals at danger at stations where the officer in charge or gatekeeper was not on duty and draw up to the gate, the fireman then to open the gate, the train to pull through, and the guard to close the gate after the train had passed the crossing?"

"2. If so, at how many stations was this instruction obeyed, and by the members of what unions?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"1. As no signalman was on duty at Beaudesert Road crossing between 12 midnight Monday and 4 p.m. Tuesday, and all signals were placed at danger because the crossing gates had to be left open to road

traffic, excepting during the passing of trains over the crossing, the General Manager, under the authority conferred upon him by the rules, issued instructions for all trainmen to pass these signals at danger, the firemen to open the gates and the guards to close them. These signals are provided only to show the position of the gates.

"2. The instruction applied only to the Beaudesert Road crossing. All trains were worked over this crossing by enginemembers of the A.F.U.L.E. and guards members of the Guards, Shunters, and Conductors' Association."

AMERICAN LOANS.

Mr. NICKLIN (Murrumba—Leader of the Opposition): I desire to ask the Treasurer whether he has an answer to the following question which I addressed to him on 2 October—

"In respect to the First and Second American Loans and conversions thereof, what is the total amount to date in pounds Australian of the cost of exchange on payments of (a) interest, and (b) redemption?"

Hon. J. LARCOMBE (Rockhampton) replied—

"Cost in pounds Australian of exchange on payments of interest and redemption in respect of the First and Second American Loans and conversion thereof—

—	First Loan.	Second Loan.
(a) Exchange on Interest ..	£ 586,503	£ 803,013
(b) Exchange on Redemption (Sinking Fund Contributions)	467,704	90,099.
Exchange on Redemption at Maturity	(c) 545,423	(d)
	£1,013,127	£90,099

Note.—Profits in pounds sterling on the transfer of the proceeds of these loans to London, immediately after the dates of raising, were:—

First Loan .. £523,713
Second Loan .. £191,096

(c) Redemption Loan raised in Australia—the sum of £545,423 represents exchange on the transfer of funds to New York.

(d) Redemption Loan raised in America."

MINISTER'S ROOM, ANZAC SQUARE BUILDING.

Mr. MANN (Brisbane), without notice, asked the Secretary for Public Works—

"Is there any truth in the statement which appeared in 'The Telegraph' newspaper on Thursday, 20 November, concerning the provision of an office for the use of a Cabinet Minister in the State Building at Anzac Square?"

Hon. W. POWER (Baroona) replied—

"The statement is a gross exaggeration of the position and a distortion of the facts, but nevertheless is only an example of Old Bill's column running true to form.

"The facts are that as Minister for Public Works and Housing it is necessary for me to divide my time between the Department of Public Works and the Department of Housing and up to the present office accommodation for the Minister has not been available in the Department of Housing. Space for an office is being partitioned off and the statement that timbers being used are in short supply for furniture-making is false. It is ordinary-type construction for the class of building and at my direction usual appointments for a Minister's room were omitted.

"The estimated cost of the work is only a small fraction of the amount quoted by Old Bill. Other partitioning being done at the same time is to provide offices for other personnel of the Housing Department. The natural lighting and air for typists is adequate and compares more than favourably with similar provision elsewhere?"

WATER AND ELECTRIC LIGHT, CHARLEVILLE.

Mr. RUSSELL (Dalby), without notice, asked the Premier—

"In view of the alarming Press reports concerning the water and electric-light position in Charleville, will he immediately take the matter up with the departmental chiefs of the relevant departments in an endeavour to alleviate and remedy the position? Further, will he take such steps as are considered necessary to provide for the people of Charleville the same standard of civic amenities and facilities as are enjoyed by the more fortunate residents of other south-western towns, such as Dalby?"

Hon. E. M. HANLON (Ithaca) replied—

"I will not take up the matter with the departmental chiefs as these officers already have it in hand. The hon. member for Warrego who gives unremitting care to his electorate has had the matter in hand. An order in council for the rationing of electricity during repairs to the plant was issued yesterday. A mobile car unit is now being purchased, authority having been given last week, for just such an emergency, so that it can be allocated to any western town during overhaul and repairs to plant. The Department of Irrigation and Water Supply has the matter of bore water in hand."

VISITORS IN LOBBY.

MR. SPEAKER'S STATEMENT.

Mr. SPEAKER: Before proceeding to discover the formal business I would remind hon. members that some weeks ago I made an appeal to them that when they desire to put visitors in the lobby they might accord me the courtesy of mentioning the fact to me. That rule has been disregarded and I am now asking those hon. members who have done so to remember it in future, otherwise it might cause me to do something that would not be altogether pleasant.

WORKERS' COMPENSATION ACTS AMENDMENT BILL.

INITIATION.

Hon. J. LARCOMBE (Rockhampton—Treasurer): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Workers' Compensation Acts, 1916 to 1946, in certain particulars."

Motion agreed to.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Mann, Brisbane, in the chair.)

Hon. J. LARCOMBE (Rockhampton—Treasurer) (11.15 a.m.): I move—

"That it is desirable that a Bill be introduced to amend the Workers' Compensation Acts, 1916 to 1946, in certain particulars."

It is intended to improve the existing Act substantially.

The proposed additional benefits will cost approximately £275,500 in the near future, but less than half that sum will be recurring expenditure.

I will first discuss the contemplated amendments in relation to what is termed ordinary compensation: that is, compensation apart from that paid for miners' phthisis, and then outline under a special heading the contemplated amendment with respect to miners' phthisis compensation.

It is proposed to increase the compensation payable to a beneficiary in the case of death of the breadwinner resulting from injury in industry. At the present time the widow is entitled to £800 plus £25 for each child under the age of 16 years wholly or mainly dependent on the earnings of the worker. It is intended to increase the amount to £1,000 plus £25 for each child under the age of 16 years wholly or mainly dependent on the worker.

The maximum weekly payment, also, will be increased. The maximum amount now payable in the case of injury is £3 3s. a week for a single man. It is proposed to increase that payment to £3 11s. per week.

The present maximum compensation for a married man and family is £5 a week. The suggested increase will bring this maximum payment to £5 11s.

The maximum rates at present for a married man, his wife and family are now £3 3s. for the worker, £1 for the wife and 10s for each child under the age of 16 years, with a maximum of £5 a week. It is now proposed to increase this to £3 11s. for the worker, and to still pay the £1 for the wife and 10s. a week for each child but with a maximum payment of £5 11s.

Mr. Pie: Why restrict it because of the number of children?

Mr. LARCOMBE: We are fixing the maximum rate. The hon. member knows that child endowment is payable in addition to what I am quoting. The overall increase to the family will be 11s. a week.

The maximum liability of the Commissioner in the case of total incapacity also is to be increased. At the present time the maximum in this case is £1,000. The suggested alteration is to increase the maximum to £1,250.

At the present time the maximum liability of the Commissioner with respect to specific injuries, such as the loss of two eyes, an only eye, &c., is £750, plus weekly compensation, with a maximum of £1,000 in all. It is proposed to raise the maximum to £1,250.

I submit a table showing the present rate and the proposed rate in relation to the first five items in the table:—

	Present specific payment for injury (exclusive of weekly payments).	Proposed specific payment for injury (inclusive of weekly payments).
	£	£
Loss of both eyes	750	1,250
Loss of an only eye	750	1,250
Loss of both hands	750	1,250
Loss of both feet	750	1,250
Loss of a hand and a foot ..	750	1,250

The maximum for the loss of both eyes at present is a specific payment of £750 exclusive of weekly payments. The proposed specific payment for injury inclusive of weekly payments is £1,250.

In the case of the loss of an only eye, the present maximum is £750 exclusive of weekly payments while the proposed maximum is £1,250 inclusive of weekly payments.

For the loss of both hands, the present specific payment, exclusive of weekly payments, is £750, while the proposed specific payment inclusive of weekly payments, is £1,250. The same payments will apply—a maximum of £1,250 inclusive of weekly payments—for the loss of both feet.

For the loss of a hand and foot the present specific payment exclusive of weekly payments is £750, and the proposed payment, inclusive of weekly payments, is a maximum of £1,250.

Specific increases are provided also for other losses of limbs, &c., and the table will be found in the Bill. At the present time the sums specified in the table in the Act are paid, plus weekly payments which may be drawn up to the maximum payment of £1,000. If a worker is unfortunate enough to lose both eyes he now draws £750 as specific payment and is entitled, if conditions justified it, to draw, in addition, weekly payments up to £250, making a total of £1,000. However, if he draws

only £100 in weekly payments his total compensation is £750 for the specific injury, plus £100 in weekly payments, making £850 in all.

Under the proposed amendment the worker in similar circumstances will be entitled to draw a definite inclusive amount of £1,250, even if he draws weekly payments amounting to only £100 or even a lesser amount. In regard to less severe injuries, if a worker lost his right arm he will be entitled to a specific payment of £750 for that loss plus any weekly payment he may have need to draw up to a maximum of £1,250.

I will now deal with the miners' phthisis section and the proposed increases; I have been dealing with what is termed ordinary compensation. The maximum for which the Commissioner is liable in fatal cases is £800, but it is intended to increase this sum to £1,000.

I will now discuss the weekly payments, beginning with a single man who at the present receives £1 a week. That amount will not be increased, but payment will be made in future under this section right up to death. That will apply to a married man also.

Mr. Pie: What was it before?

Mr. LARCOMBE: A maximum of £800. We now propose to pay the weekly payments up to the time of death.

Mr. Maher: On top of the £800?

Mr. LARCOMBE: The weekly payments now cannot exceed a maximum of £800 but in the future the weekly payments will continue until death.

Mr. Kerr: In addition to the lump sum?

Mr. LARCOMBE: No, they are different aspects. It is not proposed to increase the amount of £1 payable weekly to single men. It is necessary to explain that a recipient of miners' phthisis compensation draws not only workers' compensation but also a Commonwealth pension, which is subject to the means test. If the State Government Insurance Office increased his payment by a further £1 a week it would not mean that the single man would receive a higher income. It would mean that the State Government Insurance Office would pay a higher rate and the Commonwealth Government would relieved of a corresponding proportion of the pension payment.

The amount payable weekly to a married man with dependants is £1 for himself and 12s. 6d. for his wife. It is proposed to increase the amount to £2, £1 for the husband and £1 for the wife, making an increase of 7s. 6d. to the wife. Because of the application of the means test, if we increased the amount to the worker and his wife to, say, £4 a week that would not be giving the married couple a higher income but would simply mean that the State Government Insurance Office would be paying a higher rate and the Commonwealth Government would be relieved of a corresponding proportion of the pension payment.

I submit a table showing (a) the present compensation payments and (b) the proposed compensation payments, also (a) the present payments plus Commonwealth allowance and (b) the proposed payments including Commonwealth allowance.

This table will be useful to hon. members for reference purposes between this stage of the Bill and the second reading. The following table shows the present payments—

	Present Payments.	Proposed Payments.
	£ s. d.	£ s. d.
Single man	1 0 0	1 0 0
Married man and wife	1 12 6	2 0 0
Married man, wife and one child	2 2 6	2 10 0
Married man, wife and two children	2 12 6	3 0 0
Married man, wife and three children	2 15 0	3 2 6

In cases where the wife is not entitled to an old-age or invalid pension an allowance of £1 a week is made to her by the Commonwealth. The comparison is then as follows:—

PRESENT PAYMENTS.

	Compensation.	Pension.	Total.
	£ s. d.	£ s. d.	£ s. d.
Married man and wife	1 12 6	2 17 6	4 10 0
Married man, wife and one child	2 2 6	3 2 6	5 5 0
Married man, wife and two children	2 12 6	3 2 6	5 15 0
Married man, wife and three children	2 15 0	3 2 6	5 17 6

Mr. Pie: Do you not go beyond the three children?

Mr. LARCOMBE: If the hon. member will allow me to proceed I will give him the information. The following table shows the payments proposed under the Bill:—

	Compensation.	Pension.	Total.
	£ s. d.	£ s. d.	£ s. d.
Married man and wife	2 0 0	2 17 6	4 17 6
Married man, wife and one child	2 10 0	3 2 6	5 12 6
Married man, wife and two children	3 0 0	3 2 6	6 2 6
Married man, wife and three children	3 2 6	3 2 6	6 5 0

In addition, a married man with three dependent children under the age of 16 years would be entitled to 15s. a week for child endowment, bringing his income up to £7 a week. These payments for compensation will not reduce the amount of child endowment that may be available.

In future there will be no maximum limitation to the weekly payments to miners' phthisis sufferers—the weekly payments will be continued until the death of the recipient. That is an important alteration, a very generous and justifiable one. Workers suffering from miners' phthisis receive also medical

comforts and medicines. Since 1944 a substantial amount has been paid to miners' phthisis sufferers for these comforts.

I now come to the cost of the proposed increase in benefits. It is estimated that for the year 1948-49 the additional benefits under the heading of ordinary compensation, as distinct from miners' phthisis compensation, will be approximately £175,000. That will not only cover the additional benefits proposed in the Bill but will also provide for part of the cost of the additional benefits that were granted under the amending Act of 1945, which it is not possible to provide under the present scale of premiums. For the last financial year there was a deficiency in the workers' compensation account of £57,000 and that was due to the wider definition of "worker" and the term "injury," and the greater claims under the Act. The yearly estimated cost of the additional benefits for ordinary compensation that will flow from the amending Act it is now proposed to make law is £120,000 and £55,000 will be absorbed in paying for part of the benefits under the 1945 Act, which the present rate of premiums are not able to provide for.

I proceed now to the increased cost involved in relation to benefits in respect of miners' phthisis compensation. The increase in the weekly payments will cost £5,500 yearly. But the miners' phthisis account has been and will continue to be subsidised from reserve funds.

To place the miners' phthisis account on a sound basis and to provide that the increase in benefits may be fully paid it will be necessary to obtain £150,000 to supplement the miners' phthisis account. This will build a sound fund for many years.

Therefore the additional recurring expenditure in the case of ordinary compensation will be £120,000 for payments under the proposed Bill and £55,000 in respect of the additional money needed to pay for part of the benefits under the 1945 Act. The additional recurring expenditure in relation to the miners' phthisis account will be £5,500, as I have stated. The non-recurring expenditure in relation to the miners' phthisis account will be approximately £150,000.

Now I come to ways and means. I have in the foregoing given an outline of the increase in cost, and that requires me to now discuss ways and means—the way it is proposed to obtain additional funds. They will be raised by two methods—

- (a) An increase in premiums and
- (b) A call on reserve funds.

It is proposed to increase the scale of premiums by 25 per cent. and it is estimated that this will provide an additional sum of approximately £175,000. There has not been an all-round increase in the scale of premiums since 1936. In 1940 there was a reduction in the scale and the net result was a yearly loss of approximately £44,000 in premium revenue. The premiums charged in Queensland are lower than in other States. Most of the additional money in regard to the miners' phthisis account will be obtained from departmental reserve funds.

There is another point I wish to mention in relation to the financing of the increased benefits. It is not intended to increase premiums until 1 July, 1948, although the additional workers' compensation benefits will be increased as from 1 January, 1948.

Mr. Morris: With this 25 per cent. increase will the premiums be lower than in other States?

Mr. LARCOMBE: Yes, generally.

Mr. Kerr: You are budgeting for another deficit.

Mr. LARCOMBE: No, I am budgeting to avoid a possible deficit.

Mr. Kerr: The increased premiums do not come into operation until 1 July, 1948.

Mr. LARCOMBE: The increased premiums will not come into operation until 1 July, 1948, although the increased benefits will be effective from 1 January, 1948. It has been decided to defer the increase in premiums in the way that I have suggested in order to meet the convenience of employers. Therefore, it will be necessary to obtain additional funds to finance the additional benefits for the half year from January to June, 1948, in relation to ordinary compensation. The money will be obtained from reserve funds.

The £150,000 that will be provided to cover the increase in cost resulting from greater benefits to recipients of miners' phthisis compensation, &c., will be obtained chiefly from reserve funds, but will not be a recurring expenditure. The additional recurring expenditure in relation to miners' phthisis compensation will be £5,500 only per annum.

The proposed Bill is another progressive step in Labour Government reform. The additional benefits will bring about a substantial improvement in the present Act and they will be, I hope, supplemented to an even greater extent as circumstances permit.

Mr. NICKLIN (Murrumba—Leader of the Opposition) (11.34 a.m.): It used to be a hoary old joke in this Chamber that a session of Parliament would not pass without an amendment to the Land Acts, but now the Land Act has been displaced by the Workers' Compensation Acts, as every session of Parliament we are called on to consider an amendment to it.

Mr. Moore: It shows progress.

Mr. NICKLIN: It does not altogether show progress. It discloses the fact that the value of money is declining and therefore it is necessary for us to increase the payments to beneficiaries under the Workers' Compensation Acts to enable them to maintain the same standard of comforts as smaller sums gave them previously. Each and every one of the increases that have been brought about by the amendment of the Workers' Compensation Acts in recent years has been brought about by the fact that our £1 today does not buy as much as the £1 did when the Workers' Compensation Act was first introduced in 1916.

We have no objection whatever to the increased benefits provided in this Bill because we realise the necessity for them. After all, everyone realises that no matter what money payments a widow may receive it does not in any way compensate her for the loss of her breadwinner, nor can we compensate by money payment for the loss a worker may incur by a permanent disability. When sickness comes into a home we have to provide, by this very excellent legislation of ours, that the worker and his family are maintained on a reasonable standard. In order to do that it has been necessary for us to increase pretty frequently lately the benefits under this legislation and this is due, as I said previously, to the fact that the purchasing power of our money is declining. I have been wondering whether, instead of our having to consider year after year increasing the money payments under this legislation to compensate for the lowered purchasing power of money we could not adopt some formula by which we could keep the payments under the Workers' Compensation Acts commensurate with the purchasing power of money at the time being.

Mr. Larcombe: This Act goes further than that.

Mr. NICKLIN: I doubt very much whether it does. You will find that the average increased benefits payable amount to 25 per cent. It is doubtful whether that is equivalent to the loss of purchasing power of money due to rising costs and the lesser value received for money at the present time. I think the Treasurer will admit that the amendments introduced have not really represented increased benefits under the Act but were made for the purpose of bringing up to date the payments to make them equivalent to present-day money values.

Mr. Larcombe: I separated the points and made the difference quite clear.

Mr. NICKLIN: The Minister did separate the points and show the increases, but as I pointed out, they are on the average increases of 25 per cent., which is more or less equivalent to the decrease in the purchasing power of money. We realise that something has to be done to protect the persons who suffer—particularly families—for the loss of a breadwinner by death or incapacity, whether that incapacity is permanent or temporary. We have to adjust our legislation accordingly.

The cost involved in these benefits is pretty considerable. There will be, as the Treasurer has told us, an increase in the premiums payable. We note when looking at the trend of affairs in the Workers' Compensation Department that last year it showed a substantial loss of £107,911, the first loss shown for a considerable time. In the previous four years it showed substantial profits in three years and a good profit in the fourth. It shows that there has been an increase in the number of claims made on the department; and there is the obvious effect on the revenue of the department of the amendments we have from time to time made in our workers' compensation legislation.

I must thank the Treasurer for the detailed information he gave in regard to the differences in the payments and benefits that will result on the passage of this Bill. That information will be particularly valuable to hon. members in studying its implications before the second-reading stage. I propose to reserve any detailed comment on the proposal until then, but I would point out at this stage that we on this side are just as eager as the Treasurer and members of the Government in keeping our Workers' Compensation Acts up to date and ensuring that the beneficiaries under these Acts receive the maximum possible compensation for any injury they may suffer while working in industry in this State. Queensland has a good record in workers' compensation legislation, and it is up to us to see that that good record is maintained and that our legislation is made as effective as it possibly can be, but I doubt whether these increased payments will be of very much greater value to the recipients than the payment made under the Act away back in 1916 owing to the great depreciation in the purchasing power of money. However, we must see that the benefits are adjusted according to the depreciation in the purchasing power of our money, and I again make the suggestion to the Minister that he and his officers examine the question of whether some formula cannot be arrived at to be included in our legislation that would make the benefits payable automatically increase or decrease, as the case might be, according to the purchasing power of money. I reserve any further comments until we reach the second-reading stage.

Mr. PIE (Windsor) (11.43 a.m.): I think every hon. member will welcome any increase in workers' compensation, particularly the payments for permanent injury. I think the Leader of the Opposition has covered the ground very well from our point of view at this stage, but I am perturbed because the amendment actually deprives people with families of benefits previously in the Act. The Treasurer made it very clear that the allowance made for children was limited to three children in each family. Frequently a mother or parent had to fend for herself because there were more children than three. The majority of Australians who have families are afraid of legislation that is brought down from time to time that deprives them of benefits because they have large families. The time has come when Australian legislators, instead of bringing down Acts that really deprive people who are willing to have families of benefits—in fact discriminating against them—must give them a definite advantage. It was made very clear previously by the Premier—and I here quote from "Hansard," 1944, page 1653—that—

"The total benefit previously was £750 for the dependant of a worker. We propose to make the total £800 for the dependant of a worker, but for each child or stepchild under 16 years of age depending on the worker, £25 is to be added to that amount. If a man had six children dependants, the total for a fatal accident would be £950, and so on."

Mr. Larcombe: No.

Mr. PIE: The Premier said that.

Mr. Larcombe: In the case of a payment on death for children there is no limitation.

Mr. PIE: The Premier proceeded to say—

"We also provide that if a child is the sole dependant of a worker, for instance, if a widower leaves one child, that £25 will still be paid, although a man with a wife and one child would be entitled to only £825."

The point I want to make is that the benefit under no legislation should be restricted to a man, a wife and three children. What about the woman who has six, seven or eight children under the age of 16 years, and who is deprived of her husband? What sort of a position is she in? It is no defence to say that she gets child endowment because the woman with only three children also gets child endowment. The time has come when Governments must face up to this position. I view the measure with very grave concern, particularly from the point of view of the family man. It is very important that people who are willing to have large families should be fully protected, especially in matters of workers' compensation. Why should people bring children into the world only to find that even Governments are discriminating against them in their legislation? A stop must be put to legislation of this kind, and I ask the Minister to consider the matter from the point of view of the family man. I know that probably he has not had to meet the cost of growing families each week, and I assure him that the cost of clothing and other things needed for young children is increasing every day and we must do something about it.

The Leader of the Opposition referred briefly to the relation of the increased cost of living to the compensation allowed. I feel that Governments will have to work out a formula for compensation and superannuation so that payments will fluctuate with variations in the cost of living and this formula will have to operate automatically. For instance, as the basic cost of living increases, then the compensation or superannuation payments should be increased automatically. Such a policy would avoid the need of all these amendments that are coming before us from time to time. The means test also is becoming a bugbear.

The CHAIRMAN: Order! The means test has nothing to do with the question before the Committee.

Mr. PIE: The Minister brought it well into the discussion in connection with the benefits that would be payable to married or single men. He made it very clear that the means test altered the benefits he might get. He said it was no good increasing the benefits because the Commonwealth Government took the increase away.

The CHAIRMAN: Order! The means test is something over which this Government have no control. It has nothing to do with this Bill.

Mr. Pie: I refer to it in passing, but the Minister made quite a point of it, as you will find when you read the proof of his speech in "Ilansard."

Again I appeal to the Minister to give greater consideration to the family man in connection with workers' compensation.

Mr. MOORE (Merthyr) (11.49 a.m.): It is characteristic of the hon. member for Windsor that again he displays lack of knowledge of the subject about which he is speaking. He is not game to get up and oppose this legislation, so he says it is all right, and he uses the conjunction "but." Then, in order to draw a red herring across the trail, and to try to confuse the workers of the State who have benefited a great deal in the past from legislation of this Government, he endeavours to mislead them into believing that they are not getting what they are entitled to receive.

At 11.50 a.m.,

Mr. DEVRIES (Gregory) relieved the Chairman in the chair.

Mr. MOORE: The present benefit is £800 plus £25 for each child under the age of 16 without restriction but the Bill proposes to increase that benefit to £1,000 plus £25 for each and every dependant child.

When the hon. member says that this legislation by the Labour Party in the State and Federal spheres is not satisfactory to the workers of the Commonwealth, he is wrong. There is only one phase of restricted legislation—if you may call it that—and that is in regard to child endowment. The Federal Government in their wisdom do not make an allowance for the first child. Of course, Mr. Devries, men like the hon. member for Windsor, who has never had to live on the basic wage and keep a wife and family, do not know the appreciation the general public have for this social legislation introduced through State Labour Parliaments and the present Federal Government.

I had occasion only the other day to give some advice in a very sad case—to a widow with a baby in arms. Her husband had died the week before, leaving her with two other children and his three-months'-old baby. He had been in business in a small way and unfortunately his affairs are taking some time to wind up; there is very little capital left. She threw herself upon the generosity of Labour legislation and I was able to help her in completing an application for a widow's pension. I advised her to go to the State Children Department, where again she was liberally treated. Needless to say, this widow left me in a very happy and contented frame of mind. It is not true to say, as hon. members like the hon. member for Windsor do so airily, that the people of the Commonwealth are not satisfied with Labour's social legislation; it is an attempt on their part to confuse the minds of the people whom the Labour Governments have set out to benefit.

This amending Bill is characteristic of the progress that Labour Governments make in their social services. These matters are discussed by the Labour Party at their conventions and the parliamentary party in its

wisdom introduces the necessary legislation. I commend the Government and the Treasurer on the introduction of this legislation and I feel sure that the public will appreciate the generosity of the Government.

Mr. FARRELL (Maryborough) (11.53 a.m.): I should like to take the opportunity of complimenting the Treasurer on the very explicit explanation he has given of this measure, and I congratulate the Government on the introduction of the Bill. Hon. members of the Opposition have freely contended that we have taken a long time to bring about improvements in the amounts payable to the people, but the fact is that we have done so from time to time as the need arose, and the amendments in the Bill make an enormous contribution to the welfare of those people who find themselves in the position of requiring the benefits available under the Workers Compensation Acts. As one who represents a large industrial centre in which the provisions of the Act are called upon from time to time as the result of injuries sustained by workers, I can assure the Treasurer that we appreciate the fine contribution the department is making towards the welfare of these unfortunate people.

When we trace the history of this legislation we find that the Opposition in the early days thought that it was something in the nature of a gift by Father Christmas. The Labour Party has made it a system under which the sufferers received payments to which their service to industry entitled them.

The Leader of the Opposition and the Leader of the Queensland People's Party suggested that there should be a formula by which payments would rise or fall automatically with the cost of living, so that it would not be necessary to amend the Act from time to time. Even as business men they should realise how desirable it is that the Act should be amended from time to time in order that increased benefits may be extended to these sufferers. In any event, we have no intention whatever of reducing them, but rather of improving them. The State Government Insurance Office is in the happy position that it has sole control of workers' compensation in Queensland.

I have frequently and very feelingly referred to the plight of sufferers from miners' phthisis and I have suggested that miners should be subject to regular medical examination so that they may avoid contracting the disease or that it may be detected in the early stages and their condition may be alleviated. Time will prove the wisdom of my suggestion and I am confident that it will gain legislative recognition, if not through the Workers' Compensation Act then through the relevant mining Acts. In every day of his working life a miner runs the risk of a physical accident or of contracting the dread disease of miners' phthisis, and it is to be hoped that he will receive a generous measure of assistance from the Bill. It must not be thought that the Government are acting in any niggardly way in respect of payments to the sufferers where Commonwealth Invalid Pensions are involved because it is felt that the Commonwealth Government too

should contribute generously towards alleviating the sufferings of these people. Probably if we were to investigate the matter fully, it would be found that the compensation paid to miners' phthisis sufferers in New South Wales was on a higher scale than in Queensland. The Treasurer has explained that the State is under an obligation to pay for certain medical comforts and medicines required by these sufferers and is helpful in other directions too. For instance, should such a sufferer need medical attention at a place removed from his usual place of living the Government are always ready to help him by giving him a free railway pass to travel to the centre where he is to get the necessary medical attention.

The Treasurer has given a very full explanation of the increased benefits contained in the Bill and there is no need for me to elaborate them. Even the statement made by the leader of the Queensland People's Party shows the improvements that have been made in this legislation, specifically when Mr. Cooper was Treasurer and the maximum payment was increased to £800 per annum in the case of death or permanent injury. It is now proposed to increase that amount to a new maximum of £1,250. Therefore it can be clearly seen that the Government are anxious progressively to increase the benefits in accordance with their financial ability so that dependants of workers may be assured of some monetary compensation in the event of the death or permanent injury of the breadwinner.

I commend this Bill as a most progressive measure. I hope that as time goes on and even before this Parliament is dissolved we shall find the Treasurer introducing a similar measure to this one in order to give greater benefits to workers suffering from injury and disease.

Mr. BURROWS (Port Curtis) (12 Noon): The leader of the Opposition forecast that he would have more to say on this Bill at a later stage and in anticipation of his doing so I would recommend him to compare the Workers' compensation benefits paid in Queensland with those paid in New South Wales. In New South Wales at the present time four judges are occupied in dealing with claims made under the Workers' Compensation Act. They deal with approximately 1,000 cases a year. In New South Wales private insurance companies are permitted to compete with the State Government Office. The virtues of private enterprise would be conveniently forgotten by members of the Opposition if they made a comparison between the benefits paid to injured and suffering workers in Queensland by the State Government Insurance Office with those received by their fellow workers in New South Wales. In addition, the employers for whom the Opposition are primarily concerned, are asked to pay substantially higher premiums in New South Wales than employers do in Queensland.

I listened with interest to the concern expressed by hon. members opposite at the decrease in the value of the pound since the

establishment of the State Government Insurance Office. I am sure that the Opposition members are more concerned about that fact than any sufferer or injured worker, or widow. They are always ready to shed crocodile tears for them, but to me it would seem that one tear was for the widow and the others for themselves.

The suggestion made by the hon. member for Windsor that the compensation payments should rise and fall automatically in accordance with the value of the pound is worthy of consideration. I should be very pleased to see that principle incorporated in our law because if Queensland was ever unlucky enough to lose its Labour Government that would be a means of protecting the worker against any reduction in workers' compensation benefits to which he is justly entitled.

Mr. DECKER (Sandgate) (12.3 p.m.): I am happy to rise and support the Minister in bringing forward this amendment to the Workers' Compensation Act. After hearing the speeches made by Government members one would think that the Government were giving the unfortunate injured and suffering workers something for nothing. The Government are not doing anything of the kind.

Mr. Clark: The Government play a big part in those payments.

Mr. DECKER: Payments under the Act are made from premiums paid by the employers to the State Government Insurance Office.

Mr. Moore: When did you wake up to that?

Mr. DECKER: It is about time the hon. member woke up to that fact. From the way he spoke one would think that he was making the payments out of his own pocket. The workers' compensation premiums are to be increased by 25 per cent. and it is that increase that makes it possible for the Government to make provision for these increased benefits. These increases, too, are being made to meet rising costs. Every Parliament in Australia at the moment is introducing Bills having for their object the same purpose. This will impose a greater burden on the whole of the people, so instead of relieving the worker we are imposing a further undue strain on him and thus making it harder and harder for him to live. In the final analysis the worker pays.

We find that the allowance made previously was not enough to meet the rising costs and we have to introduce a Bill to increase the allowance to enable them to live in reasonable conditions. Frequently the widow of a worker who has been killed, particularly when the family have no reserves, will come to the member for the district for advice. I have had people come to me and it opened my eyes as to what workers' compensation means to some people. Take a woman with children or without children who is left penniless as a result of the death of her husband. She makes application for workers' compensation, but in the meantime she has not any money to carry on with. One can send her to the

police station to get temporary rations or one can write out an application under the social-service scheme and get a widow's pension for her, but as soon as the woman is paid the £800 compensation all other benefits cease and she has nothing to live on but the £800, which dwindles day by day. There is only one advice to give her, and that is to try to invest it in a house, but with the high price of house properties today she would not get much for £800 or the part of £800 that she has left, because she would have had to spend some of it since she got it. It is only when such women have spent all that money that they are able to get the widow's pension. We should give consideration to cases like this and we should have provision in the Act for a weekly payment for at least six or 12 months after the death of the breadwinner in order to give the widow time to settle down, so that when she received the lump sum she could invest the whole amount in a business or a home.

Mr. Moore: Would you increase the premiums to do that?

Mr. DECKER: It would take very little increase in premiums to do that, because the number of deaths are not great. I make that suggestion knowing that it will receive the consideration it deserves, and if it is accepted it will be an improvement to the Act.

Mr. WANSTALL (Toowong) (12.9 p.m.): As indicated by the hon. member for Windsor as the leader of our party, we are heartily in support of the amendment introduced by the Treasurer this morning.

At the outset I want to clear up what appears to be a misunderstanding arising on the introduction of the Bill by the Treasurer. When the Treasurer was introducing the Bill and explaining it, I understood him to say with the existing benefits an additional payment in the case of death of £25 for each child would be restricted to three children only and would not extend to other children above three.

Mr. Larcombe: No, I did not say that.

Mr. WANSTALL: I guessed that that was not the position and I thank the Treasurer for his explanation of it, but would point out that the hon. member for Windsor immediately picked up that point when the Treasurer was speaking and emphasised it by saying that it would apply to three children only in future, and from the Treasurer's remarks to the hon. member when he was speaking I gathered from that interjection that this provision limiting the £25 to three children only is to apply in the case of weekly payments for injury. Is that the position?

Mr. Larcombe: A maximum of £5 11s. a week for compensation.

Mr. WANSTALL: In the case of weekly compensation there will be a limit on the size of families to three children.

Mr. Larcombe: There will be the maximum payment.

Mr. WANSTALL: So a woman with a family of six children would not enjoy the per-capita child payment for any children over three, because of the maximum of £5 11s.?

Mr. Larcombe: She gets payment plus child endowment.

Mr. WANSTALL: She would get child endowment if her husband was not injured and working every day, earning money. That is not the answer, as the Treasurer knows perfectly well. I regard it as a reactionary proposal to limit the weekly compensation to three children in a family that may consist of six or more children.

Mr. Moore: You are twisting the maximum payment.

Mr. WANSTALL: The hon. member for Merthyr knows that the £5 11s. is scaled according to the compensation payment up to three children and that over three children it ceases. The point is—and I suggest to the Premier that it should be considered, having regard to the amount involved—that these benefits should be extended so that there will not be such discrimination against large families, which after all are the very families most in need of the compensation when the breadwinner is unable to earn his pay.

Mr. Aikens: Our best type of immigrant.

Mr. WANSTALL: Our best type of immigrant. If we are sincere in our pleas for increased population, how can we introduce legislation that will have the effect of discriminating unfairly against the large family as compared with the small family?

The next point is the increase from £800 to £1,000. I agree wholeheartedly with this but I greatly regret that this is three years later than it should be. In 1944, 28 November, three years almost to the day, this Legislature was considering amending an amendment to the Workers' Compensation Act whereby the total benefits paid in the case of death were increased from £750 to £800 plus £25, that being the limit for each dependent child under the age of 16 years. In the Committee stage of that Bill, the hon. member for Logan, on behalf of the Queensland People's Party, moved an amendment to omit the words "eight hundred" and insert in lieu thereof the words "one thousand." Three years ago this party endeavoured to do what this Government are now seeking to do in this amending Bill—to increase the total payable in the case of fatal accidents to £1,000 from £800. What happened to that amendment? Was it debated? Was it rejected on its merits? Was it considered by a majority of the members of the Assembly? No. The Premier took a point of order and drew the Chairman's attention to the possible increase in the charge against the Crown and suggested to the Chairman that because of that possible increase the amendment would make on the charges against the Crown the amendment was out of order. Relying on that archaic and oppressive principle of Crown privilege, he had the amendment ruled out of order. That was

three years ago! It was not even rejected on its merits. This Government, relying on that outmoded and oppressive principle of Crown privilege, rejected out of hand the amendment that we sought to introduce three years ago, yet we are told this morning by the hon. member for Merthyr, in his characteristic fashion, that the hon. member for Windsor is not sincere in his support of this measure!

I agree entirely with the hon. member for Merthyr who said that this amending legislation is characteristic of the progress that Labour makes in conferring social benefits on the workers. It is, unfortunately, all too characteristic of the progress that Labour makes in conferring social benefits, that they should be three years behind the attitude of the Queensland People's Party in giving some social benefit. I agree with the hon. member for Merthyr that it is characteristic of the Labour Party to reject, on the principle of Crown privilege, the beneficial amendment sought to be moved by the Opposition, to reply upon that archaic and oppressive rule that, "This would increase the charge on the Crown; we cannot accept the amendment; we will throw it out," and three years later to come along and seek to do the very thing we wanted to do three years ago. (Government interjections.) I agree that it is characteristic of Labour to find themselves lagging behind the Queensland People's Party. Let me assure the hon. member for Merthyr that the workers of this State too are realising how far Labour is lagging behind the enlightened and progressive thinking of the hon. members of the Queensland People's Party. (Government interjections.)

Let me remind the hon. member for Merthyr that after this very amendment, sought to be moved in 1944 by the Queensland People's Party, had been scornfully thrown into the waste-paper basket without consideration of whether the worker was entitled to the benefit but just because there happened to be a convenient rule or Standing Order under which it could be scrapped, a pre-election convention—and I emphasise "pre-election"—of the Labour Party in February last agreed with the Queensland People's Party and said, "This reform is long overdue. The amount should be £1,000 because it is little enough to pay to the widow deprived of the protection and succour of her bread-winner," and gave instructions to this bunch of reactionaries on the Government benches that when this Parliament opened, if they happened to be in power, they were to do the thing that the Queensland People's Party wanted them to do three years before. (Government interjections.) I am very glad there is a convention of the Labour Party composed of progressive and advanced thinkers who are able to exercise some little discipline over these reactionary and backward members of Parliament—(renewed Government interjections)—who for too long have been entirely removed from that close contact with the people who need this workers' compensation, who for too long have been drawing their magnificent salaries as

members of this Parliament—(Government interjections)—together with all the perquisites and all the privileges—

Mr. Aikens: Into them, comrade.

Mr. WANSTALL: In the face of all that we have the hon. member for Merthyr accusing us of insincerity even in supporting this measure, which comes along three years after we moved our amendment.

I can see, Mr. Devries how this is getting under their skin. I want to suggest to hon. members opposite that there are great numbers of additional benefits by which they could if they were sincere extend the range of social benefits. There are a great number of additional benefits that could have been incorporated in this legislation, and I point out to them, particularly the hon. member for Merthyr who from his personal interest in the matter appears to have been the father of this brain-child, that there is a wide field crying out for cultivation and progressive thought in legislation towards increasing these benefits.

I remind him of one reform that is long overdue in particular. I refer to the reprehensible and completely indefensible provision that compels a worker who when he is obliged to take the Insurance Commissioner to court to obtain the benefits supposed to be his under this legislation, and succeeds in his claim against the Insurance Commissioner is restricted to the magnificent sum of £1 ls. for professional costs, although he has been the successful litigant against the Commissioner in his claim.

The attention of the Government has been directed to this point time and time again, particularly by the hon. member for Logan and myself. We have pointed out the indisputable fact that if the worker has to take the Commissioner to court and wins his case it is completely unfair that there should be deducted out of the capital amount of compensation that he recovers from the Commissioner something on account of costs that he has incurred to his solicitor advocating his case. I hasten to assure hon. members that in nine cases out of ten these cases are conducted on behalf of the worker by the solicitor to the union to which he belongs; there is no suggestion of his being exploited because the union's solicitor is retained for that purpose and there must be complete faith between the union and its solicitor. When the union recommends a worker to go to its solicitor he knows he will be fairly treated. It is not a question of recovering unreasonable costs, merely a question of recovering reasonable and fair costs, which would be taxed by the court. Notwithstanding the fact that we have constantly drawn the attention of the Government to the unfair operation of the rule, nothing has been done about it. It is not a case of men who lose their compensation cases against the Commissioner. If a man loses his case against the Insurance Commissioner the Commissioner can tax costs against him on a very much higher scale. Not only is the worker therefore out of court when he wins but he is out of pocket if he loses. Can that be allowed to continue?

At 12.24 p.m.,

The CHAIRMAN resumed the chair.

Mr. WANSTALL: I suggest to the hon. member for Merthyr who accuses us of shedding crocodile tears, that the boot is on the other foot and that if his party took a little more notice of the progressive ideas advanced from this side of the Chamber it would be of great benefit to the workers. Let me remind him that this is not the only instance in which members of my party are in the position of having to ask the Government to be more generous towards the workers than the Government would otherwise be in their attitude to this social legislation.

I want to make the point and to emphasise what was said by the hon. member for Sandgate, that the increased benefits are not a gift or a Christmas box from the Government to the workers concerned, as hon. members opposite seem to think they are. They are simply an assurance that the worker will get what he is entitled to have from what his employer pays as workers' compensation premiums. Nothing is being given, and even these increased benefits are not gifts from the Government but something that the employers of the workers have contributed to the Workers' Compensation Fund over the years. That point should be hammered home and brought under the notice of the people of this State.

The Bill, so far as it goes, is acceptable to hon. members on this side of the Chamber and the only regret is that the Government are not as progressive in their outlook towards this important matter as we have consistently been since we have been here.

Mr. MULLER (Fassifern) (12.27 p.m.): I feel that this legislation is necessary and I am not one of those who believe that while it is necessary to increase the benefits we should do it without increasing the premiums.

As the hon. member for Toowong pointed out, the legislation is not only necessary but it is also long overdue. If we compare the benefits proposed today with those that obtained in 1942, which are used as a basis for the proposed improvements in the Bill, it will be found that the increased amounts proposed today will not be equivalent to those that ruled in 1942. I am sure no-one will attempt to argue that money values have not depreciated by more than 25 per cent. in the last 25 years and so it is very doubtful whether these proposed new benefits will even compare with those of 1942.

I was just wondering whether it would not be advisable to have a closer examination of the Workers' Compensation Act, especially in the direction of comparing the risks in various industries. Is the time not long overdue for a mature consideration of the variation in the rates of premiums? Let us, for instance, compare the risks in the mining, sawmilling, and some of the other industries with, say, the risks involved in working in a retail shop. Under the present system the total premium payable is assessed on the total wages bill paid by the employers in the

industries and the time is overdue for an examination of that specific aspect of this matter. Frankly, I am concerned with the position of the primary producers in this State. I have made a pretty close survey of the matter in the last few years and no hon. member will be able to refute what I have to say. I emphatically declare that the employees engaged in primary industries do not get back by way of workers' compensation 25 per cent. of the contributions paid by primary producers into the Workers' Compensation Fund. If that position obtained throughout other industries then the fund should show a handsome credit and not be seriously depleted, as the Treasurer said it is today. I am satisfied that a closer examination of all the industries and the premiums paid would disclose that some of the industries carrying a greater risk than others should be paying a heavier rate of premium than others.

Mr. Burrows: They do now.

Mr. MULLER: I differ with the hon. member. I want him to show me just how they vary. The premiums have to compare with your income-tax returns. You know the amount of wages paid in your income-tax return and then the Commissioner of Taxation assesses the employer on the amount of wages paid. The nature of the work is not taken into consideration, as the premiums vary very little.

Mr. Burrows: There is a 17½ per cent. variation in the premiums paid in respect of hospital employees as compared with linesmen.

Mr. MULLER: The premiums paid in relation to the various classes of employees ought to be examined very closely. I ask that a very close examination be made of them. If that was done, and if the primary industries were made a separate section and paid premiums only in proportion to the calls made on the fund by its employees, that fund would reap a very substantial benefit, and its funds would not be at a low ebb. Secondary industries such as coal-mining and saw-milling and the butchering and drapery businesses, can pass the premium on. It does not mean a thing to them. In other words, the community pays. Look at the position of the primary producer. He has not the capacity or authority to pass it on. He must carry the burden. If you are going to saddle him with a 25 per cent. increase in premiums it will be unfair discrimination.

I did not object to the beneficiaries under this Act getting increased payments. As I have said, I doubt whether the 25 per cent. increased payments will compare favourably with the value of the payments made five years ago. It is the duty of Parliament at all times to see our employees are protected and perhaps this is the greatest measure of protection we can give any employee, because if we are not prepared to provide for accident and ill health then we are not doing much for him. Nevertheless, it is the duty of Parliament to see that these schemes are operated with a degree of equity and this

is not. I repeat that you are going to saddle one section of the community with a burden for the benefit of the other.

I ask the Treasurer in his reply to tell us whether there is any variation in the scale of premiums charged. If so, I should like him to give this Committee the variations and tell us whether they are sufficient to conform with the risk in the various industries. Then and only then shall we be willing to admit there is a certain degree of fairness about the premiums charged. But if premiums charged are on a flat rate, as I think they are, the primary industries will again suffer by way of comparison.

Mr. AIKENS (Mundingburra) (12.34 p.m.): I am sure we all enjoyed the spectacle of the Queensland People's Party dog attempting to eat the Labour Party dog. I at least enjoyed it. As I said in public in the North, the only difference between the Queensland People's Party and the Labour Party was the difference existing between Ned Kelly and Dan Kelly. (Laughter.)

The CHAIRMAN: Order!

Mr. AIKENS: The only difference is who should ride the best horse and lead the bushrangers. The Queensland People's Party thinks that Pie should have a go to ride the best horse and lead the bushrangers while the Labour Party thinks that Ned Hanlon should continue in the saddle. (Renewed laughter.)

The CHAIRMAN: Order!

Opposition Members interjected.

Mr. AIKENS: At least I do not wear armour. If I did the hon. member would not penetrate it.

The CHAIRMAN: Order! The hon. member must obey my call to order. If he does not I must ask him to resume his seat.

Mr. AIKENS: I know that the fact that the percentage of accidents in primary industries is much less proportionately than the ratio of premium payments that they are required to make has been agitating the minds of the farming community for a considerable time. I believe that question should be examined much more closely than it appears to have been in the past.

I want to say that my attitude to this Bill is the same as my attitude to any Bill that confers benefits on the workers, that is, the attitude of Oliver Twist. I am willing to take what the Treasurer is prepared to give and ask for more. I can assure members of the Queensland People's Party that if they will move any amendment to increase the benefits to the workers under this Bill I shall be only too pleased to support them. When I see the Bill it is more than likely that I shall have some amendments to move myself, and if I do not move them personally then they will come from the intelligent corner of this Chamber.

Mr. Evans: It is only catching up purchasing power.

Mr. AIKENS: Even if we accept the assertion that it is merely catching up purchasing power it should go beyond that. If it is said that the £1,000 contemplated will only go as far in purchasing power as £800 did previously, I am still of the opinion that £800 was too small, the £1,000 therefore also is too little and should be increased. Nevertheless I intend to wait till I see the Bill before I form any opinion as to what amendments I should move and what amendments I will support.

There is one question that agitates the minds of workers throughout this State—I had a letter on this matter from the Queensland Colliery Employees' Union—and that is the case of a worker who, as the result of accident, suffers permanent incapacity and has to go on to a weekly pension rate until the weekly payments eat up the £1,000 maximum. I understand from the Treasurer's statement that maximum is to be increased to £1,250.

Mr. Larcombe: Yes.

Mr. AIKENS: I believe there should be no limit at all to the man to whom payments are made for total incapacity. At the present time he gets a payment of so much a week, depending entirely on his circumstances, until he has absorbed the maximum, which under the Bill will be £1,250. Having exhausted that maximum he goes back on relief or rations or social-service or any other payment that might be available to him.

Mr. Morris: What about miner's phthisis?

Mr. AIKENS: The Queensland Colliery Employees' Union informed me that the same thing applies to miner's phthisis cases: once a man has absorbed, per medium of weekly payments or withdrawals, the maximum amount payable to him his miner's phthisis compensation ceases—

Mr. Larcombe: We altered that. In miner's phthisis cases payments are made till death.

Mr. AIKENS: I had to leave the Chamber before the Treasurer had finished his introductory remarks and I missed that point. I am particularly pleased to hear that in the case of miner's phthisis that the weekly payments will continue until death. I urge upon the Treasurer the advisability of incorporating in the Bill a similar provision in regard to other recipients of weekly compensation payments. Now they cease to draw their weekly payments after £1,250 is absorbed and they go back on relief.

Another matter that needs adjustment is the rule with respect to injuries sustained while going to or from the job. At the present time, if a worker is injured on his way to and from work on his usual route or if he is injured during the lunch period going to his regular place of lunch and coming from his regular place of lunch, he receives the full compensation benefit, whether it be for accident or injury, but if a worker is going to his place of work by some other route—something may have caused him to deviate a bit—

Mr. Wanstall: There have been numerous cases before the High Court.

Mr. AIKENS: I have not been able to keep abreast of the legal ramifications of the Workers' Compensation Acts. It should be clarified in the Act itself. I do not think it should be necessary for workers or their representatives to take these things to Court in order to have them clarified.

Here I wish to pay tribute to the courteous consideration I have always received from the Commissioner and also to pay tribute to the Premier and the Treasurer. On occasions when I have made representations to them with regard to people who were entitled to compensation payments I have received from the Premier and the Treasurer an interpretation of the Act according to the spirit of the Act and not in accordance with the harsh, hard, and fast letter of the Act. I am always particularly pleased to do business with any Minister who is prepared to interpret an Act in the spirit of the Act and not in the stereotyped hard and fast letter of the Act.

Mr. Wanstall: He is not always able to do it.

Mr. AIKENS: He is not always able to do it: I may have been fortunate. In one instance I was able to get an ex-gratia payment and on another occasion I was able to have the Premier increase the amount payable to the mother of a deceased worker by a considerable amount. He offered to increase the amount without prejudice and the mother on my advice accepted. I may have been particularly fortunate, and I only hope other members, irrespective of political complexion, may have been similarly treated by the Minister and officers with whom I have dealt with in regard to workers' compensation payments.

There did exist a provision, when I last discussed it with the Insurance Commissioner, that if two workers are employed on a job and one regularly goes down the town to have his lunch and is injured while going down for his lunch or coming back from his lunch he is entitled to compensation payment whereas the other worker who usually has his lunch on the job but then during the lunch-hour period for some reason or another goes down the town, probably on a message or to conduct some business for himself, and is injured or killed during that time he receives no compensation payment whatsoever, and neither does his widow if he is killed.

Mr. Wanstall: From memory I think that is a point covered by the High Court case.

Mr. AIKENS: If it is covered by the case it should be clarified in the Act. I have to call on memory to help me in quite a lot of arguments and now I am speaking only from memory but I think there is a specific case of a worker in Brisbane who usually had his lunch on the job. One day he went down the street to buy a pair of trousers. He came back to his job and tried on the pair of trousers and found they did not fit him. He then rode down the street again to change the trousers and on returning from

this second journey down the town was killed, almost at the gate of his employment. His widow received no compensation.

In another case it was said by the Insurance Commissioner—and he gives as generous an interpretation as possible on all these matters—that if a boy went down the town to buy his lunch and it was the only way he could get his lunch or his normal procedure was to go down town to buy his lunch, workers' compensation would be payable.

I will give an exact instance of a worker at a factory in Townsville who, during the war years, left his place of employment during the morning smoko period and went down the town to pay his income tax and buy a tube for his bicycle. On the way back to his work he was knocked over by a motor car and seriously injured. The Insurance Commissioner, according to the hard and fast letter of the law, had to reject his claim for workers' compensation but I was able to point out to the Insurance Commissioner that if that man had not gone down to pay his income tax and buy his bicycle tube in the smoko period he could not have paid his income tax or bought his bicycle tube because at that time, in the midst of the war, the C.P.S. Office was closed over the lunch-hour period because of the shortage of staff and the bicycle shop was also closed at that period for the same reason. That was one of the occasions when the Minister made an ex-gratia payment in full settlement of compensation. As I say, it was merely a generous interpretation by the Minister with the full co-operation and consent of the Insurance Commissioner.

These things should be clarified in the Act itself. Once a worker leaves his home to go to work he should be covered by the Act until he returns to his home that afternoon, whether he goes down George street, Alice street, Elizabeth street, or any other street to his work and whether he goes out for his dinner.

Mr. Brown: What if he goes to a pub?

Mr. AIKENS: If the worker goes to a pub on his way to or from work he would not be doing any worse than I have done at times or any worse than many hon. members do at present. There is nothing wrong with a worker's calling in at the pub for a couple of pints of beer on his way home, any more than there is with an hon. member's going to the Parliamentary bar and having a couple of quiet beers after the House has adjourned. I asked the question of the Premier whether members of Parliament should not be brought under the Workers' Compensation Act but he treated it very jocularly and thought I was preparing for another fight with some Minister or another.

Mr. Power: Do you think you will be killed sometime?

Mr. AIKENS: The way members of the Labour Party treat me from time to time, I am in imminent danger of death by violence.

From the moment a worker leaves his home until he returns to his home at what might be termed a reasonable time—

Mr. Moore: What is a reasonable time?

Mr. AIKENS: I now see the point in the interjection by the hon. member for Buranda. If a worker knocks off at 5 o'clock he cannot expect to go into a hotel, stay there until half past 8 or 9 and then receive compensation if he is killed between 9 and 10. In the ordinary day's work, a man who normally leaves his home at 7 o'clock in the morning and returns to his home usually at about 6 o'clock in the evening should be covered by workers' compensation during all that time.

Mr. Moore: They take a reasonable view of that.

Mr. AIKENS: They do, but it is not a question of a reasonable and generous interpretation. I have had occasions when generous interpretations have been given but I know there are some cases in which that generous interpretation has not been given. In any case, it should not be left with the Commissioner or for the Minister to make a generous interpretation; it should be contained in the Act.

Mr. Morris: It should be a right.

Mr. AIKENS: It should be a right, not a privilege.

Mr. Moore: Would it not be difficult to define it in the interests of the worker?

Mr. AIKENS: This Parliament has a draftsman, and it is not hard for a legal man to draw up something that will mean anything or that will mean nothing. It is not hard for a legal man to anything he is told to do. I venture the opinion that the hon. member for Toowong could draw it up with a pencil and paper in about five minutes. It is not hard for a legal man to draw up anything or nothing. It should be incorporated in the Act. Every worker should be covered from the usual time when he leaves home until the usual time of his return home, irrespective of what he does in the interim, so long as he attends work.

Another important matter on which there should be some clarity is the question of the dependants. For instance, if a widow has two sons and one is killed, the amount of compensation payable to the widow depends entirely on the weekly payment that the son might have made to his mother, the widow. The Act should be amended to make provision that in such a case full compensation should be payable to the widow. I do not think the question of dependency should enter into the matter at all. If a widow is dependent on the earnings of her sons and one of her sons is killed, full compensation payment should be made to that woman instead of only part as at present.

Mr. Morris: He pays the same amount in.

Mr. AIKENS: Yes. I shall reserve whatever other comments I have to make until I see the Bill. But I am afraid that if there are some amendments to be moved by the Opposition side of the Chamber or by those hon. members who sit above the salt, they will suffer the same fate as that mentioned by the hon. member for Toowong.

Mr. TURNER (Kelvin Grove) (12.51 p.m.): I appreciate the value of the amendments being introduced by the Treasurer, but they do not go as far as I should like them to go. We have to move with the times, and I shall not be happy until the compensation payable even up to the basic wage is paid to the widow so that she will be able to maintain herself and children without having to go out and earn her living. I do not think it right that anyone who has lost her breadwinner should have to seek employment to provide for herself and family when the compensation she receives has burnt itself out. I hope the day is not far distant when what I have in mind will be brought about.

The hon. member for Sandgate mentioned some cases that have been brought under his notice and he made the statement that the dependants had to go to the Department of Labour and Industry for help. I want to inform him that they could go to the State Insurance Commissioner, who will issue a sum of money without prejudice until the case is finalised. I want to say also that this is the most generously operated Act on our statute-book. I have had a great deal to do with it and I have never found any officer of the department hard to deal with. Most of them are sympathetic. If there is any doubt at all in the mind of any officer dealing with any particular case, the dependants of the injured worker get every assistance.

The Leader of the Opposition suggested that the increases should be automatic and to a degree I agree with that, provided that the premiums too are automatic. Hon. members opposite and the hon. member for Mundingburra are wrong in saying that the premium is paid by the worker or employee. Nothing is paid by the worker. It is paid by the employer according to his wages bill.

Under the Act a widow can receive £800 and if she has dependent children she receives the full widows' pension and not the sum stated by the hon. member for Sandgate. If a man is killed his wife and children get a full pension every fortnight on top of the £800 compensation. One hon. member—I think it was the hon. member for Fassifern—said that primary producers did not get out as much as they paid in. I have a fire-insurance policy over my home, for which I pay a premium and I would sooner pay a fire-insurance premium than have my home destroyed by fire. The same thing applies to life insurance. My wife would rather pay a few shillings annually than receive my insurance and have to battle on her own if my life was taken.

For the benefit of the hon. member I should like to say that the department pays out in workers' compensation in rural districts more than it receives by way of premiums from rural industries. The hon. member is not in the Chamber at the moment, but I can assure him that rural industries receive more from the Workers' Compensation Department than they pay in premiums. The hon. member said there should be some differentiation in premiums and for his information I say that there are 700 different rates of premiums for different classes of work. The rural industries pay only 30s. 6d. for every £100

of wages—one of the lowest rates charged for workers' compensation. In some cases the rate is as high as 100s. per £100 according to the risk involved in the industry—the more dangerous the work the higher the premium. For instance, the metal-bedstead industry, a highly dangerous one, pays 53s., as against 30s. 6d. paid by rural industries. Hon. members opposite should make themselves more conversant with the Act before they attempt to criticise it.

As for the members of the Queensland People's Party, they are only indulging in propaganda. I could get up in this Chamber and suggest that the maximum benefit should be £2,000 and someone else could suggest £3,000, but that would be only propaganda for electioneering purposes, and would get you nowhere.

Mr. Wanstall: Yours is not, is it?

Mr. TURNER: I am speaking of the aims of the Labour Party. Now that the Federal Government have decided to nationalise the banks and money will be available to State Governments at a very much cheaper rate than before, I hope that the ultimate aim of the Labour Party to make workers' compensation equivalent to the basic wage will be brought into operation. It is only the monetary policy that has operated throughout the country that has prevented the full implementation of Labour's policy years ago. I could remind the hon. member for Toowong of the time when every employer had the right to take out his workers' compensation policy with any private insurance company, but in those days an injured worker had to fight the private companies every time for his compensation.

Mr. Wanstall: He frequently does now, and should not.

Mr. TURNER: He does not do anything of the sort. I suggest that the hon. member for Toowong should try to tell the truth.

Mr. WANSTALL: I rise to a point of order. The remark by the hon. member for Kelvin Grove is offensive to me and I ask that it be withdrawn.

The CHAIRMAN: I ask the hon. member for Kelvin Grove not to make such offensive remarks, but to address hon. members in the correct manner.

Mr. TURNER: I based my reply on the statement of the hon. member for Toowong that they frequently have to do it now. They do not frequently have to do it now.

Mr. Marriott: They have to do it sometimes.

Mr. TURNER: In 34,000 claims last year, only 21 people appealed against the Commissioner's decision and of that number only five took the action to which the hon. member for Toowong refers. That information is available to the hon. member for Toowong. You would not say that 5 out of 34,000 meant that it was done frequently. If hon. members opposite had their way no compensation would be paid to an injured worker at all.

1947-3D.

Let me enlighten the hon. member for Mundingburra by telling him that a worker is covered against injury from the time he leaves home in the morning for work until he returns at his usual time in the evening. Of course, if a worker goes into a hotel and gets inebriated on his way home, he receives no consideration, but on the other hand, if a worker does not get home at his usual time and he can prove to the satisfaction of the Commissioner that he called in to have a haircut or to do some shopping or to be measured for a suit, he will receive consideration, or if he has to leave home earlier in the morning than usual to do something before going to work that will be taken into account also. The most sympathetic consideration is given to the claim of the worker who may be injured in going to and from work. In short, no Act in this State is more generously and more liberally interpreted than the Workers' Compensation Act.

Mr. KERR (Oxley) (2.15 p.m.): We are all agreed, generally speaking, that this Bill the object of which is to increase the maximum weekly compensation payments is timely. There is, however, some comment I should like to make about the maximum weekly rate. When we go back to the period of 1943 we find that the maximum weekly rate for an injured worker was £3 3s. a week and the basic wage £4 14s. a week. Today the basic wage is £5 9s., a difference of 15s. from the time when the maximum weekly rate was £3 3s. for a single man. It is now proposed to increase that rate to £3 11s. a week. I am picking out one instance. Therefore, the increase provided in this measure is only 8s. a week.

The point I want to make is this: in April, 1943, the Government were a good deal more generous in the payment of workers' compensation, having regard to the basic wage ruling at that time. The proposed increase of 8s. a week on the existing rate of £3 3s. for an injured single worker is not in keeping with the ideas that the Government had in those days. As a matter of fact, there has been a recession in their generosity to the extent of about 7s., compared with what they were prepared to pay the injured worker at that time. I am basing my remarks on the Commonwealth Year Book which shows that the basic wage was £4 14s. a week in 1943, whereas today it is £5 9s. a week, a difference in the two rates of 15s. The proposed increase to the injured worker is only 8s.

I am of opinion that some greater consideration should be given to this angle of the increased payment it is proposed to make. If it was good enough in those days to pay £3 3s. a week to an injured single worker, surely the injured worker today is entitled to the difference in the two basic rates? There should be no going back or giving a lesser benefit than the Government were willing to give at that time. Therefore the measure before the Chamber is not as magnanimous as it should be.

After listening to one of the speakers I am of opinion that there must be a misunder-

standing as regards the overall increase in the premium. The Treasurer mentioned that the overall increase in the premium would be 25 per cent. Some suggestion was made by one speaker that that would not be fair to the rural worker. I want to point out that the premiums payable under the Act vary considerably. For instance, there is a great disparity between the rates payable for men working on the wharves and men working in an office. The proposed increase will apply automatically to existing rates. For instance, if the premium payable with respect to an office-worker was £1 for every £100 wages paid and the premium payable for a miner was 100s. per £100 wages paid, the new rate for office workers would be 25s. per £100 paid in wages and 125s. per £100 wages earned by the miner. Therefore, the overall rate is quite fair and in keeping with the rates paid when this schedule of rates applying to each kind of trade or industry was brought down many years ago. From that point of view there is no point in the suggestion that there should be some better consideration for rural workers, because they already have it.

The Treasurer said that the increased premiums that would operate from 1 July, 1948, would amount to approximately £175,000 a year. I refer to the fact that in the Auditor-General's report for the year ended 30 June, 1947, the premium income of the Workers' Compensation Department was stated as £919,567 and to increase that income by 25 per cent. would give you another £230,000, in premiums, which is considerably more than the cost the Treasurer has indicated this increase from £800 to £1,000 will involve.

Mr. Larcombe: Those figures you quoted include some outstanding amounts.

Mr. KERR: There is nothing else to guide me. I assume that if those figures included outstanding or unpaid premiums at the end of June, 1947, there are bound to be unpaid premiums outstanding at the end of June every year; so you are as you were. Therefore, there is no great generosity in the Treasurer's paying these extra premiums, because he will have sufficient premiums collected to make up the difference between the extra compensation he proposes to pay as from 1 July, 1948. There is nothing very magnanimous about that.

It is 100 to 1 that the premium that is being collected today will increase considerably. From that point of view also there is nothing very magnanimous in increasing the lump sum from £800 to £1,000 and of 8s. a week in the case of a single man and 15s. a week for a married man who was injured at work. It is said the difference will be made up out of the reserves of the State Insurance Office. I must admit I am not aware of the capital originally subscribed by the Government in creating the State Government Insurance Office. The only capital the office has as today appears under the heading of "Reserves," which really have been being built up out of reserves of profits made in past years. The reserve funds of the office are £1,103,972. The Treasurer made a state-

ment that he would be paying some of the extra payments involved by the £200 increase and the weekly payment increase out of this reserve. If not from that source, I am not in a position to say where it is coming from, but I make the point that the increased payment is not as generous as it was in 1943. I would ask the Treasurer to give serious consideration to this angle of the matter. The increase in the cost of living is much greater than the increased payment to the injured worker of 8s. in the case of a single man and 15s. in the case of a married man.

Mr. CLARK (Fitzroy) (2.24 p.m.): I am pleased to support the amendment of the Workers' Compensation Acts. I believe this is one of the best pieces of legislation that have been brought down in this Parliament.

It gives an increase to men injured in industry as well as an increase to the dependants of the man who loses his life in industry. I believe the Government should make amendments to Acts from time to time as and when they are found to be necessary and the time is ripe for an amendment to the Workers' Compensation Acts in Queensland.

We know that in order to pay compensation premiums must be paid and I have heard hon. members of the Opposition ask: who pays for the compensation? In my opinion the worker pays for everything. I believe that something more should be placed upon the employer than he has to carry today. In the early days of Mount Morgan, when I was a worker there and the old Liberal Party were the Government of Queensland, men injured in industry especially in the mining industry had to accept whatever the old Mount Morgan Gold Mining Company thought they were entitled to and in some instances this was as low as 10s. a week. On no occasion did this company ever pay more than £1 a week to a man injured in that industry. I remember that a man who had his arm taken off in an accident received as compensation only £1 a week for as long as the company liked to pay it to him. In some instances it was for a few years and in others only 12 months. These are the conditions that members opposite would like to see again but I hope that the people of Queensland, especially the workers, will never see the return of such conditions to this State. Mount Morgan was the home of miner's phthisis for a number of years and any person who lived in that centre, as I have done, and was interested in the miner's phthisis sections of the Workers' Compensation Act will remember the time when a man got something like £250 when he was declared a miner's phthisis patient. But I am pleased to be able to say that owing to the efforts of Labour Governments the compensation has been increased to the figure provided by the Bill now being introduced.

Any person who has had anything to do with miner's phthisis and lived amongst patients suffering from this dread disease will agree with me that nothing is too good to offer to a man stricken with it. In my opinion a greater number of miner's phthisis cases are to be found in metalliferous mining than in coal-mining and when the disease is

contracted in a metalliferous mine its effects are very much worse than when it is contracted in a coal-mine. As I have said, nothing is too good for us to give a man suffering from miner's phthisis and I was pleased this morning to hear the Minister say that the weekly pension payments of miner's phthisis victims will continue until the death of the patient and that a certain amount will be paid to his wife and children after his death.

I am very pleased that this amending Bill has been brought down and I know the people of Mount Morgan will be equally pleased. In my opinion there are men working in the open-cut at Mount Morgan today who are suffering from miner's phthisis but as yet have not been stricken down with it and I take this opportunity of informing the Government that on the revival of metalliferous mining, which we expect, a greater number of miner's phthisis cases can be expected in this State. It is impossible to do away with all dust in a mine, even if the mining is carried on by the open-cut method.

As I have said, I am very pleased to support this amending legislation but I shall not be satisfied until compensation is payable to all industrial-disease patients in Queensland. That is something more than is provided today.

Mr. THEODORE (Herbert) (2.30 p.m.): I do not think any hon. member here appreciates as I do what the proposed amendment means to men working in dangerous occupations. In Queensland we have not the huge mines employing large numbers of men that they have in two other States in which I have worked and where I have seen the results of the ravages of miner's phthisis. When I worked in the mines there was no provision for such things as compulsory insurance or workers' compensation. The mines did have a system of insurance but nothing like the present workers' compensation scheme, consequently much suffering and hardship was experienced by the workers in those mines and other dangerous industries, and great privation was suffered by the families of men who lost their lives under those conditions.

Over the years the Labour Government have endeavoured to improve the position by making better provision for those people who may have to depend on workers' compensation. I appreciate the fact that times change and that possibly we are not keeping pace with the changing of times and the increased demand on the small amount of compensation people are receiving, but as these things become apparent the Government do not hesitate to amend legislation to prevent the imposition of undue hardship because of these changes.

Most people in the community are wholeheartedly in support of this legislation because they appreciate what it means to industry and people engaged in it. The realisation of the benefits of such legislation on the part of the people is so complete today that we find that those who at one time were diametrically opposed to Labour's principles and ideals give the measure as much support as it

receives from hon. members on the Government side. For instance, the hon. member for Windsor, who sets himself up as a model employer—and I believe he is a good employer—realises that many industries would not be able to operate today if the workers did not receive the consideration to which they are entitled. No Government who cannot meet changing conditions by amending or introducing legislation have any hope of receiving any support from the community in general today. So I say I think the Government are fully alive to the shortcomings that might have been pointed out by the Opposition and when necessary the necessary alterations and improvements will not be overlooked.

Mr. MAHER (West Moreton) (2.35 p.m.): I should like to get from the Treasurer some information on the statements contained in the Auditor-General's report under the heading "Workers' Compensation Department" on page 43, which show that the amount of money paid in claims for the year 1946-47 was roughly £869,000 as against what appears to be a record income of £919,000. The particularly significant point is that in the years 1942-43 to 1945-46 there has been a gradual increase from year to year in the amount of claims, together with a gradual increase in the amount of premium income. Between 1942-43 and 1943-44 there was in round figures a £39,000 increase in the amount of claims paid. In the following year there was a further increase of £48,000 in round figures, and in 1945-46 a further increase of £86,000. Quite contrary to the law of averages as revealed in those gradual increases in the amount of claims, we find that for the year 1946-47 the increase was almost £200,000 over the previous year. This is a very steep increase in the amount of claims, particularly when we take into consideration that it was set off against a record premium income. Yet there is a loss on the year's operation of £107,000.

In trying to find an explanation of the position I referred to the report of the State Insurance Commissioner, and he has to say in explanation of this very steep increase in the amount of claims, approximating £200,000 in one year, three factors arise. Firstly, the increased number of claims received because of increased employment and the return of service men and others to Queensland employment; secondly, the increased benefits that came into operation as from 1 January, 1945; and thirdly, the more generous definition of "injury," which also came into operation as from 1 January, 1945. What I want to establish is: who defines what generous definition can be placed upon "injury"? Who has the decision in matters of this kind?

Obviously, if this generous interpretation of "injury" is outside the bounds of law and is continued, we could easily reach the point where the whole stability of the fund would be in danger.

Mr. Larcombe: That is not so. The broader definition came about in the 1945 Act.

Mr. MAHER: I have the statute here. The Act was passed in 1944 and assented to on 14 December, 1944.

Mr. Larcombe: And came into operation in 1945.

Mr. MAHER: Yes. It included a new definition of "injury," as follows—

"Injury means (without in any wise limiting the operation and scope of Section nine of this Act) personal injury arising out of or in the course of employment and includes a disease which is contracted by the worker in the course of his employment, whether at or away from his place of employment, and to which the employment was a contributing factor, but does not include those diseases as specified in Section 14B of this Act."

Generally speaking, the diseases, ailments, types of accidents, as well as the fatalities and deaths that occur through accident in industry are set out in the Act. We heard the Minister recite today the fact that there was a set payment for each type of injury—for miners' phthisis a set payment, for the loss of an eye a set payment, and set payments for the loss of two eyes, the loss of a foot, the loss of two feet, the loss of a hand, the loss of two hands and a finger, and so on. Most of the injuries that can be sustained in industry that would be recognised as having a claim on the compensation fund are set out for the benefit of the Insurance Commissioner in determining the payments. It seems a very wide power to give the Insurance Commissioner—the right to make a generous interpretation of a law beyond what is set out.

Mr. Larcombe: A just interpretation.

Mr. MAHER: That is the point. It does seem a little loose when the Insurance Commissioner can inform Parliament that one of the factors causing this fund to be out of balance—on the debit side in the year's operations—was the generous definition of "injury." Does that imply that the Commissioner virtually cannot refuse any claim?

Mr. Larcombe: No. You read the definition of "injury" prior to the 1945 Act and you will find out. He was restricted before the 1945 Act. That Act made the definition broader.

Mr. MAHER: I am not objecting to anything that is just. If there are just claims for which the law provides then they should be met, and if the law does not provide for them it should be amended to do so. However, the fact remains that since the insertion of this broader definition of "injury" in the 1945 Act the claims have increased, which suggests that quite a number of claims must have been rejected before then that the Minister today regards as being just. The effect of the broader definition is that the fund is increased by £200,000 in one year over the previous year, which is quite contrary to the law of averages over the years.

I am just wondering whether, if this will go on from year to year and a generous interpretation of the meaning of the word

"increase" is to have the effect of an ever-increasing demand on the fund, it might eventually cause the fund to become unstable and call for a very heavy impost on industry to meet the demand on it.

A man would need to be lacking in the milk of human kindness if he did not feel very kindly disposed towards his fellow creatures who were unfortunate enough to meet with accident in industry. To the extent that the Workers' Compensation Acts do try to meet the needs of people in those circumstances we are, of course, 100 per cent. behind it, but we should see that nothing is done by what is called a generous interpretation of the law that can perhaps decide the points of the law. I should like to have the position defined. I would like to proceed according to law and order. I do not want power reposed in the Minister or the Commissioner whereby under some pressure he is called on to make a disbursement contrary to his judgment and contrary to his idea of what Parliament enacted. That is what I want established. I do not think for a moment that the Commissioner would like to be placed in that position.

Mr. Larcombe: That is an unworthy suggestion. There is not a scintilla of truth in it.

Mr. MAHER: It is very hard for the Minister to explain how there can be such a substantial increase in the number of claims in one year as to raise by £200,000 the payments made and cause a loss on the fund. There are two reasons that I am prepared to accept as being bona fide, but they in themselves cannot possibly supply the answer. The real cause for the great rise in the amount of claims on the fund is the interpretation of the word "injury" in the 1945 Act. Therefore, it is not a question of leaving an obscurely worded clause to the interpretation of the Commissioner or to the discretion of the Minister. Parliament should set out what amounts of money are payable from the fund to people who are injured and who suffer from day to day in the course of their daily work.

Mr. Roberts: What are you advocating is a restriction on the definition of the 1945 Act.

Mr. MAHER: I am not asking for any restriction on what is just and right. I am asking that whatever is considered to be a ground of claim by an injured worker in industry should be set out. Parliament should set out the nature of the injury and the compensation payable. It should not be left to someone in the office to pass a decision based on his definition of the word "injury." The Commissioner says in his report to Parliament, "The more generous definition."

The Minister has provided us with a recital of all the circumstances set out in the Bill and what is contained in the schedule.

Mr. Larcombe: Not all of them.

Mr. MAHER: A great number of them. What evidence has Parliament got that the definitions are actually in accord with the accidents on which claims are made? That

is the point. I do not want to withhold money from anybody who is due to get it, but I should like to see things done aboveboard and in a regular, orderly, and businesslike way, so that everybody shall know exactly how the fund is being employed. I should like to hear the Minister's explanation of the special rise in the amount of claims to the tune of £200,000 in the one year.

Another phase of the matter was referred to this morning by the hon. member for Fassifern when he made the point—I take it he was referring particularly to agriculturists and dairymen whom he represents in the Fassifern; being one himself he has an understanding of their contributions to the Workers' Compensation Fund—that the premiums imposed on the agriculturists and dairymen were out of all proportion to the number of claims that were submitted to the Workers' Compensation Department by people injured in that class of employment. He emphasised by his remarks the need for the recognition of the principle that when the risk is greater in certain industries the scale of premiums payable to the fund should be higher.

Government Members: So they are.

Mr. MAHER: Again I say that if in the agricultural and dairying industry the risk element is light, the scale of premiums should be correspondingly decreased in that industry. I know there is provision for differentiation but what I want to say is this: at one time the Insurance Commissioner used to put in his annual report a dissection showing the contribution by the different industries to the Workers' Compensation Fund by way of premiums. That, for some unstated reason, has been dropped. It might help to allay a certain measure of suspicion in the minds of representatives of rural districts if they had access to those figures once again, and if the Minister would be good enough in this instance to put on the table of the House for the consideration of members before the second-reading stage a table showing the comparative rates paid by the different classifications of industry both primary and secondary in the State. That would help members to have a better understanding of the position, and would allay any fear in their minds that the people whom they represent and who today are heavily burdened with taxation are not being unduly imposed upon, and that they are paying a rate of premium that is in harmony with the nature of the demand made by employees in those rural industries. The Treasurer might suggest to the Insurance Commissioner that he include those particulars at least once every triennial term so that the House would be well informed on matters of the kind.

Hon. J. LARCOMBE (Rockhampton—Treasurer) (2.55 p.m.): There is a subtle opposition to this proposed amending Bill. The hon. member for West Moreton, "Hear, heard" by the hon. member for Windsor, is raising an Aunt Sally and endeavouring to discredit the proposed amending and improving Bill by unwarranted suggestions.

In reply to the hon. member for West Moreton I would say that any person with average intelligence will know that compared with the legislation prior to 1945 there is a more generous definition of "injury" and of "worker." For instance, the definition of "worker" has been enlarged to mean a worker earning not more than £750 per annum. That brings in a substantial number of increased applications, compared with the time of the previous and more restricted definition. The term "injury by accident" has been deleted and the wider term "injury" substituted. The section provides, *inter alia*, for personal injury arising out of or in the course of the worker's employment and includes any disease that is contracted by him in the course of his employment. The wider and broader definitions have been placed in the Act by Parliament, and the Auditor-General is the watchdog who sees that the Act is complied with and that there is no expenditure of public money contrary to the law. If hon. members opposite are entirely opposed to the increase, why do they not say so openly? Why not frankly admit it and not by sinister suggestion try to damn the proposed improvement in the measure to come before Parliament?

Mr. Wanstall: Why did you oppose it in 1944?

Mr. LARCOMBE: The hon. member should be quiet.

Mr. Wanstall: You opposed it in 1944.

Mr. LARCOMBE: Let the hon. member be quiet and he will hear why he reduced workers' compensation between 1929 and 1932. The hon. member was running about delivering handbills for the party who reduced workers' compensation between 1929 and 1932, but he has the audacity now to talk about improving workers' compensation. He was running about with handbills for the support of the party that reduced workers' compensation between 1929 and 1932.

Mr. WANSTALL: I rise to a point of order. The Treasurer says I was delivering handbills for the Moore Party between 1929 and 1932. That is a malicious, deliberate, and wilful untruth, and I ask for a withdrawal.

The CHAIRMAN: Order! I hope the Treasurer will accept the hon. member's denial.

Mr. LARCOMBE: Are you going to let him get away with that, Mr. Mann?

The CHAIRMAN: Order! I ask the hon. gentleman to accept the denial of the hon. member for Toowoong.

Mr. LARCOMBE: I ask him now to withdraw—

The CHAIRMAN: Order! I would ask the hon. gentleman to accept the denial of the hon. member for Toowoong.

Mr. LARCOMBE: I am asking you, Mr. Mann, now on a point of order, to have the hon. member withdraw the statement that, what I said was a deliberate untruth.

The CHAIRMAN: Order! I will deal with the hon. member for Toowong later.

Mr. LARCOMBE: I will accept the hon. member's denial but I now ask you, Mr. Mann, to have him withdraw.

Mr. Pie: I move that the hon. the Minister be dealt with.

The CHAIRMAN: Order! I would ask the Treasurer to accept the denial of the hon. member for Toowong. Do I understand that the hon. gentleman has accepted the hon. member's denial?

Mr. LARCOMBE: I object to the way in which it is couched. I accept his denial but I ask you now to ask for his withdrawal.

The CHAIRMAN: Order! I ask the hon. member for Toowong to withdraw those words and use words more temperate and in keeping with this Assembly.

Mr. Wanstall: Very well, I will obey your ruling and I will withdraw.

Mr. LARCOMBE: Do it unreservedly: If it is untrue, it is not the hon. member for Toowong who is responsible for any improvement and I can tell you that, Mr. Mann. I repeat that he was a member of the party that between 1929 and 1932 reduced workers' compensation. I desire to prove that point to him to show how ridiculous—

Mr. WANSTALL: I rise to another point of order. I am not a member of the party that was in power between 1929 and 1932 and I ask the Treasurer to refrain from making such accusations.

The CHAIRMAN: Order!

Mr. LARCOMBE: He supported that party in 1929-1932. It is common knowledge.

Mr. WANSTALL: I rise to a point of order.

The CHAIRMAN: Order!

Mr. WANSTALL: I rise to another point of order. The Treasurer is becoming more reckless in his statements. I was not a member of that party. I did not have a vote. I did not support it.

The CHAIRMAN: Order! I ask the hon. gentleman to accept the denial of the hon. member for Toowong.

Mr. LARCOMBE: I accept his denial. He stated that he did not have a vote. I still say he was a supporter of that party; he can deny it if he likes.

Mr. WANSTALL: I rise to a point of order. The Treasurer is persisting in making charges against me that I was a supporter of that party. That is completely without foundation. I was a delegate from my Public Service department to the Public Service Union in those years and I took a very active part in the work of that union.

Mr. LARCOMBE: I accept the hon. member's explanation that he did not support an anti-Labour Party between 1929 and 1932, but I have my doubts.

I wish to refer to a few points raised by hon. members opposite. At the outset I thank the hon. member for Mundingburra for his remarks concerning the State Insurance Commissioner, who is in charge of workers' compensation. It is pleasing to know that we have a young Queenslander in charge of that very important office, a young Queenslander of ability, enthusiasm, tact and courtesy, who is working well with his efficient staff, and who has their confidence and co-operation. He is exceptionally well fitted for the position he occupies.

The hon. member for Windsor and the hon. member for Toowong dragged this discussion down to a party-political level. From my remarks it was clear that I did not introduce party politics. I purposely eschewed anything in the nature of an attempt to claim credit for the Government in this measure, but the hon. member for Toowong and the hon. member for Windsor seemed annoyed because this amending Bill was introduced. They seemed to think the Government would gain some political kudos and credit from it.

Mr. Pie: It does not go far enough.

Mr. LARCOMBE: It goes much further than any legislation that any party with which the hon. member has ever been associated has ever introduced. I do not think the hon. member for Windsor will deny that he was supporting the party that reduced workers' compensation between 1929 and 1932. I do not think he would deny that for a moment. Every time hon. members opposite put up an argument their political history destroys it. It is not a question of speeches and amendments moved by hon. members opposite; it is what they did when they had the opportunity, and between 1929 and 1932 they were not only responsible for no progress but they were responsible for reducing the basic wage, which automatically reduced workers' compensation.

The hon. member for Windsor and the hon. member for Toowong professed sympathy for the widows and children of this State. We have to accept their protestations, I suppose, but we still have it in mind that between 1929 and 1932 these self-same members of the anti-Labour Party were so eager to protect the widows and children of Queensland that they reduced the State children's allowance by 1s. a week. That was the sympathy they showed for the widows and children of Queensland between 1929 and 1932.

We could go still further. We know that there were thousands of unemployed in Queensland between 1929 and 1932, that there was no employment but there were terrible poverty, destitution and privation. The women and children suffered most and they suffered at the hands of the party whose members are criticising the introduction of this amending Bill.

Let us look at the facts and find out just what it is proposed to do under this amending Bill. Hon. members opposite pick out one particular point and hang their criticism upon that. They will not take the full perspective and deal with the whole of the proposed improvements.

A married man with a wife and three children is entitled to £6 5s. a week and in addition 15s. a week child endowment, making in all a total of £7 a week. Did any anti-Labour Government ever think of introducing legislation of that kind? That I say is a reasonable provision for a miner's phthisis sufferer and his wife and family.

I should like to say a few words about the speech made by the Leader of the Opposition, who addressed his arguments to the question in a non-party manner. I appreciate the general nature of his speech, but I differ from him when he says that the Bill will provide only for the increase in the cost of living. He quoted in general the cost-of-living figures of 1915 as compared with 1947. I should like to remind him that there have been several increases in workers' compensation payments since 1915. There was an Act of 1916 and there have been the amending Bills of 1925, 1926, 1934, 1935, 1936, 1939, 1943, 1944, 1945, and now the amending legislation of 1947. So you see, Mr. Mann, that there have been substantial improvements greatly outpacing increases in the cost of living during that period. The Bill I am proposing that the Committee should accept is not, of course, the last word. We hope that in reasonable time a further improvement will take place.

The hon. gentleman suggested that legislation might be introduced so that increases in workers' compensation payments would be automatic with increases in the cost of living. Whilst there might appear on the surface to be some merit in the suggestion, it would have a limiting effect, because in the future all workers, their wives and families would be entitled to only the increases in the cost of living, whereas, in my opinion, they should be entitled to something more than that. When industry is able to pay and prosperity reigning in the State they should be entitled to something more than the increases in the cost of living as suggested.

The hon. member for Toowong spoke of the provision as to legal costs and suggested that the payment was inadequate. He said that the maximum payment was one guinea, and characteristically enough he was absolutely wrong. A recipient's solicitor can draw up to £1 11s. 6d. in some cases. The hon. member for Toowong said that it was one guinea. Counsel in some cases can draw up to three guineas. So much for his regard for accuracy; I hope that when he appears before an eminent judge he is more accurate in his argument than he was in his speech this morning. Furthermore, legal procedure under the Act is inexpensive, and every appeal is heard on its merits. Today the Workers' Compensation Department very seldom asks for costs when it wins a case. Very few cases can be quoted in which the department has asked for costs. The early

history of costs is one of the blackest blots upon the legal annals of Queensland. In times gone by, before a Labour Government came into operation, the workers were robbed by legal sharks. Time and again more than half the money involved was taken from the applicant when he succeeded. There is the well-known case on record in which a worker was injured through falling bricks. His case was contested. After he had won his barrister presented him with an account that exceeded half the compensation that had been awarded to the worker and on seeing the account the injured worker exclaimed to his counsel, "On whom did these bricks fall—on you or on me?"

That was what happened under anti-Labour Governments; they offered no protection in this respect to the workers at all. It was not until the Labour Government came into power that adequate workers' compensation was awarded and the costs of appeal reduced. The appeals are simple, expeditious, and economical. Since 1941 a total of 179,000 claims have been paid, in which there were only 250 appeals and of these only 54 were allowed. Since the Labour Government passed the first Workers' Compensation Act in 1916 about 500,000 claims, totalling about £12,800,000, have been allowed. It will be seen from those figures that the Labour Government have given justice, sympathy, and full protection to the workers.

The hon. member for Toowong made blunder after blunder. He said that a widow of a worker killed in an accident was not entitled to a widow's pension if she got also workers' compensation.

Mr. WANSTALL: I rise to a point of order. That statement was not made by me. The Treasurer is making an innocent mistake. It was made by some other speaker.

Mr. LARCOMBE: I accept the hon. member's assurance but I ask him to look up his speech in "Hansard" tomorrow.

Both the hon. member for Fassifern and the hon. member for West Moreton spoke of the basis on which workers' compensation premiums were paid. Broadly speaking, the basis is the ratio of premiums to claims and the ability of industry to pay. The rates that the hon. member for West Moreton would like to hear are contained in a statement that I have. In the case of cane farmers the rate is 30s. 6d. per £100 of wages and the claims ratio 88.19 per cent.; in the case of dairy farmers the rate is 30s. 6d. per £100 and the claims ratio 90.41 per cent., and in the case of agricultural farmers the rate is 30s. 6d. and the claims ratio 104.66 per cent. It can be seen from those figures that the Government and the department have been considerate and reasonable in assessing the farmers of this State.

Various other points were raised and I shall supply information relating to them when I make my second-reading speech on the Bill.

Mr. BROWN (Buranda) (3.13 p.m.): I support this Bill to the utmost. I am surprised to see the alteration of attitude on the part of hon. members opposite. One has

only to go back a comparatively few years to the time when the Workers' Compensation Act was first brought into operation.

Mr. H. B. Taylor: By whom?

Mr. BROWN: This Workers' Compensation Act was brought in by a Labour Government in 1916.

Mr. H. B. Taylor: Was it not brought in by the Morgan Government?

Mr. BROWN: That was a different Act. This Act was first brought in by a Labour Government in August, 1915. It made it compulsory for all workers' compensation business to be conducted through the State Government Insurance Office, but the party sitting in Opposition today, which pretends to be in favour of the principle of workers' compensation but is in fact opposed to it, put the State Government to considerable expense in that it contested the validity of the Act that gave a monopoly in workers' compensation to the State Government Insurance Office. The case went on appeal to the Privy Council and the decision eventually was in favour of the Queensland Government.

The representatives of the Queensland People's Party are the descendants of the Liberal Party that opposed the Workers' Compensation Bill in 1916. When that Bill was introduced its opponents had the effrontery to tell the people that workers would be falling off ladders in order to get £1 a week compensation while they were off work. (Opposition laughter). I will tell hon. members opposite the truth about their friends of that day. Of course, some of the present members of the Opposition were only wearing napkins then.

I am very much in favour of the increased benefits provided in this Bill because I think they are warranted. Nothing is too good in the way of compensation for a workman who is injured in the course of his employment. That is my point.

As an employee of the State Government Insurance Office for 25 years I want to pay a tribute to its officers who transact the business of this department, particularly those handling workers' compensation claims. Those officers have a difficult job in that they have the interests of two different sets of people to safeguard. Firstly, they have to see that no injustice is done to the injured worker. He should have full right to workers' compensation if he has been injured in industry in the course of his employment. Secondly, they have to protect the Workers' Compensation Fund from imposition. They have to realise that the fund is created by the payment of premiums by employers, the premiums varying in amounts according to the nature of the industries. It is only right that their interests should be protected from impostors but it is only right to say that impostors are few in number. Nevertheless they exist.

The officers of the claims branch are men of discernment. They must examine each claim and judge of its genuineness, and if the decision is that it is genuine, as it is in most

cases, no difficulty is experienced in the claimant's receiving compensation. I have inquired into many claims for compensation that were brought under my notice in the course of my employment at the State Government Insurance Office. In fact, a number of people brought claims direct to me and I found that in every case in which the claims officers had rejected a claim they were justified in doing so. I realise, as most of us do, that there are two sides to a question. We must first listen to the story of the claimant and then examine the other side to see why a claim was rejected. After I had investigated claims on behalf of injured workers and dependants I found that the decisions of the officers of the claims branch were correct.

I should like to pay a tribute also to the Commissioner. He is a young Queenslander who has gained most of his experience in the State Government Insurance Office. He has worked his way up the ladder and I am satisfied that he is a man who knows his job. We can be assured that the Government will get from him every ounce of energy and justice that is due to both the injured worker and department.

Much has been said to the effect that the increased payments are not as large as they should be. The increases are just about the same as the increases in the basic wage. The amount of compensation payable for a single man is about two-thirds of the basic wage.

Hon. members will find that the figures given by the Minister work out at about that rate. I am pleased to have had this opportunity of bringing under the notice of some of the "babies" of the House the time when the Act was first passed. I, as well as other hon. members on this side, well remember the time and the fight that was put up to get this monopoly, as it was termed, with the State Insurance Office. I am pleased indeed to see that the Government are carrying out their obligations not only to the Labour convention but to the people of Queensland by helping people injured in industry.

Mr. DONALD (Bremer) (3.21 p.m.): Like the hon. member for Fitzroy, I can express my appreciation to the Government for introducing this amending legislation; and again like the hon. member for Fitzroy, I can express my disappointment that it is not just as generous as we should like it to be. That, of course, is not surprising because, again like the hon. member for Fitzroy, I come from a body of men who are subject to extreme risks in their daily life and their employment, which is a hazardous one.

If we go back to the genesis of this Act we have to recognise that the Workers' Compensation Act was introduced by a non-Labour Government, but the price the non-Labour Government paid for the introduction of that legislation was the support of the Labour members of that Parliament who made it possible for them to occupy the Treasury benches. It was a bargain. The members of this non-Labour party wanted to be the Government of the State and asked the Labour Party if it would support them,

and the Labour Party said it would support them if they introduced the Workers' Compensation Act to give injured workers some protection against poverty and privation while suffering from any disability.

The next important step was when the Ryan Labour Government were returned to office and introduced further legislation. We then witnessed the same hysterical outburst and the same lobbying that is going on at the present time against the nationalisation of the banks. This Government and the people of this State, in their determination to protect the workers, were forced to go to the Privy Council before this beneficial legislation could become effective and the workers could enjoy its benefits.

Much has been said about premiums. We must recognise that if we are to increase payments we shall have to increase premiums. The hon. member for Fassifern and the hon. member for West Moreton said that the farming community were paying too much. Personally, I think—and the matter has never been discussed by the Government—that the premium payment is all wrong. I admit that a certain amount has to be collected to meet the payments to injured workers by way of compensation. For instance, if the figure is £10,000, I think it should be raised on a flat basis over the whole of the State. I believe that for this reason: we can have a very prosperous industry in which there is little or no risk of injury, and because there is little or no risk that industry is called upon to pay a very low premium in order to insure its workers. On the other hand, we may have a very useful industry that is a very dangerous industry to work in. It has to pay a high premium, which, I think, is wrong. The care of injured workers is the duty of industry as a whole. I do not think that one particular industry should be charged with the duty of looking after its own injured workers. I think a better service would be given to the whole of the working community if the risk in industry was ascertained and averaged over the whole of industry and industry paid accordingly.

There is just this important factor in the difference between our compensation Act in this State and those elsewhere. What I am about to relate could not happen now. Before compensation became the entire province of this Government a worker was injured. That worker could not collect his compensation payment from the private company and took that company to court. He got the verdict. Because this man had applied to the courts of the State for justice and was able to establish there his claim he was refused insurance against accident not only by that company but by every other private company in this State. That could not happen at the present time.

The Leader of the Opposition mentioned that each session we find ourselves in the position of having to introduce amending legislation. What is wrong with that? Should he not be pleased at the privilege we have of being able to introduce amending legislation to keep on improving our

protection of injured workers. I should not like to think that our workers' Compensation Act today was anything like the Act before 1916, before the advent of the Labour Government to the Treasury benches of this State. It is only by successive amending Bills that our compensation Act has been made as good as it is—and it is as good as any in the Commonwealth, as good probably as any in the world. Acts of other States or countries may have certain features, there may be higher payments for certain injuries, but taken overall our Act is more liberal and certainly more beneficial to the workers. I say that deliberately and advisedly because I have had considerable experience of compensation work.

The hon. member for Toowong complained that legal costs were not sufficient but there should not be any legal costs in compensation. That is my candid opinion and because this Act is administered sympathetically very little local action is necessary. I think the mining community has as many accidents per head of population as any other industry and it costs the organisation in that industry nothing at all to look after the interests of its members in that respect. On all occasions we have had very satisfactory relations with every officer in the compensation office. Speaking from memory I can recall only one accident in which we had to challenge the decision of the Insurance Commissioner during the last ten years and that was a rather peculiar case. The unfortunate victim was struck a hard blow in the groin by the handle of his shovel. He had been away from work and had just returned to work a couple of days when that accident happened. He was admitted to hospital, his compensation was paid, and after he had been in hospital a few days he died. The compensation authorities contended that his death, which was caused by peritonitis, had nothing to do with the accident and in their wisdom decided that they could not admit the claim. This is the only instance in six or seven years in which we had to fight the Insurance Commissioner. The decision of the court was that although the industry had directly nothing to do with this unfortunate man's death indirectly it had. During the time he was in hospital he suffered very great agony and his symptoms were akin to those of peritonitis and when the doctors discovered that he was suffering from appendicitis as well as the painful injury received at his work it was too late to save his life, and the magistrate decided in favour of the union.

Mr. Wanstall: What costs did he allow the union?

Mr. DONALD: I am not concerned about that, but the union was satisfied with them, whatever they were. The union is prepared to fight its members' cases in every industrial or other court without quibbling over expense. Had it been a private company we should have been put to a great deal more expense and trouble and would not have had the same sympathetic treatment. From the girl on the telephone switch right up to the Insurance Commissioner we got efficient and

sympathetic treatment. Out of the many hundreds of cases that I have handled I cannot name one in which we were unfairly treated. In every case we received the most sympathetic treatment and although we did not get all we wanted on every occasion, we certainly got civility, courtesy, and I am almost sure, justice.

The hon. member for West Moreton was rather disturbed because he contended that between 1945 and 1947 the compensation payments were out of all proportion to the premiums and the law of averages. He was perturbed about the widening of the law to cover injuries. From his remarks it was evident that he has had very little to do with workers' compensation or claims made in respect of injury in industry. By an amendment in 1945, the word "accident" was deleted, and the word "injury" inserted. This made it much easier to obtain compensation payments. Perhaps one instance will suffice to illustrate the point. Before this amendment, if an employee in a mine got a piece of coal or stone in his boot and neglected to take it out and it gradually wore a sore in his foot and that sore became infected and he had to stay away from work, then, because he had not reported an accident, because he did not take the time to pull off his boot and remove the stone, he did not receive compensation. He had not suffered from an accident; it was a gradual process in which the foot got worse and worse. If he had removed his boot and taken away the stone, there would not have been any injury. It was not an accident; it was what we usually call a gradual process. Under the old Act an accident had to be clearly proved and determined. The place and time of the accident had to be given before any payment could be made.

Injuries of another class occurred if an employee happened to be lifting and received a strain that was not bad enough to compel him to cease working. If he continued to work and could not remember exactly when he met with the strain, if he could not establish the place and actual time of the accident according to the Act he was not entitled to compensation or if the strain was the result of heavy work over a period he did not receive compensation. Now, all he has to do is to suffer an injury and it is ever so much easier to claim for an injury than for an accident. That, I think, without having access to the accounts, is the greatest reason for the increase in the amount of compensation paid and the increase in the number of claims. It has to be remembered, too, that premiums have not been increased and the only way in which we can continue to meet the increased claims is to increase the premiums. I prefer increasing the premiums to drawing from reserves. That is the reason why there was a deficit in the operations of the fund last year.

The Insurance Commissioner is not the man who determines whether you get paid or not in the first instance. You cannot just receive an injury and say, "I am going to get compensation," and then run to the compensation office.

You have to go for a doctor and get a certificate. In the first place you have to be injured and be suffering disability and you have to report the injury. The employer also must report the injury and his report must agree with the employee's report or there is trouble. I again pay tribute to the claims officers because if there is any discrepancy between the employers' and employees' reports the claim is not rejected. The claims officers get in touch with the employer or with the employee or the union office, in preference to the employee, and say something to this effect, "Thomas Jones says he was hurt at 3 o'clock and the employer says he was injured at 3.30. Which is right?" Private enterprise would not give that advantage.

To prove the incorrectness of the statements by the hon. member for Bundaberg, let me say that during last year 33,447 claims were made for compensation and of that number 257 were rejected by the Insurance Commissioner. Of the 257 there were only 21 who objected to his decision which shows to me, and I think to every fair-minded person, that there were 230-odd whose claims were not genuine or they would have exercised their right of appeal. In the majority of cases the person who is injured goes to his union, which looks after its members in that respect.

Mr. Marriott: Not all unions.

Mr. DONALD: I said in the majority of cases—all decent unions do. If a union refuses to fight its members' compensation claims it forfeits the right to be called a workers' organisation. I quote those figures because the hon. member for Bundaberg made a characteristic interjection that would lead hon. members to think otherwise. I have had more to do with workers' compensation than the hon. member for Bundaberg and my experience is that very few cases are rejected and in all cases the utmost inquiry is made and sympathetic treatment is given.

The increases in miners' phthisis compensation will be well received throughout the mining fields of Queensland—both the metalliferous and coal-mining fields. It is true that coal miners suffer from dust on the lungs, commonly referred to as miner's phthisis but there is a difference between the disease suffered by the workers in metalliferous mines and the workers in coal-mines. Metalliferous miners suffer from silicosis of the lungs, which is a painful disease causing excessive pain and a painful death. The coal-miner, on the other hand, suffers from pneumoconiosis, which is not devoid of suffering but in comparison with silicosis is mild. It kills a man just the same; and the symptoms are the same but a person suffering from the disease common to coal-mining operations lives much longer than the metalliferous miner. He can enjoy life if he does not exercise himself too much. Such a sufferer can look very healthy and the extension of the benefit to these sufferers to enable them to receive compensation until death is one we are grateful for.

The position of the single man remains the same; I do not know whether we can blame the Government for that. There appears to be no reason why a man meeting with an injury should receive preferential treatment over a man suffering from dust or miner's phthisis. That is the fault of the means test and perhaps it would be wrong in the interests of the State to burden the State with the responsibility of the Commonwealth Government. Whether such workers get compensation or not, they get the invalid pension and if we were to increase the compensation we should be simply cutting down the invalid pension and relieving the Commonwealth Government of their responsibility to that extent.

Mr. Pie: That is not fair.

Mr. DONALD: I have never thought that it was fair. However, that handicap is eliminated in the case of a married man with a wife, and a married man with children. If I interpret the Treasurer's remarks correctly they will get more than if they are on ordinary compensation.

A person who suffers an injury, such as a broken leg or arm, is incapacitated for a certain period but eventually is able to go back to work but the days of the phthisis sufferer are numbered and it is only a matter of how long he has to live. The provision to give his widow £200 on his death, regardless of any money she may have drawn by way of weekly payments in the interim is a very wise one and one that will be appreciated throughout the mining fields.

It must not be forgotten that in addition to the compensation payments phthisis sufferers are given free medicine which may save them up to 10s. a week, which includes train and bus fare. Instead of having to go to town for it he comes to the union office and union officials give him his Scott's Emulsion, Irish Moss Emulsion, Kay's Compound Essence of Linseed, Kepler's Malt Extract, or some other medicine, the name of which I forget at the moment, and brandy at half price. A committee is formed whose purpose it is to distribute the medicine. The State Government Insurance Office does not make it available to individuals. There are committees for the purpose throughout the State, the metalliferous mining industry having perhaps half a dozen or more and the coal-mining industry having two, one in Ipswich and the other in Howard. These committees have their own secretaries and chairmen and they meet regularly. In isolated cases the union office will send the medicine to the sufferer, where that is practicable. They are also given Christmas and midwinter cheer. The union gets a cheque covering the cost of the Christmas and midwinter cheer and it is distributed amongst the members concerned. For instance, if there are 100 sufferers the union will get a cheque for £200 and then send a cheque for £2 to each sufferer. Therefore the payment is not so bad as it appears on the surface. When we compare the compensation paid in this State with that paid in the other States we may be inclined to say that the amount provided here is miserably small

in the case of the single man who gets £1 a week but he gets the £1 plus the invalid pension as well as the free medicine and the Christmas and mid-winter cheer. In all it amounts to a sum almost equivalent to that paid for ordinary compensation.

I am very happy indeed to know that the Bill is just another indication of the sincerity of the Labour Government in carrying out their election promises or, should I say, an indication of the sincerity of the Government in giving legislation enactment to the policy speech of the Premier.

Mr. PIE (Windsor) (3.43 p.m.): I shall be very brief. One or two points raised in the debate were not dealt with by the Treasurer. First of all, I should like to know why there should be any discrimination against families in the payment of compensation. The Treasurer said that the amount was based on a family consisting of a man, a wife and three children and that no further compensation was paid for children beyond that number. He said that the maximum amount was £5 5s. or £6 6s. but that no provision was made for extra payment in respect of families with more than three children. That is wrong in principle. I want to explain again the principle that should be adopted in regard to weekly payments.

Mr. Moore: It is contained in the Bill.

Mr. PIE: Mr. Mann, will you kindly keep that hon. member quiet?

The Treasurer has explained that a certain fixed sum was prescribed for a man, wife and three children and that there was no increased payment for children beyond that number. But the Premier, speaking in relation to fatal accidents, as recorded on page 1653 of 1944 "Hansard," said—

"It is proposed to increase this payment to £800 with the additional benefit that there will be a payment of £25 in respect of each child and step-child of the worker under 16 years of age. The total benefit previously was £750 for the dependant of a worker. We propose to make the total £800 for the dependant of a worker, but for each child or step-child under 16 years of age depending on the worker, £25 is to be added to that amount."

This is important—

"If a man had six children dependants, the total for a fatal accident would be £950, and so on."

Therefore, the payment for seven children would be £975. It does not apply to weekly payments because the Treasurer has said very definitely that the weekly payments are based on a man, his wife and three children.

Mr. Lacombe: I said £5 11s. a week.

Mr. PIE: If a person had seven children the payment should be greater than for six children. All we on this side of the Chamber ask is that the principle that is laid down here by the Premier in relation to fatal accidents shall be carried out in relation to weekly payments. That is a very important issue.

The hon. member for West Moreton raised a very important issue, too, and in my opinion, the Treasurer did not reply to him but the hon. member for Bremer did. He showed knowledge in regard to the payment of this compensation, and I commend him for the speech he made. Surely the hon. member for West Moreton is entitled to ask why in one year we make a profit of £42,965 and in the next year a loss of £107,911. Let me go back further. In 1944-45 we made a profit on the Workers' Compensation Fund of £182,310 and this year a loss of £107,911 is made. That makes a total difference of nearly £300,000. Surely the hon. member for West Moreton is entitled to ask the Treasurer to give us some indication of how that was arrived at. The hon. member for Bremer has told us that there is a wider and broader definition now. We all know that the 1945 Act provided for a wider definition, and it must be a wider and broader definition if it can make a difference of £282,000 in the payments for the year.

One has to look at the premium income also and the premium income last year was £919,000 and the claims £869,000. The year before the premium income was £829,000 and the claims £677,000. The point that I want to make is that the increased payments were made last year because of a wider and broader definition. That leads us along to this conclusion, that the fund as at present constituted is actuarially unsound. We cannot go on indefinitely with a loss of £107,000 a year. If we did we should have no fund in a few years. If it is not actuarially unsound, why is it the Treasurer has to increase the premiums to put it on a sound basis? Will the increase in premiums on the basis of what happened last year give a sufficient income to put the fund on a sound basis?

Mr. Crowley interjected.

Mr. PIE: It does not matter what the employer pays or what the employee pays, because it is all calculated in the costs to the people. You cannot avoid those fundamentals. I think the hon. member for West Moreton was wise in raising that issue. The Treasurer did not explain it but the member for Bremer did; and we are grateful for his speech, which brought us knowledge of workers' compensation that some of us did not have before.

I deplore the attitude of the Treasurer in regard to some of the issues raised. We are 100 per cent. behind any increase for the workers in workers' compensation; but we say it is wrong to discriminate against the family man; and this Bill in its present form does discriminate against the family man. We hope it is not too late for the Treasurer to make it possible, in the case of weekly payments, for further consideration to be given to those people who are willing to have large families and who are the backbone of this nation.

Mr. MARRIOTT (Bulimba) (3.51 p.m.): I certainly welcome the Bill for the reason that it proposes to give increased benefits to

the dependants of people who have been injured, and also to increase benefits to phthisis sufferers.

When the hon. member for Bremer was speaking I made interjections relating to legal representation. In my opinion the number of those cases that the Commissioner rejected did not go to appeal for the reason that the appellant did not know his or her rights or was not in a position to obtain legal assistance. Notwithstanding what may be said about the character of the union that does not provide legal assistance for its members, I know a number of unions that do not provide legal assistance, but they do recommend the injured worker to go to some lawyer. They will recommend someone for the injured person to consult, but they will not brief the lawyer and pay expenses. I was concerned in the case of a man who had a sorry experience with the State Insurance Office and whose treatment will go down in history. The case was decided against the appellant on a pure technicality. The layman was ignorant and he took his own case and he did not know that he only had a limited time in which to give notice of appeal. When he handed the matter to the union secretary, who was myself, it was about four hours late. The matter came before the judge in chambers and he made the historic statement that he hoped the Insurance Commissioner would find it in his heart to make an ex-gratia payment to the unfortunate workman who had lost his right of appeal through a technicality of which he was ignorant—he did not lodge his claim within the 60 days. Somebody sent in an anonymous letter to the Commissioner stating that this man did not lose his eye as a result of injury at his work, but it was proved during the hearing before the magistrate that he did lose his eye in the course of his employment. After that the union refused to pay expenses in any more cases. I know of other unions that, as a matter of general practice, do not brief counsel for their members. If the hon. member for Bremer or any other hon. member desires further information as to the cases I will give it to them.

From the information elicited during the debate it is evident that premiums will have to be increased. It has been shown that during the past 12 months the Workers' Compensation Department has shown a loss and this is the result of having to meet increased claims. If benefits are to be increased it is evident that the premiums also will have to be increased.

I appreciate the way in which the officers of the claims section handle the claims submitted to them, and this includes the Commissioner himself. I commend them for their courtesy to people who make representations on behalf of claimants. I have always appreciated the attitude of these officers. It would seem that they have been specially selected for this work. They are very courteous and attentive, but they have to be just, at times to the extent of raising the suspicion of unfairness in the minds of the claimants for workers' compensation.

I would draw the Treasurer's attention to this incident, for example: a workman was injured at his work just about dinner time and as he was on an hourly rate his wages stopped immediately, but his compensation payments did not begin until the following day. The State Insurance Office does not recognise half days. That meant the loss of half a day's pay to that injured workman. His complaint was that he was directed by his medical officer to have an X-ray taken of his injured hand and he went to the nearest public hospital, which was the public ward of a private institution, to be exact, the Mater Misericordiae Public Hospital. The X-ray was taken and in due course the claimant was asked to pay the usual charge for that X-ray plate, one guinea. When he submitted that expense to the State Government Insurance Office to have medical expenses refunded, his claim for the guinea was rejected on the ground that he should have gone to the Brisbane General Hospital at which X-ray photographs are taken and supplied free, with a report for the medical officer. This unfortunate man was not aware of that; nor was he aware that the Mater Misericordiae Public Hospital made a charge for X-rays. Nor was he aware that the State Government Insurance Office did not recognise that hospital as an institution the charges at which should be refunded to the claimant. His employer contended that he was paying for the compensation by way of premiums and therefore should not be expected to pay for the couple of hours lost on the day of the accident. The unfortunate injured worker loses half a day's pay as a result of that accident. He receives no recompense from the State Government Insurance Office for that lost time nor for his medical expenses in the form of the charge for the X-ray. All doctors do not send their patients to the Brisbane General Hospital. The Minister and I have had negotiations previously with respect to this. Some doctors insist that their patients shall have specialised treatment, for which they must enter the intermediate ward of a hospital and for which they must pay the prescribed charges. The department, however, contends that free treatment can be obtained at the public hospital.

I submit those things to the Minister and the Commissioner so that they might improve that aspect of the administration of the department.

Hon. J. LARCOMBE (Rockhampton—Treasurer) (4 p.m.): I have explained the points raised by the hon. member for Windsor three times now. Apparently he was out of the Chamber or could not have understood the explanation. In the first place, he referred to the payments for children in cases where the breadwinner is killed by accident. The compensation payable is £25 for each child under the age of 16 years if it is dependent upon the breadwinner. There is no limitation to the amount payable; it is paid for each dependent child under the age of 16 years.

The next point raised was the weekly compensation. I have explained already that the compensation payable to a miner's

phthisis sufferer, his wife and family of three is £6 5s. a week. That is supplemented by childhood endowment of 15s. a week, making a total of £7 a week. It will be seen, therefore, that better provision is made than ever before for these recipients.

The third point was the reason for the deficiency in 1946-47. That reason is obvious to any intelligent student and observer. It is due to—

(1) The fact that there have been no increases in premiums since 1936 and there was a reduction in 1940;

(2) There has been a broader and wider definition of "worker" embracing all workers receiving not more than £750 per annum;

(3) The definition of "injury" is broader than the previous definition, which related generally speaking to an injury due to accident. The definition now brings in diseases that were not embraced formerly, and this naturally means that claims are greater;

(4) More employment and therefore more claims.

All these factors have resulted in the deficit for 1946-47 and we are hoping that with the provision I am making now the deficit will disappear in the next financial year.

Motion (Mr. Larecombe) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Larecombe, read a first time.

APIARIES BILL.

INITIATION.

Hon. H. H. COLLINS (Cook—Secretary for Agriculture and Stock): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to consolidate and amend the law relating to the regulation and control of the keeping of bees and the control and restriction of diseases and pests affecting bees, and for other purposes."

Motion agreed to.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Mann, Brisbane, in the chair.)

Hon. H. H. COLLINS (Cook—Secretary for Agriculture and Stock) (4.7 p.m.): I move—

"That it is desirable that a bill be introduced to consolidate and amend the law relating to the regulation and control of the keeping of bees and the control and restriction of diseases and pests affecting bees, and for other purposes."

The Bill looks a formidable one and has 41 clauses. We perhaps do not want to deal with all the clauses this afternoon.

I think it necessary that a Bill be introduced to bring up to date our legislation for the control of bees under the circumstances that have arisen. The Apiaries Act of 1937 has been more or less re-written, with two main alterations. There is provision in the Bill for better definitions of the various classes of apiaries, and the Bill affords protection to those people who are doing a very useful service indeed in the production of queen bees for commercial purposes. It deals more specifically with the control of diseases than the Apiaries Act and it has another very commendable feature that will appeal to both sides of the Chamber, that is, the fees levied under the Act are not contained in this Bill. We are removing the fees but still giving the service for which the Act provided. This is a very genuine gesture on the part of the Government to the primary producer.

At 4.8 p.m.,

Mr. DEVRIES (Gregory) relieved the Chairman in the chair.

Mr. COLLINS: For the sake of clarity the Bill have been divided into four parts namely—

Part I.—Preliminary.

Part II.—Regulation and Control of the Keeping of Bees.

Part III.—Control and Restriction of Diseases and Pests Affecting Bees.

Part IV.—General.

Certain changes have been introduced into Part II. as compared with the corresponding sections in the old legislation. Previously, approval of apiary sites and hives was provided for, and the beekeepers were listed from the data so obtained. It is now intended to register the beekeepers. Apiaries were previously divided arbitrarily into commercial and non-commercial apiaries at the twenty-five level and it was required that the distance separating commercial apiaries should be not less than one and a-half miles. An improved method of classifying apiaries is now to be provided, as follows:—

Apiaries Class A, comprise less than 40 hives.

Apiaries Class B, comprise not less than 40 hives.

Apiaries Class C, where queen bees are bred for sale and the apiary is classified for that purpose.

Apiaries Class D, comprise protected apiaries which are assigned home sites permanently available to commercial beekeepers; shall contain not less than 40 hives and the owner shall have not less than 150 hives.

In general, there will be no restriction on the positioning of Apiaries Class A.

Apiaries Class B will have protection against competitive encroachment for a distance of half a mile.

Apiaries Class C, in which queen bees are bred for sale, will have some protection against possible crossing of strains by the exclusion of new apiaries for a distance of separation to be prescribed.

The recognition of the Class D apiaries should help those migratory beekeepers who from time to time need to remove their hives from a site for a period and who under the old legislation would automatically lose their right to return to such a site.

It will be found on perusing the Bill that all reference to fees has been deleted.

There has been a certain degree of tightening of the provisions giving power to deal with any apiary the establishment of which contravenes the requirements of the law.

A new provision included in the Bill relates to the marking or branding of a number of the hives in each apiary. This should serve as a protection to the beekeeper and be of great convenience to the inspector in his work. The registered mark or number will be issued by the Under Secretary.

The provisions of Part II. of the Bill are restricted to declared districts, and the area declared in the Bill is the same as was declared under the old Act, and power is taken to alter these districts as may be required.

Part III., dealing with the control and prevention of diseases and pests affecting bees, has been taken with little alteration from the old Act, such alterations as have been made being mainly in the wording in order to clarify the intention of the Bill. One divergence from this principle is that in the case of any contravention of the provisions relating to the importation of certificated disease-free bees, hives and honey, the penalty has been increased to a sum not less than five pounds and not exceeding fifty pounds. As has been stated, disease prevention is the foundation of apiary legislation.

The general sections, Part IV., repeat, in some cases in a clarified form, similar provisions of the old Act relating to offences, penalties, safeguarding an inspector in the execution of his duty, the proof and admission of evidence and comparable formal matters.

Penalties for general offences, other than the quarantine matter already referred to, have been made uniform at not more than fifty pounds.

The Bill will be administered by the Minister and, subject to the Minister, by the Under Secretary.

It is expected that the changes made by the Bill will be of benefit to the beekeeping industry by permitting expansion and increased production and administrative difficulties should be reduced considerably.

There has been a change in the method of keeping bees in the past few years by the use of migratory apiaries. The big commercial beekeeper migrates with his bees from place to place according to where the honey trees are flowering and we have given him protection so that when he eventually returns to his home site he will not be crowded out, he will have a home to go to. That is a very good principle. Not very long ago I was reading the early history of beekeeping. I found that migratory beekeeping was practised in the days of Pharaoh.

Mr. Decker interjected.

Mr. COLLINS: An apiary, Class A, is not restricted except where the owner could be a nuisance. If for example the hives were placed near a school ground, or an institution of that kind, we should have power to compel their removal. That power would apply also to a locality where it was undesirable to keep bees. There is no prescribed area in Class A setting out where owners can keep their bees, but if a site is assigned to an owner in Class B other apiaries will not be able to come within half a mile of it.

Provision is made for the trading of queen bees. That is necessary to keep the bees pure. Apparently they can be crossed. The Minister will have power to give an owner necessary protection in that respect. That in the main is the object of the Bill.

Motion (Mr. Collins) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Collins, read a first time.

TRADE DESCRIPTIONS (TEXTILE PRODUCTS) ACT AMENDMENT BILL.

SECOND READING.

Hon. A. JONES (Charters Towers—Secretary for Health and Home Affairs) (4.15 p.m.): I move—

“That the Bill be now read a second time.”

As I pointed out at the initial stage of the Bill, there is actually one principle that we are concerned about. Hon. members, having now seen the Bill, will notice that it contains only four clauses. Actually all we are doing is making it compulsory to label woollen goods—goods containing wool wholly or in part.

This legislation has become necessary mainly owing to the fact that it has been impossible to obtain uniformity between the State Governments throughout the Commonwealth in this legislation. I have already pointed out that conferences have taken place since 1939, when this matter was fully considered by officers of the different States and the Commonwealth. The war came and nothing was done for some time. In 1944 the matter was revived and legislation was passed through every State Parliament in the Commonwealth. But today in only one State has the Bill been proclaimed and that is Victoria, but even there it has not been implemented. The cause, as I have stated already, is the difficulty of getting uniformity between the States. A conference took place in August last at which all the States and the Commonwealth agreed to pass uniform legislation.

It is not intended to comply compulsory labelling to cotton or rayon or any fibre other than wool.

Mr. Nicklin: Only to any material containing wool.

Mr. JONES: Any material containing wool; that is so. Hon. members know that the wool industry is very important to Queensland, especially over the last year or two, in which enormous revenue has been derived from it. Australia's cheque for wool for 1946-47 was a record of £92,335,940, Queensland's share being £16,463,484. The average price per bale for Australia was £31 6s. 1d. and for Queensland £35 3s. 4d. For the 1947-48 season, up to October last, a further increase took place and 106,533 bales sold at an average price of £48 1s. 3d. a bale. Queensland wool is predominantly Merino, but the other States have considerable numbers of crossbreds up to 6 November. For the 1947-48 season the wool cheque amounted to £7,872,236.

As I say, the wool industry means a big thing to Queensland particularly as approximately 40,000 employees are engaged in the industry. It is contended that somewhere about another 70,000 women and children are dependent on the 40,000 workers, so it means a big thing to Queensland.

We must admit that the Queensland Government over the years have done right to encourage the production of a better type of wool and they have given the producer every incentive to breed a better type of sheep. For some years the policy has been in operation of making a number of stud holdings available, and it has been very successful.

Today we have 20 stud sheep pastoral holdings and three stud sheep grazing selections carrying approximately 98,000 stud ewes and they produce annually 10,252 rams. I believe that has been an influence in improving the fleeces of Queensland. I can remember that 20 or 25 years ago virtually all the rams in the western parts of the State were brought from the South but today we are breeding them in Queensland. From time to time ram sales take place in the western parts of the State so that exorbitant prices need not be paid to bring a good type of ram from the Southern States—they are bred in the State. I mention that to show that in Queensland we have done something to improve our flocks. The reason for it really is the desire to improve the woollen industry. Pressure for the introduction of the Bill has been brought to bear mainly by the woollen interests, which realise that it is necessary that some protection be given to the public, and that when the public buy wool they may be certain they are getting wool. I am satisfied that only an expert could detect the real article from articles made from the various synthetics now on the market.

When I spoke the other day the hon. member for Windsor raised a point on which I have gone to some little trouble to obtain all the information I can. The hon. member said that he thought the sole responsibility for the labelling of woollen goods should be on the manufacturer and that no responsibility should be on the wholesaler or retailer, but I find there is very good reason for what is proposed. For instance, the manufacturing firm concerned may be in Singapore, Japan, or any other country and it would be possible

for such a manufacturer to sell his goods to the wholesalers and retailers in Australia and if there was no responsibility on the seller of the goods it would be virtually impossible to get at the manufacturer. For that reason a "person" is defined in the Bill as the manufacturer, retailer, or wholesaler. That is necessary in order to make the Bill watertight.

I have gone into this question and find that this year the Commonwealth Government have drafted certain regulations, amendments of the Commerce Import Regulations that more or less fit in with the Bill we have before us, which has been agreed to by the different States. These regulations, redrafted by the Commonwealth, bring about uniformity of the Commonwealth with the States and it is the lack of this uniformity that has been the trouble over the years. As I said previously, this legislation does not go as far as the Queensland Government would like, but we had to fall into line in order to get as far as we have got today. It would not be desirable at the moment to bring about the compulsory labelling of cotton, rayon, and other fabrics because it is probable these goods would not be forthcoming from overseas if any restrictions were placed upon them. For that reason it is not intended at this juncture to do anything in that respect.

Mr. Nicklin: That is not so important as labelling woollen goods.

Mr. JONES: That is true. If restrictions were placed on the cotton, rayon, and other fabrics there would be no incentive to export them to this country. There is the analogous case of toys. Hon. members will have noticed that in the report of the Director-General of Health and Medical Services, tabled in this House, he makes reference to the danger of lead-coated toys. The responsibility is on the wholesaler or retailer selling these toys. Many of them may have been manufactured in Japan or other countries and it would be impossible to get at the manufacturers. For that reason it is necessary to be able to take action against the person selling the goods.

Mr. H. B. Taylor: Do those regulations suggest any way in which the wholesaler or retailer shall be held responsible?

Mr. JONES: Yes. If they sell goods that are not labelled in conformity with the Act they will be committing a breach.

Mr. H. B. Taylor: How is the material to be labelled?

Mr. JONES: The principal Act sets that out. All this amendment seeks to do is to make the compulsory labelling of textiles apply to wool only.

Mr. Kerr: What about the buyers of suits and frocks? How will they know what they are getting?

Mr. JONES: The garment must be stamped in conformity with the Act. The Act lays down what must be done.

Mr. Nicklin: All articles and piece goods with wool in them now will have to be labelled?

Mr. JONES: Yes. As hon. members know, this is a simple measure. Only one principle is involved.

Debate, on motion of Mr. Nicklin, adjourned.

The House adjourned at 4.33 p.m.
