

ments made by me because of the Standing Orders. But before I leave the subject of Communism as it relates to members opposite, I want to quote again from "The West Australian" of the 26th July, 1948. This deals with a matter concerning defence work of a highly secret nature. The headlines are—"Atomic Secrets Denied to Australia. U.S. Fear Leakage through Communists." It is a message from Canberra dated the 25th July, and begins—

The United States is refusing to give any atomic research details to Great Britain unless definite assurances are given that the information will not be handed on to Australia, it was learnt on reliable authority tonight. Fear that leakages of vital details may occur through Australian Communists is believed to be the reason behind this condition.

And so on. So the country of which we are all so justly proud—on this side, anyway—cannot be trusted. We cannot be trusted simply and solely because we have a Commonwealth Labour Government and a Labour organisation throughout this country of the type upon which I have touched briefly tonight.

Hon. A. R. G. Hawke: You are "barmy."

Hon. F. J. S. Wise: You will be in Heathcote before long!

Mr. GRAYDEN: I apologise for keeping the House till this late hour. I would have liked to continue in much greater detail and would have done so had the hour been earlier. I would add that, when the Deputy Leader of the Opposition was concluding a speech earlier this session, he said, when referring to the activities of this Government, that it sowed the wind far and wide in March, 1947, and the reaping of the whirlwind was upon it. But the member for Northam was wrong. He was hopelessly wrong, and he knows it! This wind to which he refers was already at its height when the present Government took over.

Hon. A. R. G. Hawke: It has been in existence for the last couple of hours.

Mr. GRAYDEN: It was a wind of mismanagement, a wind of stagnation, a wind of destruction—the destruction of our democratic way of life. That was the wind and that was the stage it had reached when the present Government took office. That destructive wind has slackened and shortly it will be mastered, and the progress which has marked the history of this State in its earlier years will once again continue apace.

Hon. A. R. G. Hawke: The ratbag has spoken!

Mr. GRAYDEN: And the South Australian reject has added his poisonous little piece!

On motion by Mr. Kelly, debate adjourned.

*House adjourned at 10.45 p.m.*

## Legislative Council.

Thursday, 12th August, 1948.

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

### BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT.

#### *Standing Orders Suspension.*

On motion by the Chief Secretary, resolved:

That so much of the Standing Orders be suspended as is necessary to enable the Bill to be passed through all its stages at the one sitting.

### LEAVE OF ABSENCE.

On motion by Hon. C. H. Simpson, leave of absence for six consecutive sittings granted to Hon. L. A. Logan (Central) on the ground of ill-health.

### ADDRESS-IN-REPLY.

#### *Eighth Day.*

Debate resumed from the previous day.

HON. A. THOMSON (South-East) [4.34]: Like the other speakers, I congratulate you, Sir, on having been re-elected for another term as President of this House. I also congratulate those whom the King has

honoured with knighthood. I wish also to congratulate the new members who have already spoken. I think the older members feel they are a decided acquisition.

Australia as a whole is at what might be termed the cross roads, and if ever we required men of maturity and sound judgment, and with a long view in regard to the future of the Commonwealth, and particularly of Western Australia, it is now. I feel that those members who have already spoken will materially help towards the better government of the people, for the people, by the people. Mr. Watson, in an excellent speech, gave us some most interesting history in connection with uniform taxation and the total amount of tax imposed by the Commonwealth Government on the people of this State. I almost gasped when he said that no less a sum than £10,000,000 was being collected by the Commonwealth from Western Australia!

I am afraid I am one of those who might be called a "little Australian" inasmuch as I believe that, allowing for the period of the war which has just recently been partly concluded—because peace has not yet been arrived at as far as the Japanese are concerned—Western Australia would have been better developed and made much more progress under State control than it has done under the rule and guidance of the Commonwealth Government. Mr. Watson briefly referred to the Bruce-Page Government as being the first Administration to attack the bastion of self-finance of the States. I frankly confess that when in another place I voted for the Bruce-Page proposals, and I intend to place on record now the reasons why I did so. At that particular stage in the history of Australia, each of the States was in the happy position of being able to approach the market for a separate loan. The point of rivalry had been reached, unfortunately, where it only wanted Western Australia to go on to the market and offer four and one-half per cent., when one of the Eastern States would promptly offer five per cent., and loans were negotiated at an interest rate as high as six per cent.

From the conversations I had at that time with Sir Earle Page, it seemed to me foolish for us to be cutting each other's throats by forcing interest rates up to such an alarming degree through this uncontrolled competition. That, briefly, is why I voted for those proposals, and why I was a little in-

strumental, possibly, in having them brought into being. But I do not think anyone at that time dreamt we would get such a Government in the Federal arena as we have today. When the measure for uniform taxation was suggested, the Commonwealth Government faithfully promised the States that it would be in operation for the period of the war and, I think, for 12 months afterwards. Now we have the Prime Minister disregarding his own promise and also that made by the late John Curtin. Whether Mr. Watson will be able to show us a way by which we can improve our position I do not know, but as long as I am a member of this House I will do my best in assisting Western Australia to secure better control over its own finances.

In the Lieut.-Governor's Speech I was particularly interested and pleased to see that preparatory steps had been taken to implement a scheme for the development of the Albany zone. Those of us who know that district very well realise that for many years a large area there has been left in its native state that could, and should, be developed and brought under pasture. I want to commend the Government for having appointed a committee of practical men under the chairmanship of Mr. Dumas, the Director of Works. They are not men who are farmers in theory only, but men who have had actual experience in developing areas—and making them productive—which years ago were looked upon as being almost not worth bothering about. Therefore, I feel quite sure, after reading in the Lieut.-Governor's Speech that when the proposed steps have been taken, on the advice which has been tendered to the Government, this very large area of land will be made productive and profitable. If we are to expand the population, we must increase our production and bring more land under cultivation. By this means, the State will be able to carry a greater population than it is doing at the present time.

Members will know that on more than one occasion I have dealt with the goldmining industry and have urged that it should have more consideration from the Commonwealth Government than it has received in the past. I must confess to being amazed that a Goldfields member, according to a statement that appeared in the Press, should have said that the Commonwealth Govern-

ment had treated this industry with a great deal of consideration. Certainly it may have given it a great deal of consideration. The Commonwealth Government probably said it was sympathetic, but I think, in the interests of the goldmining industry, a little practical assistance would have been of more value. Those of us who came to this State many years ago when the goldfields were discovered will remember that many came from the East, particularly from Victoria, where they had been literally starved out and they were very pleased to come to Western Australia where there was plenty of work. There was an air of prosperity here in those years.

To the goldmining industry we must give the credit for the opening up and developing of the vast area of land which today is under cultivation and producing the true wealth of the State. I am one of those who feel that, by way of bonus or subsidy, the Commonwealth Government should assist the goldmining industry of Western Australia because, in these days of hard currency, gold is the most valuable metal that can be produced. Its availability would very materially assist the Government, and particularly this State, to be more prosperous than it is at the present time. We know there are one or two mines that are paying fairly well from the standpoint of dividends, but with the alarming increase in costs in every direction it seems that immediate consideration should be given by the Commonwealth Government to the industry to prevent mines and shows, which under normal conditions would give quite a satisfactory return and employ a large number of men, from going out of production.

As to our coal industry, I think one of the worst steps that Collie ever took was when the unions there decided by popular vote to become part and parcel of the Federal coalminers' organisation.

Hon. W. J. Mann: By a very small majority.

Hon. A. THOMSON: As the hon. member has said, by a very small majority. It is amazing that since they coalesced with the unions in the Eastern States, there has been more trouble in our industry. Regret must be expressed that the very fine record which the Collie miners held, has to a certain extent had rather a black mark placed

against it recently. I was hoping that we might be able to get a greater supply of coal in the future than we have been obtaining recently. I am sure the Government is very sincere in its desire to increase the supply of homes for those who so sadly need them, and I am hoping the special department which has been appointed to foster local products necessary for home building, will be successful.

It will be realised that when the Labour Government brought down its housing Bill, I opposed the restrictions that were to be imposed. I pointed out that when I arrived in this country over 50 years ago, there was a very serious housing shortage and people were living in tents. However, no permits were required then for the building of houses, and land was not resumed in a wholesale manner as has been done by the State Housing Commission. We know numbers of men who have bought blocks with the ultimate idea of building a home on them for themselves, but the properties have been resumed by the Housing Commission and their former owners have had to join what I may term the waiting crowd. In my humble opinion, there is no reason why what I said in this House previously could not be carried out. I am merely stating what I did in those days and what I claim scores of our returned men and others would do today if only they were given the opportunity. The Government says that the local authorities object to the building of two-roomed houses because they might result in the creation of slums, but they seem to overlook the fact that when conditions become normal it is quite possible that a number of the areas where homes have been built will become slum areas.

The Government, doubtless, has done its best in the very difficult conditions prevailing. However, we must realise that scores of people living in the metropolitan area are paying as much as £2 a week for a room or the right to live on a verandah, and the use of the kitchen. How can the average man, desirous of getting a home for his wife and children, afford to pay that rent? There is no earthly reason why such men should not be granted permission to build two-roomed homes for themselves, homes which for a start might be just a plain shell. I am not ashamed to say that

that is what I did 50 years ago, and I am convinced that many people would gladly put up with the temporary discomfort of living in a shell, knowing that they could improve those rooms little by little and make them really habitable. Many men could get assistance from their workmates to build such homes and thus many families could get a roof over their heads and have something to show for their money which during the last few years, they have been paying away in rent.

The previous Government has left the present Government to carry the baby. We have far too many restrictions operating at present. Only recently we read in the newspaper that people in need of bricks could not get a permit although bricks were available at the brickyards. The sooner we can return to normal conditions in the building trade, the better it will be for everybody. The institution of the Housing Commission has done more to kill the small builders and contractors than was ever dreamt of. In pre-war days hundreds of houses were erected by small men. True, they built on spec. but they had finance behind them and people were prepared to pay a deposit to get a home. I could point to scores of homes built under those conditions, and I am satisfied that the allegation that they were jerrybuilt cannot be substantiated. In fact, some of the houses that people have to occupy nowadays would, years ago, have been described as jerrybuilt. The point I wish to make is that the imposition of all these restrictions has eliminated the small contractor by making it impossible for him to carry on.

I do not know how the architects are making a living because quite a large number of them used to prepare plans for homes—good plans, too—and under their supervision many fine, substantial houses were erected. Now, however, they are deprived of this work and yet the need for houses is so great. When the Builders' Registration Act was passed, the object of that legislation was obviously to ensure the stability of the men engaged in the industry and now we find that men are being prosecuted because they call themselves builders. I cannot see how we can encourage people to build or to take the responsibility of building so long as such conditions continue. Let me deal with an-

other phase. On the 20th May last the following statement appeared in "The Daily News" under the heading "Trainee Increase is not Favoured":—

Building trade union executives generally agree that at present the industry cannot absorb more postwar reconstruction trainees. They are opposed to ex-servicemen receiving reconstruction training when it would be impossible to place them in jobs. These three leading building trade unionists gave representative views today. Plasterers' Union secretary E. Walsh and Plumbers' Union secretary J. Coram said they were anxious that training classes should continue. But if the number of trainees was increased, the men could not be placed in employment.

Hon. E. H. Gray: They are good, reliable men.

Hon. A. THOMSON: I am dealing with the conditions. The report continued—

They blamed a general shortage of building materials, caused by manpower lags in other industries. Painters' Union secretary J. White said that already about 120 trainees had been placed in the painting trade. None of them were yet 100 per cent. efficient—it took at least three years on top of their reconstruction schooling. He felt the trade had reached capacity with trainees. The ratio of journeymen had to be kept or the trade would suffer.

If ever there was a time in the history of Australia when a definite shortage of manpower for all jobs existed, it is the present, and yet we find trade union secretaries and executives denying men who served their country the right to become trainees and get out of the ruck. In fact, we are condemning our men. All that we can offer the average returned soldier is pick and shovel work. That is all; nothing else. How can we increase our buildings? In a portion of my province which I visited recently, a man came to me and asked whether there was any hope of my finding him two or three bricklayers. He said, "We have not any here, and we have not a hope of getting any from Perth. They are all employed there." In the country it is not possible to get men to go out and do work that is urgently required. I could quote the names of three painters in the Great Southern—splendid tradesmen—who have nobody to work for them; and the place is starving for paint.

Where are we drifting to? That is what I am driving at. Here is an extract from the Press of the 4th August. It is headed, "Drive to Lift Building Material Produc-

tion. Creation of Migrant Labour Pool of 6,000.”—

Canberra, August 3: A drive to increase the production of housing materials and fittings by maintaining a labour pool of 6,000 European displaced person migrants was approved by the Federal Cabinet today. The pool will serve major industrial centres. Migrants for the labour pool will be housed in converted army camps and other suitable accommodation at Adelaide, Melbourne, Sydney, Brisbane, Newcastle and Port Kembla.

It will be noted that no provision has been made for Western Australia. But the position with regard to manpower is so acute that even the Commonwealth Government proposes to establish a pool for migrants. Yet unions in this State deny our own men, who fought for us, the right to learn a trade. I cannot understand it; it has me beaten. I cannot fathom why our own boys, the sons of our own workmen, are denied the right to become tradesmen. It seems to me that our people are so damnably selfish that all they want to do is to conserve positions for themselves. They want to make sure that those fortunate enough to have learnt a trade will have jobs for life and they are prepared to see their own sons driven out to do spade work.

I warn the unions of this State, and of Australia, that the day is coming, under present conditions—do not let us make any mistake about it—when we will find the youths and men of Australia working not for Australia but for foreigners. I prophesy that. I may not be here very long but I make that statement, which I honestly believe to be correct. Why on earth those associated with the Trades Hall, of all bodies, should deny their own countrymen the right to improve their conditions puzzles me. I have spoken like this before. I have not been very successful, but I feel that I have a duty to perform to the rising generation.

Hon. G. W. Miles: Hear, hear!

Hon. A. THOMSON: That is what I feel. The only hope many of our young men have of learning a trade is if they are fortunate enough to have a father who is a bricklayer or a carpenter or a painter. They may learn a trade that way, but they are hamstrung and bound in every other direction. We have regulations that were submitted to and were passed by this House, which I can deal with later. Here I would say that those regulations provide that unless a man has been five years in the industry concerned,

he cannot obtain a permit to work. Throughout the whole of these regulations we find always that desire to make everything a close preserve, and I feel it is time our people awoke to that fact.

We are spending something like £40,000 a year on our University to enable our young men and women to become highly educated; but we do not keep them in Western Australia. We do not pay them a large enough salary. We find that we have had plenty of men who have become highly qualified, so highly qualified that they have been able to obtain positions in other parts of the Commonwealth. By our various restrictions in every direction, we have been denying young men and women the right to step out of the ranks. In my day, I had the opportunity—and other members who have spoken this session have indicated that they had a similar opportunity—to start out on my own and improve my position, gradually getting away from what might be termed the ruck. But today a man has no hope of doing that. If he does not pass certain examinations and comply with certain union rules, or some other regulations, he has no hope of progress.

The people are failing to realise where we are drifting. If all these rules and regulations had applied when I came to this State, I suppose I would still be carrying a kit of carpenter's tools around the country and working for somebody else. Instead I was able to benefit from conditions that prevailed then and improve myself. I have once more drawn attention to the position that exists. It may be like pouring water on a duck's back; but it is said that the constant dripping of water will wear away a stone, and I hope that some day, before very long, the executives of our unions will give more consideration to our own Australian youths than is given to foreign migrants. The men who will be brought here will be welcomed into the unions because they will, fortunately, have a knowledge of particular trades. Yet we are definitely denying the right of our own men who fought for us and served us to preserve such freedom as we have today—we are definitely denying them the opportunity to learn a trade. That is entirely wrong.

I was delighted to know that the Chief Secretary had placed on the Table of the House the Tydeman plan for Albany Har-

bour. I want to congratulate the present Government for taking what I term the long view, and looking ahead.

Hon. G. W. Miles: It should have been taken 30 years ago.

Hon. A. THOMSON: I agree. When I came here over 50 years ago, Albany was a very prosperous port. Fremantle was not thought of at that time. Slowly but surely—and naturally, I suppose—the bigger ships began to come to Fremantle, and the port of Albany was deserted to a certain extent. In 1912—I was not in Parliament then and had not thought of coming here—I was chairman of the Katanning Road Board, and I drew attention to a scheme which was submitted by the then Minister, the late Hon. W. D. Johnson, for adding a branch to the deep water jetty. I opposed it and was successful in having a number of people support me. We were told that we were only laymen and that it was an act of gross impertinence for us to offer an objection to the engineer's proposal. We advocated a reclamation scheme, and I am indeed delighted that history has justified our opinion, even though we were laymen, as against that of the then engineer who prepared a scheme under the direction of the Government of the day.

In season and out of season I have consistently battled for what I term the lower portion of the Great Southern. In my opinion, its potentialities have only been scratched, and there are wonderful possibilities of increased production in every direction. I am not going to say that the present Government will be able to start this harbour extension at Albany immediately, but it has definitely laid down a plan which can be built up, unit by unit, and I am sure that in course of time the reclamation scheme which Mr. Tydeman has drafted will more than repay the initial cost of the project. Some people say that the Government is not justified in preparing a plan of this description and looking so far ahead. I have had sublime faith in the future of that area.

Today there is a man named Hunt who has established a canning factory in which tons of salmon have been packed, and thousands of cases of that product have been exported to the Eastern States and elsewhere. There is a company, Seafoods Ltd., which is

engaged in schnapper freezing and has spent a considerable sum in establishing that industry. There is also the whaling industry, which has been carried on under primitive methods and with the provision of additional capital, will also be a great success. I congratulate the Commonwealth Government on removing from Fremantle the wool stores that were no longer required there and erecting them at Albany. Super. works will be established, and a large number of oil tanks were constructed there during the war by the Commonwealth Government. I cannot understand why these tanks are not being utilised.

Oil is shipped to Fremantle and has to be transported approximately 315 miles to Albany, which involves the payment of freight for that distance. Oil tankers could use the harbour at Albany and some of the tanks could be utilised for the storage of oil. If private companies will not do it, it should be done by the Commonwealth Government in the interests of public safety from a defence point of view. This oil could be used for diesel engines and so on, and the tanks should be utilised because they have been constructed and are at present unused. When these concrete tanks were erected, the Commonwealth Government visualised their being required urgently.

We know that all our wool is brought to Perth and shipped through Fremantle. Our wheat also is railed away from its natural port and shipped at Bunbury or Fremantle. Hundreds of tons of flour have been gristed on the Great Southern by the three mills and then taken to Fremantle, whereas that product should have been shipped through its natural port. We have increased our butter production and our timber tracts are being developed, so it seems to me that the Government has been very wise in preparing a practical scheme for the development of the Albany harbour. The Government has also secured a dredge, but unfortunately it will be some time before it is available. In any case I feel that the Government is looking further ahead than the Labour Government did and that the development of the port will be of great benefit to the Great Southern area.

At the request of the Albany people, the late Mr. Drew introduced a measure to establish the Albany Harbour Board. We are

now told that there is no need for this board, but the trouble is that the Railway Department control the harbour at the port and it is run entirely in the interests of the Railway Department. Members will be surprised to know that businessmen on the Great Southern, in preference to landing their goods at Albany where there are numerous delays, have their consignments shipped to Fremantle and pay the extra freight from that port to the Great Southern towns. I suggest to the Government that serious consideration be given to re-establishing that harbour board immediately and that such re-establishment should not be held over until such time as the work on the harbour had actually started.

It is absurd that the Railway Department should control the harbour because it is certainly not in the interests of the harbour development. As members know the Railway Department is more than broke and has not any money to spend. I urge the Government to re-establish the board even if it is only a nominal board for the time being, and appoint to it a man who has a thorough knowledge of shipping. I also hope that whatever Government is in power it will assess the value of the assets fairly and not take into account defunct assets which have been in existence over the last 100 years or so. If there is a just valuation, the board will have some hope of serving the public a little better than they are being catered for at the moment.

I read in the paper yesterday, or a few days ago, that representatives of the Commonwealth were in Western Australia discussing with the Minister for Railways the proposed change of gauge between Kalgoorlie and Fremantle. On the 14th December, 1945, on behalf of a Select Committee of which I had the honour to be chairman, I submitted a very valuable report, and I propose to quote one or two extracts from it. I commend this report to the new members. The Select Committee made the following recommendation, which will be found on page 10:—

That a complete investigation be made of the territory embraced in the area running in a south-westerly direction from a suitable point in the vicinity of Southern Cross to the Corrigin district and thence westerly in the direction of a developmental railway route recommended by a former Engineer-in-Chief. Mr. Stileman, or along any other route found suitable to Fremantle. Such investigation to

proceed simultaneously, if possible, with the survey operations now in progress on the route parallel to the existing 3ft. 6ins. line between Kalgoorlie and Fremantle, and be carried out by an independent railway construction engineer.

I am afraid that the late Government—I hope I am not doing it an injustice—did not carry out that recommendation because so far there is no report of any projected work, and it appears that I will be again placed in the position of having to ask questions to obtain satisfaction. I now wish to draw attention to some valuable evidence submitted to the Select Committee. On page 28 it will be seen that Mr. Davidson, the Town Planning Commissioner, made the following statement—

I will outline briefly the Avon project as submitted by me to the Government some years ago. I drew attention to the possibility of at least three large storage areas on the Avon between Toodyay and the edge of the coastal plain where the Avon River breaks through a narrow gorge at the foothills. I have walked from Northam to Midland Junction and followed the original trial survey of the transcontinental line finding the pegs and bench marks. Following my submission of the scheme to store the seasonal and periodic flood-flow of the Avon, with which was coupled a suggestion for harnessing part of the 486ft. drop from the river at Northam to the Swan at Midland Junction, the Director of Public Works, Mr. Dumas, and Mr. McCullough, the Assistant Chief Civil Engineer of the Railway Department, and myself, visited two of the dam sites and made an inspection of the Transcontinental trial survey.

I am mentioning these matters because, in my opinion, water conservation will be of more value to this State than extending a railway line which will be parallel to the existing one. I wish to point out that one of the reasons why our public works and those carried out by other departments seem to cost more than they should, is because there is a lack of co-ordination between the departments. I will again refer to a statement made by Mr. Davidson. On page 49 of the report, members will see that Mr. Davidson had this to say—

Unfortunately, when these matters are brought up by a Town Planning Commissioner—

I think Mr. Hearn referred to a Town Planning expert who is coming to this State and if this man makes a satisfactory recommendation, I hope he will receive more consideration than apparently has been shown

to our own Town Planning Commissioner. To continue with Mr. Davidson's remarks—they immediately receive all the latent criticism and strong opposition of what might be termed vested departmental interests. Mr. Taylor and the Railway Commissioner are only concerned with railways and power.

Mr. Davidson was referring to the site and establishment of the present South Fremantle power station which is costing approximately £5,000,000. The evidence continues—

Mr. Byfield is concerned solely with conserving the State's monetary investment in the chiling and killing works. The Engineer for Sewerage is concerned solely with retaining as long as possible the sewerage treatment works in the middle of them and private enterprise like Baxter's fish manure works and Shilkin's new tannery are concerned with retaining their identity in that one area. It is the duty of the town planning authorities to try to sort them out and give them elbow room without having impact on the functions of the others. That is why my board is so anxious that the railway system shall be conserved and extended to serve these industrial areas.

I am sure that that is one of the reasons why it has fallen to the lot of the Government to see if it can bring about greater co-ordination between the various departments. Here we have definite evidence on that phase, and I will submit further proof later on. I feel strongly on this particular subject because I consider that water conservation is of more value to Western Australia at the present time than is the proposed extension of a broad gauge railway from Kalgoorlie to Fremantle. We have large quantities of water available and with the drop of 486ft., as mentioned by Mr. Davidson, we could produce electric current. That would be of more benefit to the State in the long run than the railway gauge proposition because we already have a railway which, as far as I am concerned, supplies the needs of the country.

I offer no apology for drawing the attention of the House to the report of the Select Committee that was appointed by this Chamber to inquire into the standardisation of the railway gauge from Kalgoorlie to Fremantle, which report was presented to members for their consideration on the 14th December, 1945. A perusal of the report shows conclusively that to bring the standard gauge railway down the Avon Valley could, and probably would, prevent any water conservation scheme for any purpose

ever being developed, whether it was for flood control, irrigation, or hydro-electric power or a combination of all three. Whilst any of these projects for the control or development of the Avon River remain uninvestigated, no railway route should be decided on, and it is not too much to request the Government at least to make certain of the position, particularly having regard to the evidence of Mr. Dumas, Director of Works. More particularly is this so as in the ensuing years the Commissioner of Railway's surveys have been completed showing where any line would go and its effect on water storages on the river.

With the railway information available, the next step should be to establish the degree of any salinity in the Avon River and whether or not, if it exists, it could be controlled and withheld from that river's flow. The Select Committee, it will be recollected, recommended that a complete investigation should be made of the route known as the Armadale-Brookton-Corrigin-Southern Cross line, which was recommended by Mr. Stileman when he was Engineer-in-Chief. No doubt the Commissioner of Railways, in order to decide on the merits of the Avon Valley route, has completed the surveys of the Armadale-Corrigin-Southern Cross route and I think this House, and more particularly the members who sat on the Select Committee, are entitled to know whether the investigations have been completed and if so, what are the results.

The Director of Works advised us that the matter of the Avon River route had been raised officially with the Railway Department and it was to advise him so that there might be discussions before a final location was determined. The House would be justified, therefore, in asking if such discussions have taken place and what the position is at present. This State requires to undertake water conservation and to instal modern transport facilities above all else, apart from the matter of increasing our population. It would indeed be tragic if the provision for water storage and the construction of a railway line were to come into conflict because of lack of co-ordination, and I hope the Government will give consideration to my remarks on this point and take notice of the evidence submitted to the Select Committee. For the information of members, I propose to quote two extracts



from the evidence of Mr. Dumas, Director of Works, which are valuable from the water supply point of view. In the course of his evidence, Mr. Dumas said—

The only way in which to control the Avon is by placing storages in the Avon Gorge. On the limited information that we have at present, the Avon water is too salt for irrigation, but we could get a certain amount of hydro-electric power from those storages, which would be some offset against the expense to be incurred, though it would not warrant putting dams in for the hydro-electric power alone. I came into it on the basis that if possible the future availability of these dams in the Avon Gorge should not be taken away.

In reply to questions put to him by Mr. Roche, Mr. Dumas gave the following evidence—

By Hon. H. L. Roche: Were you consulted in any way by the Commonwealth authorities with regard to bringing part of the line through the City of Perth?—No. My department has not been concerned with this matter at all.

Still, I assume you have an understanding with the railways that before finalising the Avon Gorge phase, you will be consulted?—That is a reasonable assumption. We have raised the matter officially with the Railway Department, and it will advise me so that there may be discussions before the final location is determined.

I make no apology for introducing this matter because I regard the report of the Select Committee as a valuable document. We were justified in submitting our recommendations. In view of the experience we have had, I believe it is possible to divert the water from the salt lakes and thus enable us to secure a supply of potable water that would be most valuable to the metropolitan area.

I have closely examined His Excellency's Speech and I must confess that I was very disappointed when I noted that no provision was proposed for the setting up of a public works committee. As hon. members know, I have over the years, keenly urged, in the interests of parliamentary control, that such a body should be established so that there would be that check which is very desirable respecting Government expenditure. Before I received the replies to my questions yesterday, I had the following in the notes I had prepared for my speech—

Permit me to quote a most glaring and costly blunder, which this State is committed to in the Royal Perth Hospital.

I commend Dr. Hislop for the excellent speech he delivered when he discussed what

may be described as a hospitalisation scheme for Western Australia. Nevertheless, I feel that those responsible for the Royal Perth Hospital undertaking are deserving of blame. If I could regard some of the criticism that has been directed against the present Government as genuine, I would be prepared to accept it; but I can safely say that, quite to the contrary, the Government has had to accept the position and proceed with commitments left to it.

In my humble way I am endeavouring to proffer suggestions that will be of assistance to the Minister today and to submit something constructive, as requested by the Chief Secretary. It will be remembered that in the questions I put to the Minister, I asked what was the estimated cost of the first completed section of the Royal Perth Hospital and what was the actual cost. I think members must have been staggered when they heard the replies given by the Chief Secretary and realised that work that was commenced at an estimated cost of £658,000 was completed at a cost of approximately— it will be noted that the cost given was not the actual expenditure on the work— £1,180,000.

Hon. G. Fraser: Yes, but many alterations were made to the original plan.

Hon. A. THOMSON: I know Mr. Fraser is anxious to excuse his Government.

Hon. G. Fraser: It was not a matter of my Government at all; I am telling you the truth.

The PRESIDENT: Order!

Hon. A. THOMSON: There is no excuse at all. It simply shows the appalling conditions under which the affairs of the State were run during more than 12 years of administration by Labour Governments. I say unhesitatingly that had the work associated with the building of the first part of the hospital been entrusted to a contractor at an estimated cost of £650,000, the contractor would have completed the work for that figure.

Hon. E. H. Gray: No.

Hon. Sir Charles Latham: It was not the same building.

Hon. E. H. Gray: No, not the same building at all.

Hon. A. THOMSON: That was the amount of the estimate.

Hon. Sir Charles Latham: But the plans were altered.

Hon. G. Fraser: And it was all entirely different.

Hon. A. THOMSON: We therefore have the spectacle of the Labour Government starting to spend £658,000 in accordance with estimates submitted by officers who believed that that amount would provide the necessary accommodation, and then we see how it all finished up. If members will cast their minds back to that particular time, they will understand that there were peculiar circumstances associated with the building of the hospital, which were not to the credit of the then Administration. The building was started just before an election, without proper plans or preparations. It was carried out in accordance with the Labour Party's policy of day labour. The Government rushed into it, and we see the tragic results. Why was that done? The object was to hamstring the incoming Administration should the Labour Government be defeated at the election, and thus force its successor to continue operations on the day labour system. It was one of the most glaring and amazing exhibitions of starting an undertaking without any properly co-ordinated plan.

Hon. G. Fraser: You do not approve of a Government taking advantage of the advance of science and bringing a building up to date.

Hon. A. THOMSON: In Victoria the authorities took advantage of the advance of science and yet were able to complete their hospital building in a satisfactory manner. I certainly do not suggest that the Government should not take advantage of the advances of science, but no-one can tell me that the action of the Government was justified in commencing to build to a plan at an estimated cost of £658,000 and complete it for approximately £1,180,000—and we have not finished with it yet. Indeed, we are far from having finished with it. The second portion of the hospital building is estimated to cost £525,000. In view of the questions I asked and the answers I received, I claim that if ever we had before us evidence of bad financial administration by the Labour Government, we have it in this instance.

Hon. G. Fraser: And that is not from a Labour Government either.

Hon. A. THOMSON: Mr. Fraser wants to throw the responsibility on the present Government, but it was his Administration that was in power for so long and the present Government has been in office for little more than 18 months.

Hon. G. Fraser: I was talking about the replies you have received, and that is what you are growling about.

Hon. A. THOMSON: The hon. member is casting a serious reflection upon his own Government because if it had been so foresighted as it claimed, or if Labour Ministers were the financiers they suggest, there would have been a properly arranged and designed plan, embracing the whole of the proposed additions. Instead of that, the Government started the work piecemeal, and so we find this most appalling example of maladministration. Those who were responsible for that should hide their heads in shame and not claim to have been members of such a Government.

Hon. G. W. Miles: If we had had your proposed public works committee, it would have been all right.

Hon. A. THOMSON: Exactly. If we had had the public works committee which I have advocated for many years, but which was bitterly opposed by every one of the previous Ministers, all this loss might have been avoided. But they did not want it; they did not desire any interference whatever in their administration; they wanted a free leg to do as they liked.

Hon. G. Fraser: Your Government has been in office for 18 months and is still in the mud.

Hon. A. THOMSON: I did not hear the hon. member.

Hon. G. Fraser: Your Government has been in office for 18 months and still does not know where it is.

Hon. Sir Charles Latham: You said, "In the mud."

Hon. G. Fraser: It is the same thing.

Hon. A. THOMSON: If that is so, I am afraid the present Government is laboriously trying to extract itself from the maze of difficulties handed over to them on a plate by the previous Government.

Hon. G. Fraser: It is not making much of a success of it, either.

Hon. A. THOMSON: The present Government is forced to admit that it does not know how much land will ultimately be required and will have to be resumed to meet the needs of the Royal Perth Hospital; but those responsible for commencing the building should have known. Is there any excuse for such an appalling blunder on the part of the previous Government?

Hon. G. Fraser: In 18 months you have not done much about it.

Hon. A. THOMSON: In that period the building has been completed, opened and put into use. My opinion is that we should hesitate before spending more money on that site. What prompted me to ask the questions I did was that a notification appeared in the Press stating that the Commonwealth Government proposed to erect a seven-storey building alongside the Royal Perth Hospital. Could anything be more contrary to what we consider to be modern hospital ideas? We certainly have enough land in Western Australia, yet here we find ourselves pledged to costly resumption of land, hotels and business premises. It was suggested that the Commonwealth should secure the Fire Brigades site and erect their premises there, and, do not forget, the previous Government could have purchased the site on which Macfarlane & Co.'s building stands. The previous Government balked at the establishment of a public works committee, although a measure for it passed this House last session. Who were the greatest opponents of that measure? The Ministers in the previous Government. Why? Because they were hoping to perpetrate a similar blunder to the Royal Perth Hospital.

I thought last year that we were going to have a public works committee such as I have advocated for the last 20 years. I had no desire to be a member of it. I am not self-seeking, as I am approaching the end of my term and it is public property that I have decided it is only fair and reasonable, after the years I have served, to make way for a younger man. I am therefore not speaking in my own interests. One argument used last year in another place against a public works standing committee was that it would provide a job for a cer-

tain person. It is time we had some proper check on, and more co-ordination between, the Government departments. I consider the placing of the Royal Perth Hospital on its present site the costliest blunder that has ever been made by a Government of this State. In these circumstances, I hope the Government will give further thought to establishing a public works committee.

Hon. G. W. Miles: Hear, hear!

Hon. A. THOMSON: It might be possible to move to reduce the Budget by £1 with a view to giving members an opportunity to discuss the matter. Many huge projects have been carried out in this State. I go right back to the time when the group settlement scheme was inaugurated. Had the State had a public works committee at that time, which could have investigated that scheme, I guarantee the State would have been saved millions of pounds.

Hon. G. Fraser: That was not a Labour blunder, either.

Hon. A. THOMSON: It was not. I am endeavouring to establish a principle. Do not forget, however, that a Labour Government carried on that scheme for many years; and if any person, other than a Labour man, went to a group settlement to inspect it, he was looked upon as being interfering, as being political, and trying to injure the scheme. I myself criticised the scheme both in this Chamber and in another place. In season and out of season, I have in this House been an advocate for the establishment of a public works committee.

I have also, in season and out of season, battled for the youth of Western Australia. In particular, I was opposed to the tightening up of conditions which made it exceedingly difficult for these youths to secure an opportunity to learn a trade. I have also advocated better control of the State finances. In passing, may I refer to a statement that appeared in the Press lately, in which it was mentioned that the South Fremantle power house and other public works were estimated to cost over £5,000,000. I shall not refer at this stage to the loss which we are suffering in connection with the electric current supplied to the Perth City Council; but it seems to me that again we are paying for the unfortunate misdeeds of previous Governments.

I congratulate the present Administration upon remedying what has for many years been an unjust imposition upon country residents. Before we could get a hospital in a country district, we had to raise half the cost of the building. Subsequently, with the advent of the Lotteries Commission, the previous Government became generous and said, "The Lotteries Commission will find one-third of the cost; we will find a third, and the local people the remaining third." The position now is that we are placed in exactly the same position as are the people in the metropolitan area; the Government will provide half the cost and the Lotteries Commission the other half.

Hon. E. H. Gray: The Fremantle people were in the same position as the country people in that respect.

Hon. A. THOMSON: I also congratulate the Honorary Minister for Agriculture upon having declared the Argentine ant vermin, thus making it a Government responsibility. For two or three years I endeavoured to get the former Chief Secretary (Hon. W. H. Kitson) to take this step, but he refused to do so. The consequence is that the pest has almost got beyond control, and so the Government is forced to declare it vermin. Had action been taken three or four years ago, the ant could have been kept under control. I thank members for the patient hearing they have given me. This will probably be my second-last contribution to an Address-in-reply debate. I hope that some of my remarks have been constructive; some have been critical, but I offer no apology, because I have been critical in the interests of the—

Hon. G. W. Miles: Rising generation.

Hon. A. THOMSON: —and the taxpayers. I support the motion for the adoption of the Address-in-reply.

On motion by Hon. R. M. Forrest, debate adjourned.

## **BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT.**

### *First Reading.*

Received from the Assembly and read a first time.

### *Second Reading.*

**THE CHIEF SECRETARY** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.57] in moving the second reading said: This Bill is to enact, or bring into force when the Commonwealth retires from this field of legislation, the law dealing with landlord and tenant as regards ejectments, although it contains slight amendments to another portion of the principal Act. In 1939, owing to war conditions, the then Government introduced a Bill, which became an Act, providing for fair rents and ejectments. In 1941, I think, the Commonwealth took over the portion of the law dealing with the ejectment of tenants. The law relating to rents was left in the hands of the State and administered by it.

From time to time regulations were made to adjust anomalies that arose and to make the necessary adjustments of the law as a result of altering conditions. The regulations are known among those who have occasion to deal with them as the Landlord and Tenant Regulations under the National Security Act. They were contested from time to time in the courts of law and have now been placed on a proper footing. All loopholes have been closed and those who have occasion to deal with the regulations know exactly where they stand. Text books have even been published setting out all the cases that have been decided under the regulations. Recently the Commonwealth Government decided to pass a Bill, which is now law, known as the Defence (Transitional Provisions) Act under which it took over the Landlord and Tenant Regulations from the National Security Act and carried them on. The reason for the new measure was that it was thought the National Security Act might be ultra vires the Constitution. So, at the present time the law in Western Australia, as regards the ejectment of tenants, comes under the Landlord and Tenant Regulations of the Commonwealth.

Recently, the Prime Minister notified the State Government that on the 16th August—that is, next Monday—he will hand that control over to the States—to Western Australia anyhow. It, therefore, has become necessary for us to implement the law. At the present time there is a Western Aus-

tralian statute known as the Increase of Rent (War Restrictions) Act, Section 15 of which provides for the ejection of tenants in certain circumstances, but it does not go nearly as far as the Commonwealth regulations, nor is it any way as clear as they are. As a result it has been thought fit to make the existing Federal law our State law. The reason is that if we fell back on to the present State law, which could not function because the Commonwealth legislation overrides it, we would not have the advantage of all the decisions and the regulations that have been made from time to time by the Commonwealth.

The first Commonwealth law was made, as regards ejection, by the last Liberal-Country Party Government in March, 1941, and, from time to time, as I say, it has been amended to meet the changed conditions. All this Bill does is to provide for the existing Commonwealth regulations being given effect to, in toto, by State law. Of course, certain alterations will have to be made and there are a few odd amendments in the first portion of the Bill. Certain objections were raised to enacting the Commonwealth regulations, so the Bill provides that regulations may be made under it when it becomes law. As soon as the measure passes, it is the intention of the Government to bring in regulations which will be exactly the same as the present Commonwealth law with, of course, the necessary alterations that are required in the transfer from Commonwealth to State control. The reason for that is that the regulations are laid on the Table of the House, and members will have the opportunity of moving for their disallowance. They will not have any opportunity of moving to amend them, but they will be able to move to disallow them.

The thought probably occurs to members, "Why not include them in the Bill and allow us to amend them?" The trouble is that time is so short that any amendment moved, no matter by whom, would cause a tremendous amount of debate and we would not be able to get the measure through by Monday next. Hence, it was necessary for me to ask members to suspend Standing Orders so that we could deal with it at once. There are, no doubt, various matters about which members will require information, and if, in Committee, I can help them in that regard, I shall be only too

pleased to do so. I point out that at the present time there is a terrific shortage of housing, and the object of this Bill is to give roofing to the greatest number of people with the least hardship. That is the object of the Landlord and Tenant Regulations. I can safely say that the administration of these regulations in Western Australia has been commendable. We hear very few arguments or recriminations about the decisions made in the courts, and many cases of great hardship concerning both landlords and tenants have occurred.

Hon. G. Fraser: We have heard a lot of dissatisfaction about the decisions.

The CHIEF SECRETARY: I have not heard much, but obviously an unsuccessful person is never satisfied. I am speaking of the genuine complaints. Until the housing position improves, I am afraid that the present conditions will continue. The Bill in no way affects soldiers or Service personnel because they are dealt with under the War Service Moratorium, which is still controlled by the Commonwealth Government. That has not been handed over to us and, as far as I know, it is not the intention to transfer it. The protected persons do not come within the scope of this measure. It might be said that we should carry on under the 1939 statute, but as I have pointed out, many of the Commonwealth provisions are not to be found in it. There is no provision as to the length of notice to quit, which, normally, would be seven days.

Hon. Sir Charles Latham: That could be done by regulation.

The CHIEF SECRETARY: I think not. Under the Landlord and Tenant Regulations various times are set out for the length of period of notice to quit. It has all been worked out after years of experience. Again, the State statute provides that an owner of a home reasonably requiring the house for his own habitation has a right to get it. There are not many applications in the court to eject tenants on the grounds of waste or non-payment of rent. The great majority are made because the owner desires the house for his own occupancy. The question is as to where the greater hardship occurs. We have good and bad tenants and good and bad landlords.

I, personally, had a case of a landlord wishing to enter the house occupied by my

client as a tenant. It was a very big home. The landlord had several more suitable houses offered to him, the acceptance of any one of which would not have meant displacing as many people as would be displaced if my client were turned out. The landlord was not successful in getting an order and the decision was given on the ground that far greater hardship would be experienced by the tenant if he were put out than by the owner if he went into some other house. In the present circumstances those matters could well be left to the courts to decide. We cannot allow an owner to get possession of his house merely because he wants it. Let me illustrate an extreme instance: A man and his wife desire to get possession of their 10-roomed house, but in so doing they might displace a dozen people who could not get accommodation at the moment.

Hon. W. J. Mann: That would be particularly rare.

The CHIEF SECRETARY: If that is so, there will be no difficulty over this, because the owner would get the house.

Hon. W. J. Mann: That is not the type.

The CHIEF SECRETARY: The courts have had a lot of experience of these cases and, generally speaking, I think we can say that the person suffering the greater hardship gets the tenancy. Another important matter is this: Under the State law there is no power to exempt houses. Under the Landlord and Tenant Regulations, if an owner desires to let his house for, say, six months, he may get a certificate and the tenant can have possession only for six months after which the owner can eject him without any considerations of hardship or anything else. If he relied on the State law, he could not do that.

Hon. Sir Charles Latham: It does not prevent you from having to get an eviction order if the tenant won't get out.

The CHIEF SECRETARY: No. If a man lets his house, and he has that certificate of exemption, the tenant automatically has to get out.

Hon. Sir Charles Latham: The owner might still have to get an eviction order.

The CHIEF SECRETARY: Yes, but simply for the purpose of giving him the right to commit a breach of the peace, as it

were, to put the tenant out—to forcibly eject him. I commend the Bill to members. If there is anything I can do in Committee to assist I shall be only too pleased to do it. Time is the essence of the contract. It is regrettable that the measure could not be brought down before, but it was not possible and we now have to get it through as quickly as we can. I move—

That the Bill be now read a second time.

*Sitting suspended from 6.15 to 7.30 p.m.*

HON. E. H. GRAY (West) [7.30]: I rise to support the second reading of the Bill. It is a pity that we have been rushed into passing an important measure like this with practically no notice at all. There may be a good reason why it was not introduced earlier, but there is no doubt that the original Act and regulations contain many anomalies. When replying, I would like the Minister to indicate that he is prepared to introduce amending legislation this session to deal with the anomalies that exist. As far as the Fremantle district is concerned, the magistrates have done a good job in the courts, but everyone with a knowledge of the position realises that a great deal of suffering is being borne by many people. There must be loopholes in the legislation which does not protect the people sufficiently, and the scarcity of houses has given rise to a new type of rent exactor—that is, unscrupulous people who pay rent to the owner and then re-let portion of the premises to tenants at ridiculous prices.

The Chief Secretary: This Bill does not touch on prices.

Hon. E. H. GRAY: I know, but I would like the Minister to indicate that it is the intention of the Government to introduce amending legislation to cover the anomalies that everyone knows exist in the present legislation. I do not think it is necessary now for any member to move amendments to this Bill. We know that it is absolutely necessary for the measure to be carried in the interests of everybody concerned, both landlords and tenants. Therefore, I propose to take up no further time, and I hope that the Chief Secretary will have no difficulty with it. I trust members will not waste time in endeavouring to press any amendments to the Bill.

**HON. SIR CHARLES LATHAM** (East) [7.34]: Like Mr. Gray, I hate this hasty legislation, and when it is an important measure such as that now before the Chamber, one hesitates to give it support in the short space of time available. I am not blaming the Government for not introducing the Bill before because I know Parliament was called together a week earlier with a view to giving consideration to legislation that must be introduced because the Commonwealth Government, in its pique, hastily transferred its responsibilities to the State Government with regard to the control of prices. As the Minister says, this Bill does not affect prices, but it does affect the control of rented buildings.

I think the Minister might tell us why the State should be treated any differently from the private individual. For instance, there is provision in the Bill now before us that the Crown, the State Housing Commission and the Mc Ness Housing Trust shall be excluded from the operations of the measure. After all, those bodies have made themselves common landlords. It is useless to say they have not, because they have. Therefore, if it is wrong for them to be excluded from the application of the legislation, I cannot see any reason why it should not apply to the ordinary landlord. As a matter of fact, I think the Crown and the other bodies ought to be included.

I read in this morning's newspaper—I am only quoting what I read—that the Minister stated that as far as the Mc Ness Housing Trust was concerned, houses were handed over to people who could only afford to pay a small rental. This is perfectly true, but in some cases the occupancy of such houses is free and the tenants are making considerable sums of money by letting rooms. That same complaint is, of course, applicable to the house owned by a landlord. There are many instances where persons let their homes during the war period because the whole of their families had gone away, and those people are now forced to live in rooms while the tenants of the houses are able to enjoy a considerable income from letting portions of the houses.

If the Government says that purely landlords should be excluded from the operation of the Bill, so then should the other people be excluded. I do not agree that it is unnecessary to have this legislation. In the Bill,

too, it is proposed to add quite a number of new clauses, but I do not propose to deal with them. However, I want to point out what I object to in this form of legislation. The amending measure of 1947 carried on the legislation from, I think, Sections 9 to 20. It has been found necessary to include additional clauses after Section 18 of the Act, and the Government has therefore introduced no less than four new provisions. They are Clauses 18A, 18B, 18C and 18D. That is a very bad form of legislation and it is very difficult for members of either House to follow.

One has to give a fair amount of consideration to this form of legislation, and when one finds that there are lengthy clauses, it is impossible to deal with them in the ordinary way one would desire. I am sorry to say that there has been an amendment to the parent Act, and it has taken out of that measure a provision which I think was put in the Act when I was in another place. That provision was to give the landlord who wanted his house back the right to apply to the court. That has not found a place in this amending Bill, and I presume it is the intention of the Government to provide for that by regulation.

The Chief Secretary: I did not catch what you said.

**Hon. Sir CHARLES LATHAM:** In the parent Act, the landlord had a right to apply to the court for possession of his house. That has been excluded from this amending Bill. However, I shall deal with the matter in Committee so that I may point out what has occurred. I presume it is the intention of the Government to provide for it by regulation, and I understand from what the Chief Secretary stated that it is intended to introduce the regulations that have been in operation under the National Security Act, with the necessary alterations, of course, to make them apply to the State instead of the Commonwealth. No doubt the point I have mentioned may be covered by these regulations. It is very important, because I remember that much discussion took place in the other Chamber when that legislation was introduced, and it was purposely put in to give some protection to the landowner.

I notice it is proposed to continue the operations of the statute to the end of next year. I think, with Mr. Gray, that this piece of legislation is very important and

it needs consideration. After all, I suppose it might be said that the recent referendum showed that the Commonwealth Government was not doing the right thing or that the people did not trust it to do what was proper. Therefore, it is the intention of the Commonwealth to put the responsibility on to the State Governments to do what is considered to be right.

I think also, it is an indication to the State Government that it must take some corrective measures to limit the operations of this class of legislation. I do not mean measures to abolish it for one moment, because I think it is essential that the legislation shall have a place on the statute book for some considerable time. I think the public are so tired of restrictions and control that they would welcome a change almost immediately. I was hoping that the Government would have left the statute as it was, which would mean that the Act would expire in December, 1948.

Hon. G. Fraser: How would you deal with it?

Hon. Sir CHARLES LATHAM: Just wait a minute; do not be impatient! I am sorry the Government did not leave it until December, 1948, because in the meantime we would have been able to consider amending legislation and that would have given the Act another year's life. If I were to move an amendment to that effect, I admit that it could not be operative, but there would be nothing to prevent us from specifying a date such as the 24th or the 23rd of December. It would not be the same provision that is in the Bill, but I do not propose to force the position to that extent. However, I feel sure it would have given confidence to the public who think we should not just accept ad lib the legislation that has been in force for the past eight years, which is about the period since this Act was first introduced.

If we are to accept the whole of the Commonwealth Act, then we shall perpetuate that bad type of legislation, which I feel sure the public are sick of and they desire some amendment to it. I have no intention of opposing the Bill because it is very essential to have some control, and I accept the statement made by the Minister that it is essential the legislation shall go through because of the short time the Commonwealth Government has given us. What about the

position in Tasmania—where there is no Parliament to pass any legislation dealing with the matter or accept that which the Commonwealth Government has thrown upon it for adoption? In the meantime it has either to abandon the legislation for the time being or dispense with it entirely.

The Chief Secretary: The Commonwealth Government may not have included Tasmania in the legislation.

Hon. E. H. Gray: Tasmania will leave it to the next Labour Government to fix.

Hon. Sir CHARLES LATHAM: It would be an extraordinary thing to say that the Commonwealth Government was going to differentiate between the States. The Federal Constitution provides that there shall be no differentiation as between the States.

Hon. L. Craig: I wonder what the position will be with regard to the legislation in Tasmania.

Hon. Sir CHARLES LATHAM: At the present time there is no Parliament there to do what we are doing in this State today.

Hon. E. H. Gray: There might be another Labour Government.

Hon. Sir CHARLES LATHAM: I am quite satisfied that there will not be another Labour Government in Tasmania, despite the wish of Mr. Gray. I am sure that the people of Tasmania are sick and tired of Governments that cannot do the right thing, and the electors are telling them so as plainly as they can.

Hon. L. Craig: Is that within the scope of this Bill?

Hon. Sir CHARLES LATHAM: I do not know whether it is or not. This action has been forced on us by the Commonwealth and that matter is within the scope of the Bill because it is referred to. Even at the risk of hurting the feelings of Mr. Craig, I must remind him that there is a very close relation. I support the second reading, but I have two minor amendments that I hope the Minister will consider and members will support.

HON. L. CRAIG (South-West) [7.46]: I support the second reading. To me it seems that Monday next will be a very important day for the State because on that occasion for the first time there will be thrust upon the Government responsibility for the con-



trols that have been exercised by the Commonwealth. I believe that the future powers of the States will depend to a great extent upon the manner in which they administer these controls. The people of the Commonwealth have said in effect, "We are sick of Commonwealth controls; now let us see what the States can do." The manner in which the States administer these controls, I consider, will have a great bearing upon the future relations of the Commonwealth and the States. If the States make a good job of it, this will strengthen the hands of the Premiers in their future dealings with the Commonwealth. Thus it is most important that we should make a good job of our first responsibility.

I feel sorry for the Government in having this responsibility thrust upon it so suddenly—so suddenly that it has been forced to rush a Bill of this sort through Parliament. That is not in accordance with what we should like, but it is the best that can be done in the circumstances, and it will be up to members of this House when the State regulations are tabled to give them serious consideration. I am not now referring to the first regulations, which will be the same as those of the Commonwealth; I am referring to the later regulations which will be tabled under this measure and which members will have an opportunity to disallow if they consider them to be unsatisfactory. It is important that we should make a decent job of those regulations so that they will mete out justice to all. It does not matter who is right; what is important is, what is right.

The States, appreciating the responsibility placed upon them, will, I feel sure, do a very much better job than the Commonwealth has done because these controls will be administered under the close scrutiny of the States. The Government should give the whole matter very careful consideration because State Governments will stand or fall by their handling of these controls of prices, rents and so forth. In fact, the next election may be fought largely upon the character of the work done by the Government under this legislation.

Hon. H. Hearn: In the direction of de-control.

Hon. L. CRAIG: The hon. member is right—the gradual elimination of controls until the position is as it was before the

war. I commend the Bill and hope it will be passed.

**THE CHIEF SECRETARY** (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [7.50]: I shall be in charge of this department and shall be pleased if members at any time or at all times will bring under my notice any anomalies which they consider should be rectified. I assure members that they will receive a sympathetic hearing and that if anything can be done to meet their wishes, it will be done. Sir Charles Latham wanted to know why the Crown is to be exempt under this measure. The Crown is always exempt. The section in the original Act states that the measure shall not apply in relation to any lease granted by the Crown or by any Crown instrumentality. That provision will be repealed and in lieu there will be inserted—

The provisions of this Act shall not bind—

(a) The Crown in right of the Commonwealth or the State;

(b) The State Housing Commission constituted under the provisions of the State Housing Act, 1946-1947;

(c) The McNess Housing Trust constituted pursuant to the provisions of the McNess Housing Act, 1930-1940;

(d) Any Crown instrumentality.

I do not know that the inclusion of paragraph (a) was necessary, but obviously the State Housing Commission should be exempt. The McNess Housing Trust has a number of small houses let at a nominal rent. They were intended for occupation by extremely poor people. The position has arisen that the children of some of these occupants have grown up and a respectable income is going into the homes, and thus the occupants are no longer people deserving of the charity of the McNess Trust.

Under the existing law, however, there are no means of turning them out of those houses. They are good tenants and pay their rent. They cannot be given notice to quit, either, and yet it is against the intention of the trust, which was designed to provide homes for poor people and not for better-to-do people. The McNess Trust, like the State Housing Commission, cannot give a tenant notice that the house is required on the ground that they wish to occupy it. They could give notice only on the score that they wished someone else to occupy it, but that is not and should not be a

ground for giving notice under the regulations. Very few Acts of this sort ever apply to the Crown because the Crown is expected to act reasonably.

The suggestion has been made that the Bill is badly drawn in that Clause 8 proposes to amend the principal Act by adding several new sections. The reason for this is to bring those new sections into their proper place in the Act.

Hon. Sir Charles Latham: That is a new and very bad form.

The CHIEF SECRETARY: I cannot see that it matters much, but that is the reason for their inclusion in that form.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 4:

Hon. Sir CHARLES LATHAM: I wish to correct a statement made by the Minister. Clause 4 provides that the Crown shall not be bound by this measure and the Minister read from the parent Act something that is not in it.

The Chief Secretary: Read Section 19.

Hon. Sir CHARLES LATHAM: That provides that the Act shall not apply in relation to any lease granted by the Crown or any Crown instrumentality.

The Chief Secretary: Now read the definition of "lease."

Hon. Sir CHARLES LATHAM: I still think that that provision was inserted in the Act to prevent the Crown from being bound in respect of leases only.

The Chief Secretary: Not at all.

Hon. Sir CHARLES LATHAM: There is room for us to differ on that point.

Clause put and passed.

Clause 5—agreed to.

Clause 6—Repeal and substitution of Section 15:

Hon. Sir CHARLES LATHAM: This clause proposes to re-enact only a very small portion of what is contained in Sec-

tion 15. As it is intended to delete the important part giving the landlord the right to apply to the court, can the Minister inform us whether it is proposed to make that provision by regulation? If so, it will meet my requirements.

The CHIEF SECRETARY: The proposed new Section 18A (1) explains the intention.

Hon. Sir Charles Latham: But we do not know what is contained in the regulations.

The CHIEF SECRETARY: Every citizen is supposed to know the law.

Hon. Sir Charles Latham: My goodness, that is a beauty!

The CHIEF SECRETARY: We have been discussing the question of rent control, and now members tell me they do not know what the regulations are. I have supplied copies of the regulations proposed to be tabled and have told members that they are almost a verbatim copy of the Commonwealth regulations at present in force, the only alterations being in the verbiage to adapt them to the requirements of the State.

Hon. Sir CHARLES LATHAM: I am bound to accept that, but it is very vague. If Clause 8 applies to the regulations and definitely duplicates those under the existing Act—

The Chief Secretary: Of course it does.

Hon. Sir CHARLES LATHAM: Then that is all right; but I think the Minister might tell us straight out that the parts omitted from the statute as it is today, are included in the regulations. If he will tell us that, I shall be perfectly satisfied.

The CHIEF SECRETARY: I endeavoured to explain on the second reading that Section 15 is repealed and, with further and more complete details, is re-enacted under Clause 8. That clause provides that the existing law, as brought down by the Commonwealth Parliament through its regulations, will continue in force when the Bill is passed. But after the Bill has been passed, it is the intention of the Government to gazette identical regulations. Some members have copies of them. Within 14 days of gazetting, members will have an opportunity to raise an objection to all or any of them. Those regulations will be identical with

what this Bill brings into force and identical with the law at present.

Clause put and passed.

Clause 7—agreed to.

Clause 8—Sections 18A-18E added:

Hon. Sir CHARLES LATHAM: I move an amendment—

That in lines 1 and 2 of Subsection (1) of proposed new Section 18B the words "or in any other manner" be struck out.

It is quite right that a person should not by any threat endeavour to dissuade somebody from making or prosecuting an application under the provisions of this Act, but as the subsection stands, if a lessor rang up a lessee, or vice versa, and said, "I do not think you should go on with the case," he would render himself liable to punishment. Surely we can state in plain English what is to be the offence!

Hon. W. J. MANN: I support the amendment.

The Chief Secretary: I do not think anyone is opposing it.

Hon. W. J. MANN: We do not know yet. This qualification "or in any other manner" could be very dangerous. We can easily visualise a person who thinks he is about to get notice to move being aggrieved and no matter how careful an individual was in approaching such a person, there would be a distorted idea of things and a good deal of trouble could possibly be brought about.

The CHIEF SECRETARY: I do not think it matters whether these words are in or out, and I do not oppose the amendment.

Amendment put and passed.

Hon. Sir CHARLES LATHAM: I move an amendment—

That Subsection (3) of proposed new Section 18B be struck out.

This is the type of legislation which is introduced at times for very serious offences, where it is difficult to prove a charge. Actually the meaning is that the accused person is immediately regarded as guilty and has to prove himself innocent. That is a very poor class of legislation and is surely unnecessary in a case like this. We should not perpetuate this kind of law. I am expecting support from my friends on the back bench, because Labour has always opposed legislation of this sort.

Hon. G. FRASER: I want to set the hon. member's mind at rest at once. After having heard him, I do not care whether the subsection is deleted or not. But I want to sound a note of warning. If members are concerned about getting this measure through, the less they tinker with it the better it will be. We have already made one amendment and the Bill must go back to another place. If we make too many amendments, the chances are the Bill will be lost altogether or at least held up. These are only minor amendments and they should not be allowed to jeopardise the chances of getting the Bill through this week.

The CHIEF SECRETARY: I see no reason to oppose the amendment.

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

Clause 9—agreed to.

Clause 10—Amendment of Section 20:

Hon. J. G. HISLOP: There was a suggestion by Sir Charles Latham that the words "forty-eight" should be substituted for "forty-nine." It has been pointed out that the people of Australia made it quite clear that they dislike controls. We do not know whether they dislike these controls or not, but we are deciding that the identical controls that the Commonwealth have had for eight years shall be imposed, without due thought by us, until the end of next year. We do not know what they are. I have no idea what is in the regulations; and all we can do when they come before the House is to move for their disallowance. We cannot amend them. We would then be in the position of having no regulations and more would have to be brought into force. I do not like this type of legislation. The people have told us quite plainly that they do not like controls, and the sooner we get rid of them the better. I suggest it would not do the slightest harm if we limited the legislation to this year and brought it down to this House once more before the session is finished, so that we could review it.

The CHIEF SECRETARY: If the words referred to are struck out we cannot, at a later stage, put them back in the Bill.

Hon. R. M. Forrest: We can put in a different date.

The CHIEF SECRETARY: I doubt it. This measure is to carry us through until next session and it deals with the fixation of rents, which has been done by the State for the last nine years. Next year we are not likely to have the same unfortunate rush we are having tonight, a rush that has been caused by the Commonwealth suddenly deciding to retire from this field of legislation, and it has been thrown on the Government to do something quickly. I regard the referendum as indicating the public's wish that the States and not the Commonwealth should have control because it is easier for the States to police the necessary controls than it is for the Commonwealth.

Hon. H. HEARN: I support Dr. Hislop. I do not agree with the Chief Secretary in his conclusions on the referendum. I, with others who worked on the referendum, found that the people generally were tired of controls.

The Chief Secretary: Of course they are.

Hon. H. HEARN: Notwithstanding any inconvenience we might have in dealing with this legislation, I think it would be wise to put a short time limit on it.

Hon. G. FRASER: Earlier I interjected when Sir Charles Latham was speaking concerning the point of view expressed by the Chief Secretary. On reviewing it, I think the way to overcome the difficulty, and in order that the matter can be dealt with later in the session, is not to amend but to delete the clause. This will merely leave the present Act reading "1948" which will mean that it must come up for review before the end of the session.

The CHAIRMAN: That is the only way we can deal with this clause. The date of the parent Act was altered from the 30th day of September, 1946, to the 31st day of December, 1947, and that is where it remains. If it is required that the Bill should expire on the 31st December, 1948, the clause must be defeated.

Hon. J. G. HISLOP: I want to ensure that the person who owns a home has some added chance of getting back into it. I have seen many cases in my profession of people being driven well-nigh distracted owing to the fact that they have, at some time during the war, been generous to some persons and granted them the use of their homes only to come back and find that the law as it stands precludes them from evicting those people.

The Chief Secretary: You did not hear my remarks on the second reading.

Hon. J. G. HISLOP: I heard the remarks of the Chief Secretary, and that is why I am speaking. I want to be certain of this fact, because I have not seen the regulations. I think the clause should be defeated.

Hon. Sir CHARLES LATHAM: I know that provision is in the Act for this legislation to continue until December, 1948. A statement was made in another place last evening that there is the possibility of some amendments being made to this measure during the current session, and if that is the case this clause should be amended.

Hon. L. CRAIG: It would be a great mistake to delete or amend this clause. It is not the Bill, when it becomes an Act, but the regulations which administer the controls. We can reject any regulations we like, and I consider we should make a good job of them. As the Chief Secretary has already stated, suggestions will be welcomed as to any new regulations that might improve the position. In the meantime, it seems to me that we should have enough confidence in our own judgment to deal as we think fit with the regulations when they are laid on the Table of the House.

The CHIEF SECRETARY: I am afraid Dr. Hislop could not have been in the Chamber when I moved the second reading because as I have pointed out, the measure provides for a certificate of exemption for any person who lets his or her house. The regulations are published anywhere and everywhere, and it is well known by persons letting or having anything to do with houses that it is possible to obtain an exemption certificate to cover the period desired. The hon. member could not have been here last night when I made available some pulls of the regulations which are to be laid on the Table of the House, for those regulations are the ones in existence at the present time, and there is to be no alteration to them.

If the date is altered it will put the Government in a difficult position because it means bringing down more legislation. It will be a Herculean task for the two Houses to pass essential legislation without bringing down a measure such as this again. The clause as it stands means that the Bill

cannot continue in operation after 1949 unless it is extended by both Houses of Parliament. I have not the slightest doubt that it will be extended, but I do not think it is possible to release all control of rents or the occupation of houses while the housing position is so acute.

Hon. Sir CHARLES LATHAM: I am not going to oppose the clause, but I do not think Mr. Craig is reasonably fair to the new members, because he has left in their minds the idea that we can alter regulations. We cannot do that.

Hon. L. Craig: We can throw them out.

Hon. Sir CHARLES LATHAM: Yes, the only thing we can do is to disallow them.

Hon. L. Craig: Any of them.

Sir CHARLES LATHAM: Yes, but we cannot do anything more than that. I do not want new members to think that the control of regulations is in their hands.

Hon. J. G. HISLOP: I listened to the second reading speech made by the Chief Secretary, and I say there are a number of people in this State who are unfortunate enough to possess properties which they let to other people before these regulations came into force, and they cannot get the properties back. I have given certificates in some cases because of the distraught state of these people. We can only disallow the regulations and I still think there is ample room for a full-scale discussion of the measure now before the Committee.

Hon. G. FRASER: The Chief Secretary in his last remarks has helped me to make up my mind. I intend to vote against the clause. The Chief Secretary mentioned all the work which would be coming forward in the next few months, so that if the clause is left as it stands, we will not see the Bill any more this session. If we defeat the clause it must be re-submitted.

The Chief Secretary: If it does not come up, then the lid will be off.

Hon. G. FRASER: No Government would be game to allow this legislation to lapse.

The Chief Secretary: That is what you are voting for.

Hon. L. Craig: You are asking for it!

Hon. G. FRASER: That is not so. The Government would have till the end of this

session to bring in certain amending legislation. It will have five months' notice.

The Chief Secretary: What do you want altered?

Hon. G. FRASER: There are a number of matters that we desire attended to, but I do not want to go into them just now. If we agree to the clause as it stands, we will have lost the opportunity to ensure that being done.

The CHIEF SECRETARY: I cannot give any undertaking, if the clause is not agreed to as it stands, that the Government will be in a position to bring in another Bill. If any amendment were agreed to such as has been suggested, there would be no control over the rentals of houses after the 1st January. In order to make the position certain, the Government is anxious to retain the provision in the clause.

Hon. E. H. GRAY: I support the Minister's contention. The Committee could not take the risk of agreeing to any amendment such as that suggested. I have a copy of the regulations and what the Chief Secretary has said is quite correct. If anyone went away for a holiday and let his house he would be covered by the regulation. The occupant of his house could be ejected under the present regulation. The Committee would make a big mistake if it rejected the clause. There is very little time and a lot of trouble would be caused if we adopted such a course. I can imagine what would take place in another Chamber. I am indeed surprised that Mr. Hearn, who is a new member, should jump into the discussion on a matter of such importance. He has made a great mistake. We cannot afford to run any risk with legislation of this kind, and I shall be no party to undermining it.

Hon. H. TUCKEY: This is an important matter. The people have laboured under these restrictions for eight years and look to Parliament to provide some easement at the earliest possible moment. We must accept the lesser of the two evils. Although Mr. Gray says that we can deal with the regulations, that is not quite so, because some of them require amending but not defeating. If we had some say in the framing of the regulations it would be different.

Hon. Sir Charles Latham: We can tell the Government about it, but no notice is taken of us.

Hon. E. H. Gray: Then read the Riot Act at your party meeting!

Hon. H. TUCKEY: I would prefer to alter the year mentioned in the clause and then the Government could take the matter up and deal with the whole question without waiting for another 18 months. I reserve my right as to how I shall vote on the clause.

Hon. G. W. MILES: I hope the Committee will agree to the clause as it stands without accepting the suggestions advanced by Dr. Hislop and Mr. Fraser. The passing of the legislation is a matter of urgency. During the debate Mr. Fraser said he did not agree with any of the amendments, and if we were to effect the alteration he suggested, there would be considerable argument in another place.

Hon. Sir Charles Latham: That would be nothing new.

Hon. G. W. MILES: Of course not, but this legislation must be passed before Monday.

Hon. A. L. Loton: And this is Thursday evening.

Hon. G. W. MILES: The hon. member is looking for an all night sitting. I hope the Committee will accept the clause as it stands.

Clause put and passed.

Title—agreed to.

Bill reported with amendments and the report adopted.

Bill read a third time and returned to the Assembly with amendments.

*Sitting suspended from 8.40 to 10.37 p.m.*

#### *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

*House adjourned at 10.38 p.m.*

## Legislative Assembly.

Thursday, 12th August, 1948.

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

### QUESTIONS.

#### RAILWAYS.

(a) *As to Late Running on Wongan Hills Line.*

Mr. BRAND asked the Minister for Railways:

(1) Of the two passenger trains per week on the Wongan Hills line, what percentage for the last year arrived at Mullewa one and a half hours late?

(2) Would he say where the time is lost on the journey, and whether it is in actual running or otherwise?

(3) If it is physically impossible to run this train on the present schedule, would he consider having a time-table drawn up to which the train could run?

The MINISTER replied:

(1) Fifty-five per cent.

(2) and (3) Time is said to be lost en route, but I am not satisfied that better arrangements cannot be made, and am having inquiries made with a view to giving a better and more reliable service.