15, 16 and 29, had agreed to No. 26 subject to further amendment, and proposed an alternative amendment to No. 29.

## ADJOURNMENT—SPECIAL.

The CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till 2.15 p.m. tomorrow.

Question put and passed.

*House adjourned at 9.35 p.m.*

# Legislative Assembly

Wednesday, 11th August, 1954.

CONTENTS



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

## QUESTIONS.

### TRAFFIC.

*As to Pedestrian Crosswalks, New Zealand Formula.*

Mr. JOHNSON asked the Minister representing the Minister for Local Government:

(1) Can he describe the formula whereby the Transport Department of New Zealand determines the suitability of a position for a pedestrian crosswalk?

(2) Would the adoption of this method be advantageous in this State?

The MINISTER FOR TRANSPORT replied:

(1) Nothing is known of the formula referred to.

(2) Answered by No. 1.

### HOSPITALS.

*As to Financial Experience.*

Mr. CORNELL asked the Minister for Health:

What was the financial experience of each of the undermentioned hospitals—

Royal Perth;
Fremantle;
Princess Margaret;
King Edward Memorial;

for each of the following financial periods:—

Year ended the 30th June, 1950;
Year ended the 30th June, 1951;
Year ended the 30th June, 1952;
Year ended the 30th June, 1953;
Year ended the 30th June, 1954?

The MINISTER replied:

Experience over past 5 years.

ROYAL PERTH HOSPITAL

| Year ended the | Expenditure | Revenue, excluding State Government Subsidy |
|---|---|---|
| | £ | £ |
| 30th June, 1950 | 440,995 | 133,115 |
| 30th June, 1951 | 592,353 | 156,813 |
| 30th June, 1952 | 781,977 | 183,113 |
| 30th June, 1953 | 897,223 | 306,905 |
| 30th June, 1954 | 970,544 | 357,024 |

FREMANTLE HOSPITAL

| Year ended the | Expenditure | Revenue, excluding State Government Subsidy |
|---|---|---|
| | £ | £ |
| 30th June, 1950 | 107,555 | 41,326 |
| 30th June, 1951 | 133,447 | 45,825 |
| 30th June, 1952 | 180,841 | 49,908 |
| 30th June, 1953 | 224,640 | 85,870 |
| 30th June, 1954 | 243,582 | 103,941 |

PRINCESS MARGARET HOSPITAL

| Year ended the | Expenditure | Revenue, excluding State Government Subsidy |
|---|---|---|
| | £ | £ |
| 30th June, 1950 | 126,497 | 34,518 |
| 30th June, 1951 | 149,300 | 41,913 |
| 30th June, 1952 | 196,448 | 39,982 |
| 30th June, 1953 | 226,630 | 88,474 |
| 30th June, 1954 | 283,371 | 114,455 |

KING EDWARD MEMORIAL HOSPITAL

| Year ended the | Expenditure | Revenue, excluding State Government Subsidy |
|---|---|---|
| | £ | £ |
| 30th June, 1950 .... .... | 71,732 | 23,317 |
| 30th June, 1951 .... .... | 82,787 | 25,702 |
| 30th June, 1952 .... .... | 126,793 | 27,005 |
| 30th June, 1953 .... .... | 166,326 | 61,776 |
| 30th June, 1954 .... .... | 187,071 | 64,968 |

## NATIVE EMPLOYEES.

*As to Workers' Compensation Cover.*

Mr. CORNELL asked the Minister for Native Welfare:

Have natives employed under permit any entitlements under the Workers' Compensation Act in the event of their sustaining injuries in the course of their employment?

The MINISTER replied:

No. They are excluded from the benefits of the Workers' Compensation Act under Section 37, Subsection (5), of the Native Administration Act.

Last year a provision was inserted in the Bill to amend the Native Administration Act to remove this injustice, but the measure was defeated in the Legislative Council. It is most likely that another attempt will be made during the present session to bring all native employees within the provisions of the Workers' Compensation Act.

## HARBOURS.

*(a) As to Completion of Berths, Albany.*

Mr. HILL asked the Minister for Works:

(1) When is it expected that work on No. 1 berth at Albany will be completed?

(2) Will work proceed on No. 2 berth as soon as No. 1 is complete, and when is it thought berth No. 2 will be completed?

(3) Pending completion of No. 2 berth, what provision is being made for rail and road access to deal adequately with land transport requirements?

The PREMIER (for the Minister for Works) replied:

(1) It is expected to complete as an operative berth for bulk cargoes by the end of November, 1954.

(2) It is most unlikely that work will be commenced on No. 2 berth on the completion of No. 1 berth in November, as it will not be possible to make any financial provision from the limited loan funds now made available for this financial year. It is not possible to forecast when No. 2 berth will be completed as this will depend entirely on the financial position after June, 1955.

(3) Suitable road access is being provided to satisfactorily operate the berth. Rail servicing on No. 1 berth will not be provided until No. 2 berth is complete.

*(b) As to Tides at Fremantle.*

Hon. J. B. SLEEMAN asked the Minister for Works:

What was the maximum rise and fall of tides in the Fremantle harbour each day from the 17th to 21st July, 1954, inclusive?

The PREMIER (for the Minister for Works) replied:

| | High | Low | Range |
|---|---|---|---|
| 17th July, 1954 .... | 3.80 | 1.70 | 2.10 |
| 18th July, 1954 .... | 4.10 | 2.45 | 1.65 |
| 19th July, 1954 .... | 4.40 | 2.40 | 2.00 |
| 20th July, 1954 .... | 3.40 | 2.00 | 1.40 |
| 21st July 1954 .... | 2.70 | 1.60 | 1.10 |

## HEALTH.

*As to Prevalence and Control of Smog.*

Mr. JAMIESON asked the Premier:

(1) Did he see the sub-editorial, "The Smog Threat" in "The West Australian" of Monday, the 9th August, 1954?

(2) Is he aware that Perth was shrouded by a reasonably heavy "smog" until about 10.45 a.m. on the day of this published sub-editorial?

(3) Was he aware that most of the "smog" visibly emanated from heavy industrial concerns on the eastern fringes of the city?

(4) Would he request the responsible Minister to bring down legislation so as to tighten up on those industrial establishments that have not installed efficient dust and smoke precipitators?

(5) As some of this "smogging" was obviously caused by industrial concerns under the Minister for Work's jurisdiction, would he ask the Minister for Works to have an example set by Government industries in the elimination of this undesirable element?

The PREMIER replied:

(1) Yes.
(2) Not to my knowledge.
(3) No.
(4) and (5) These suggestions will receive consideration. It is understood that provision against smog will be made in the master plan now being prepared for the metropolitan area by Professor G. Stephenson, the State Government's town planning consultant, and the Town Planning Commissioner (Mr. J. A. Hepburn).

## EDUCATION.

*As to Shelter Shed, Swanbourne School.*

Hon. C. F. J. NORTH asked the Minister for Education:

Has any progress been made by the Public Works Department with a shelter shed for the Swanbourne State school to be used for Oslo lunches?

The MINISTER replied:

It is presumed that this question refers to the building to be erected by the parents and citizens' association, in which case

the answer is that this matter is in hand and the design will be completed by the Public Works Department within the next week.

## SWAN RIVER.

*(a) As to Tides at Mill-st.*

Hon. J. B. SLEEMAN asked the Minister for Works:

What was the maximum rise and fall of the tide at Mill-st., Perth Water, each day from the 17th to the 21st July, 1954, inclusive?

The PREMIER (for the Minister for Works) replied:

| | High | Low | Range |
|---|---|---|---|
| 17th July, 1954 .... | 3.35 | 2.35 | 1.0 |
| 18th July, 1954 .... | 3.65 | 3.00 | .65 |
| 19th July, 1954 .... | 4.30 | 3.10 | 1.20 |
| 20th July, 1954 .... | 3.25 | 2.65 | .60 |
| 21st July, 1954 .... | 2.75 | 2.05 | .70 |

*(b) As to Temporary Traffic-relief Proposals.*

Hon. A. F. WATTS (without notice) asked the Premier:

I was going to address this question to the Minister for Works, but in his absence I will ask the Premier: In view of the rapidly increasing traffic flow over the Causeway and the delay which must ensue in designing and constructing a bridge over the Narrows, will he give immediate consideration to the following temporary proposals:—

(a) A ferry for motor-vehicles such as that still in use at Newcastle, New South Wales.

(b) A pontoon bridge?

The PREMIER replied:

I believe consideration has been given to these suggestions, but I will undertake to refer the matter to the Minister for Works and arrange with him to advise the hon. member.

## CRABS.

*As to Swan River Population.*

Hon. C. F. J. NORTH asked the Minister for Fisheries:

Will he have the following questions, which have been submitted by an interested elector, examined and advise the House whether they throw any further light upon the problem of the absent crabs last summer.

(1) Was the 1953 rainfall from May to August high?

(2) Was water present of a salinity of 200 grains to the gallon for any time and to what depth?

(3) Were hauling seine sunk nets used in the Swan estuary from May to August, 1953?

(4) What weight of flounder, flathead and crabs was caught by licensed fishermen during those months?

(5) How long will a blue manna live in fresh water?

(6) Is it not likely that many undersized crabs were destroyed by being dragged from deep water, 20 feet or over, into shallows of 5 feet or less?

The PREMIER (for the Minister for Fisheries) replied:

(1) The rainfall for May-August, 1953, was a little more than 3in. above average. June was particularly wet, being 4½in. above average.

(2) In May, 1953, there was no recording anywhere in the Swan River of water of salinity less than 200 grains per gallon. In June, however, as a result of the heavy run-off, the top layer to a depth of 6 to 8 ft. at the beginning of the month and of 12 to 15 ft. at the end of the month all read less than 200 grains. This condition was maintained to about the end of July, but in August the salinity increased markedly in the lower end of the system as the surface waters mixed with the underlying waters of high salinity.

(3) Although legal in the months of May, June and July, very little use is ever made of sunk hauling-nets in the Swan. Their use is prohibited in August.

(4) Flounder, nil; flathead, 985lb.; crabs, 3,050lb.

(5) Not known.

(6) Although very few small crabs were in the river last summer, the department does not doubt the possibility of some less than the legal minimum size being destroyed in this manner, but it has no knowledge of it.

## CIVIL DEFENCE.

*As to Action by Government.*

Mr. LAPHAM asked the Premier:

In view of American policy relating to Formosa and of the subsquent committing of Australia by the Prime Minister to give military support to the proposed South-East Asian Treaty Organisation, could he advise the House if any steps are being taken in regard to civil defence?

The PREMIER replied:

A conference of Commonwealth and State Ministers held in Canberra on the 27th July, 1954, fully discussed the question of civil defence. The conference decided to establish a training school for civil defence instructors and to undertake some planning for civil defence organisation.

## LAND SETTLEMENT.

*As to Financial Assistance, Hyden Area.*

Mr. PERKINS (without notice) asked the Minister for Agriculture:

Some time ago I introduced a deputation from the Hyden area to the Minister which requested some form of financial

assistance, possibly through the agency section of the Rural & Industries Bank for settlers who started developing properties on their own account, but who are finding that their finance will not enable them to to fully develop the properties. Following on the deputation, I would like the Minister to inform the House what investigations he has made and whether he can make a statement as to the possibility of some action by the Government along those lines. Many settlers in other areas are also interested in this question, but particularly so in the outer agricultural districts of the State.

The MINISTER FOR AGRICULTURE replied:

Following on the deputation introduced by the hon. member, one of the commissioners of the Rural & Industries Bank visited the Hyden area. I understand from his report on his return to Perth that he had been able to assist a number of settlers mentioned in the course of that deputation. I do not know the full details of the amount of assistance given in that area, but I will endeavour to find that out.

This matter embraces a far bigger question because we are receiving from day to day all sorts of requests from different parts of the State for Government assistance for a civilian settlement scheme. The delegates who attended on the deputation from Hyden were actually after assistance for their own particular area. I have not discussed the matter with Cabinet yet, but I think it would be fair to say that whatever is done by the Government to help a civilian scheme will have to be done on a State-wide basis and not for a particular section alone. There has been a great demand for such assistance, and I know it will continue.

The position now is that I have asked the commissioners of the bank to make an investigation as to what would be the preliminary requirements of the State by way of financial assistance to inaugurate a scheme of any kind, and I have only received their report today. Whilst I cannot, and do not intend to, go into the details of the report at the moment, before it is submitted to Cabinet, I can say that if we are to undertake such a scheme of assistance, it will have to be on a sort of £ for £ basis with the farmer. That is to say, for every £1 of equity the farmer has in his property, the Government would assist with a similar amount.

The initial outlay would be in the vicinity of £500,000 to £1,000,000 and of course, the Rural & Industries Bank has no such sum of money at its disposal. I hope to place the matter before Cabinet and investigations will be made to see how such a scheme can be commenced. I think the principle of the scheme, if there is to be one, should be based on the certain knowledge that the applicant is a farmer in every sense of the word, that he has good farming knowledge, and is prepared and able to finance himself to some considerable extent, before he can hope to be assisted under such a scheme.

I mention this only to indicate to the member for Roe and members generally that the Government is anxious to do something in this regard and has asked me to get all the information on it. It is difficult to say what should be done because some further inquiries have yet to be made.

## BILLS (5)—RETURNED.

1, Stamp Act Amendment.
2, Police Act Amendment (No. 1).
3, Reprinting of Regulations.
4, Coroners Act Amendment.
5, Matrimonial Causes and Personal Status Code Amendment.

Without amendment.

## MOTION—EDUCATION ACT.

*As to Increasing Living-Away-From-Home Allowances.*

Debate resumed from the 21st July on the following motion by Hon. A. F. Watts:—

> That this House is of the opinion that the living-away-from-home allowances provided for in regulation 47B under the Education Act, 1928-1952, are inadequate and requests the Government to give early consideration to increasing such allowances to a satisfactory figure.

**THE MINISTER FOR EDUCATION** (Hon. W. Hegney—Mt. Hawthorn) [4.49]: I propose to refer briefly to the motion submitted for the consideration of the House by the Leader of the Country Party. I would like to draw the attention of members to the actual wording of the first part of the motion and to indicate what the regulation, or rather the ministerial direction, was prior to the introduction of the present amendment.

Firstly, the allowance paid up to the 1st July was the difference between £2 15s. per week and the actual cost of the board. The allowance was granted only to those teachers receiving less than £800 per annum. It was payable for one year in any given locality, but it would be paid when the teacher was transferred and was still entitled to a living-away-from-home allowance. Incidentally, the ministerial direction did not refer to married teachers.

As from the 1st July, when regulation 47B was drafted and duly gazetted, the provisions have been as follows:—Single teachers are entitled to an allowance to the extent of excess board over £5 to a maximum of £1 per week outside the 30-mile radius of the G.P.O. or the town hall. The allowance is to be paid for a maximum of two years with a minimum of one year in any given locality. It applies to

teachers receiving less than £900 per year. So it will be observed that whereas £800 was the limiting figure previously, it is now £900. The regulation further provides that married teachers shall be paid an allowance of £4 per week for a period of three months outside the 30-mile radius of Perth; and the Minister is empowered, under special circumstances, to make some allowances inside the radius.

The motion indicates that the amounts are inadequate. Candidly, I am not in a competent position to determine whether they are inadequate or not. I have read the hon. member's speech, and I am not going to quarrel with his remarks about the difficulty that some teachers would probably have in country areas. I am advised that many hotels do not want permanent boarders, and that they sometimes raise tariffs to discourage them. Teachers can check that. I understand that in some cases teachers are, for that purpose, charged a higher rate than ordinary boarders.

None of the other States has allowances for teachers who are obliged to live away from home that are comparable with those in Western Australia; but the circumstances in many cases may be different. From advice tendered to me by the Director of Education, I find that the subsidy was so high that teachers who were receiving less than £800 were actually more favourably circumstanced than those receiving over that figure, because £800 was the limiting factor. The subsidy was previously paid for 12 months in any one locality, with no limit to the amount, as the teacher was given the allowance on transfer to a new locality. Consequently, teachers sought transfers after 12 months at a school, in order to continue qualifying for the subsidy.

I am not going to blame them for that; and if any member were to ask me how many cases were involved, I would not be able to supply the detailed information. But I am advised that that was the tendency. I suppose that if any member of this Chamber were placed in such a position, and were obliged to live in a hotel in the country, he could not be blamed for endeavouring to obtain a transfer with a view to continuing to receive a subsidy. It is suggested that the qualifying period of two years may overcome that tendency.

It is obvious that, under the new regulations, more teachers will receive benefits than was the case under the ministerial direction; and that will apply particularly to young male teachers. The effect of the change will be that the benefits will be spread over a greater number of teachers. I do not want to sidestep any submission made by the Leader of the Country Party. According to replies to questions he asked recently, the estimate of expenditure under this new regulation would be something over £3,000, compared with 2½ times that amount previously. So I know that the estimate shows there will be less paid in the allowances under the new regulation than under the old direction by a previous Minister.

I want to indicate that so far as I am concerned, as Minister for Education—and I think I can speak for the other members of the Government—there is no desire whatsoever to reduce such allowances where circumstances do not warrant such action. But, as I indicated, I am not in a position at this stage to determine whether the allowances are requisite or inadequate. I consider the regulation should be given a fair trial; and if it is found to be harsh or inequitable, I will be only too pleased to give further consideration to the question of amending it.

The ministerial direction that was given by a previous Minister operated until the 1st July this year; and I think that the average paid in allowances per year was in the vicinity of £8,000. As I have indicated, we do not wish to introduce some regulation that will affect harshly teachers obliged to go to the country. From my limited experience as Minister for Education, I know that the department is having grave difficulty in ensuring the inflow of the requisite number of teachers; and as time goes by, it will have to recruit the services of competent young men and women for this purpose.

I do not feel disposed to set myself up as an authority on what the allowances should be. In conjunction with the superintendents, the director went closely into the matter; and, as a result of the consideration given to it, necessary regulations were drafted a few months ago and gazetted. All I can say at this stage is that we have no desire to establish regulations in connection with these allowances which will, in the ultimate, work to the detriment of teachers obliged to live at country hotels.

Nevertheless, I think that the proper attitude to adopt is to give this particular regulation a reasonable trial. I certainly undertake to check up on a personal basis the result of its operation; and, if it is found to be working to the detriment of teachers, I shall be pleased to give very favourable consideration to amending it. But I think I can hardly be expected, five minutes after its introduction, to agree with the contention outlined in the motion that the allowances are inadequate, and that the Government should withdraw the regulation, and bring them up to a satisfactory figure. To conclude, I give the member for Stirling, and the House, an assurance that a close watch will be kept on the effect of the regulation. If I find that it is not working in the interests of the teachers and the department, I shall have no hesitation in having fresh regulations drafted for gazettal and endorsement by Parliament.

**MR. HUTCHINSON** (Cottesloe) [5.1]: I was impressed with certain of the remarks made by the Minister. I think that to an extent he has treated the motion fairly reasonably, without being particularly open-handed in the matter. I can quite understand the reasoning behind his claim that the regulation should be allowed to operate for a reasonable time in order to see whether there are any anomalies. But here I feel that already we are faced with certain anomalies and inequities with regard to what the teachers are receiving. Apparently, previously, the board subsidy meant the payment of board above the figure of £2 15s. per week. There were certain time limitations and, in addition, a salary bar of £800 as the Minister has stated.

The new regulation, of which the Minister gave an outline, has raised the salary bar to £900. This is an excellent step forward, but it does not go far enough. The subsidy consists of the payment of £1 a week when the board is over £5 a week; or that amount over £5 a week not exceeding £1 a week. There is also a limit of 12 months for the payment of this subsidy if the teacher remains in one school. Following upon representations that were made by the union to the Minister, that, too, was liberalised to the extent that should a teacher move to another school, a maximum of two years would be allowed. I think that is substantially correct.

The Minister for Education: That is under the new one; not the old one.

Mr. HUTCHINSON: Yes. This means that a teacher earning under £900, and having to pay £7 7s. a week board, receives a subsidy of about £44, which is about £1 per week for a period not exceeding one year. I mention the amount of £44 because of the holidays involved. The Christmas holidays are not paid, logically enough, and neither are the end-of-term holidays.

Should a teacher, by reason of efficiency and good work, reach Grade 9 on the teachers' efficiency scale—Grade 9 represents a salary of £909—he receives no board subsidy at all, while a teacher on Grade 8, which represents a salary of £889, can receive this figure of about £44, so that the Grade 8 teacher receives a total amount of about £930, or approximately £27 in the year more than his friend on the higher grade. The Minister did make some mention of that fact in his criticism of the old system of payment of the board subsidy. I think he said that some teachers who received slightly more than £800, which was the salary bar previously, were at a disadvantage when compared with those teachers who received just under £800. He said there was an anomaly or inequity there. It does appear that this exactly parallels the case I have just quoted regarding the salary bar of £900. Whilst we have a salary bar at all, anomalies will remain, and these sort of things will occur.

The Minister for Education: They are bound to.

Mr. HUTCHINSON: Yes. The Minister, by his own admission, realises that there is some inequity there, and I think he could overcome it by rearranging the regulation so that the salary bar would be abolished—but I doubt whether he would want to go that far—or by instituting a sliding scale according to the salary received. I feel that the anomaly, which undoubtedly exists, should be corrected. In view of the anomaly, it is not surprising that, in order to make the board subsidy more equitable for those concerned, the Teachers' Union requested that the salary bar should be removed. As I have already said, the union went still further and suggested that a sliding scale should operate, tapering off according to the salary received.

I hold the opinion—it is by no means fixed; I am not adamant on the point—that even if a sliding scale were established, the needs of equity would not be completely served, because those teachers who do, by reason of efficiency and hard work, reach the stage where they are barred entirely from receiving the boarding subsidy, are penalised to that extent by virtue of their efficiency. To be perfectly fair and just, I feel that the board subsidy should be paid irrespective of the salary received; and that means the elimination of a salary bar.

It is worth mentioning that the department has improved conditions along certain lines for married teachers, and it is particularly noteworthy that it has, as far as I can make out from the regulation, applied no salary bar to the married teachers, although, as the Minister has said, it is payable for a period of only three months. So it appears—I may be wrong in this respect—that the department realises that there is some inequity in a salary bar, at least as far as married teachers are concerned.

Hon. A. F. Watts: It is a very temporary business in regard to married teachers.

Mr. HUTCHINSON: It is for three months.

Hon. A. F. Watts: Yes.

Mr. HUTCHINSON: I contend that it is just as inequitable to apply a salary bar to those teachers not enjoying a state of connubial bliss, as it is to those who are. The reason why there is a distinction between the married and single teachers I therefore cannot quite fathom. The Minister did make some reference to the effect that the Minister might, at his discretion, increase the period of time beyond three months in certain circumstances.

The Minister for Education: I did not say that. What I said was that in special circumstances an allowance could be paid within the 30-mile radius.

Mr. HUTCHINSON: I was going to query that, but apparently I misunderstood the Minister. I believe that the subsidy should be paid for longer than the period of 12 months in regard to single teachers, and beyond the period of three months for married teachers; that is, of course, where it can be proved or established that no suitable accommodation can be found at a lower figure than that involving the subsidy, where the subsidy can be obtained. That stipulation, as far as I am concerned, is always understood.

Personally, I do not believe that a subsidy should be paid willy-nilly. It should be proved and established that no suitable accommodation could be found at reasonable rates. I do feel, however, that the figure of £1 per week, to be payable only if the board is over £5, is rather niggardly in view of the subsidy that was previously paid. It is not that I do not think there should be some modification, but I think it does go to the other extreme. I consider that instead of so severely cutting down the subsidy, a more moderate allowance could be made.

I grant that the regulation has raised the salary bar from £800 to £900, and this brings in many more teachers, and it is a very fine thing from that point of view, but it still does not iron out the anomaly of which I spoke earlier; and I am sure the Minister agrees with me there. It may be interesting to compare the allowances paid by some of the other departments. It is difficult to make a complete comparison, but some sort of comparison may be made.

At this stage, I shall quote from an agreement made between the Civil Service Association and the Public Service Commissioner, and the section to which I would like to draw members' attention is headed "Transferred and Relieving Officers" and it provides—

> (a) When an officer is transferred to a new locality he shall, in addition to payment of any district allowance, be reimbursed in respect of his living expenses at the rate of 15s. 6d. per day for a period of fourteen days after arrival at his new headquarters.
>
> (b) If an officer who is transferred to a new locality is unable to obtain suitable accommodation for the transfer of his home within fourteen days, he may, after the expiration of fourteen days, be reimbursed in respect of his living expenses at such rate as may be approved by the Commissioner, until such reasonable time as he is able to secure suitable accommodation.

There permission may be granted for continued payment where accommodation is not available. Paragraph (c) reads—

> (c) When an officer is relieving another or is on special work away from his usual headquarters and in consequence has, in addition to his own maintenance, to maintain an establishment elsewhere he shall, in addition to payment of any district allowance—
>
> (i) be reimbursed in respect of his living expenses at the rate of 15s. 6d. per day for a period up to fourteen days after arrival at the new locality.
>
> (ii) if the period at the new locality exceeds fourteen days, be reimbursed at the rate of 7s. per day if married and 3s. 6d. per day if single for the period in excess of fourteen days, provided that if the latter period exceeds four weeks the approval of the Commissioner shall be obtained to the continuance of the reimbursement.
>
> An officer who cannot claim to maintain an establishment elsewhere but who is put to expense which otherwise it would not be necessary for him to incur, shall, on satisfactory proof to the Commissioner, be reimbursed such expenses in a sum per day not exceeding the above rates.

I know that in the section which I have just read out, the period of time stipulated is rather low, but nevertheless it is to be noted that definite mention is made in several places of the fact that where suitable accommodation cannot be found within that period of time, the commissioner may continue to pay the allowance.

The Minister for Education: Are you referring to married officers?

Mr. HUTCHINSON: There is no mention of whether they are married or single, except in the one instance.

The Minister for Education: I would point out that hotel accommodation would be available in some instances. That refers to where there is no suitable accommodation available.

Hon. A. F. Watts: In other words, where there is nowhere for them to live.

The Minister for Education: That is right.

Mr. HUTCHINSON: Not only that, but the first paragraph I read out covered those who were transferred and it had no bearing on whether they could find accommodation there or not. It was just an allowance that was made. Members should note that there is no mention there of a salary bar preventing the payment of a subsidy, and no mention of a bar such as the arbitrary figure of £5 mentioned in the Minister's regulation, a figure which has to be exceeded before teachers can receive their £1 per week. I have already said it is true that a period of 14 days is mentioned, but it must be remembered that

where suitable accommodation cannot be found, the commissioner may grant the reimbursement of living expenses at such a rate as he may approve, and until such reasonable time has elapsed as will enable the officer to secure suitable accommodation.

Taking all in all, therefore, the £1 per week subsidy for teachers—if their bar is the £5 per week and their salary less than £900—appears to be inferior to what is received by officers of the Civil Service, who receive subsidies under the regulations I have just read out. I have some figures that I intended to quote in reference to the living-away-from-home allowance paid to bank officers but, having subsequently found that the basis of comparison there is not what I first expected it to be, I will refrain from quoting them. Bank officers receive a sliding scale of allowances according to the years of service, starting from their first year, but they have quite a severe bar to receiving subsidies by virtue of the fact that the subsidy ceases after the fifth year. As the basis of comparison does not exist there, I will not continue with those figures.

I am in agreement with the Leader of the Country Party, who suggested that the Government would do well to give early consideration to liberalising the allowances to be made to teachers, but even if the Minister does not agree at present—although he has promised to look into the matter—I feel that at the earliest possible moment he should endeavour to eliminate the anomaly of which I spoke regarding the inequity to teachers under the salary bar. I think this House would do well to pass the motion, which is not highly critical but simply asks the Government to reconsider the matter and make more adequate allowances. I trust that the House will pass the motion.

**HON. A. F. WATTS** (Stirling—in reply) [5.23]: I am obliged to the Minister and to the member for Cottesloe for their contributions to this debate. I must say that I feel that the allowances, or some of the allowances, under regulation 47 (b), made under the Education Act, have not fully taken into consideration all the circumstances. I deliberately withdrew, or failed to move—which has the same effect—the motion to disallow the regulations, because I had no desire for it to be thought that I wished to disallow the general idea and, in particular, the proposition—a relatively new one—that some allowances should be paid to married teachers for the limited period, and in the circumstances, set out in the regulation.

There is no doubt whatever that under this regulation, as it now is, the teachers are going to lose a substantial amount of assistance, and I do not think that loss is justified. As the Minister said—I asked him some questions as to the expenditure under the ministerial direction which had preceded the promulgation of the regulation, and which had lasted since 1951—the expenditure in 1951-52 was £7,219; in 1952-53, £10,287, and in 1953-54, £9,133, the estimate under the new regulation for the current financial year being £3,000.

So it is quite obvious that the teachers concerned are going to lose from £4,000 to £7,000 as a consequence of this regulation, and that is going to affect the teachers who used to receive benefit under the regulation, I would suggest, to a figure something more than that, because obviously this year's estimate takes into consideration the fact that a somewhat larger number of teachers will come into the category, not only on account of the increased salary bar, but also on account of the fact that there will be at least some payment to married teachers, for the short period envisaged by the regulation, who previously received no payment at all. Thus the lower-paid teachers are the ones who are going to suffer and probably to a greater extent, for the reasons I have just given, than the £4,000 to £7,000 to which I have referred.

Let us for the moment, as the Minister made reference to the ministerial direction, consider that position which began, as I said, in 1951. It provided for a salary bar of £800, and was made by me, as Minister for Education, at that time. The present Minister—or his predecessor—has been in office for approximately 19 months, and I would heartily agree that during that period there ought to have been some review of the salary bar, and I have no doubt whatever that, without making the very substantial changes in the allowances that have been made, had I remained where the hon. gentleman now is, the question of the salary bar would definitely have been considered, but I venture to say that the allowances, although they might have been reconsidered and altered, would not have been reduced to the extremity that they now are, because the position was that a teacher whose salary did not exceed £800 per year, if he or she paid more than £2 15s. per week for board, received the excess from the department, and so a person paying as little as £5 per week received £2 5s. per week from the department, for 12 months.

A person paying £6 per week received £3 5s. per week, and a person paying £7 per week received £4 5s. per week. A person paying—as I said, I knew of several cases—£7 7s. per week, would receive £4 12s. per week, but under this provision the person paying £5 per week will receive nothing. Persons paying £6, £7 or £7 7s. per week will, instead of receiving £3 5s., £4 5s., or £4 12s., respectively, receive a maximum of £1. So quite obviously, the estimate of the department as to the considerable reduction in cost, must be well founded. Whilst it has brought in a percentage of other teachers because of the raising of

the salary bar, I submit that it is not doing anyone a justice to limit the amount to £1 per week over £5 per week. Even supposing, for the sake of argument, we agreed—which I personally do not do—that the figure of £5 is a fair one at which to commence the allowance, there still should be scope for the department to pay more than £1 per week.

If the board is £7 7s. a week I think the department would be justified, in those circumstances, in paying £4 7s. a week. For the life of me I cannot see how we can expect any teacher to be enthusiastic about going to these areas and being obliged, week after week, to pay something like £7 7s. a week for board out of his own pocket; as many of them will have to do under this amended regulation. They did not have to do it, unless their salaries were over £800, under the previous ministerial direction.

I suggest that the smaller the salary the more difficult does this expenditure become and the less justified are we in imposing it upon the teacher. I know that during my term of office at the Education Department there was, in addition to this innovation, which the Minister said does not exist, even now, in any comparable degree, in any other State, the innovation of remote allowances which made some provision for those who were obliged to work at the teaching profession miles away from amenities; miles away from the facilities to maintain the ordinary decencies of life, and those things, perhaps, have ameliorated, to some degree, the difficulties that they meet.

But they were of a different class to these. They did not involve them in a large portion of their salary. I have no objection to more teachers receiving greater benefits under the regulation, but the benefits they will receive are inadequate. Nor have I any objection to the proposal for the lifting of the salary bar. In fact, I am in favour of it and I approve of the proposal for the limited assistance to married teachers in similar circumstances. I say, without any fear of contradiction, that the allowances have been so reduced that they are not adequate and are less adequate for the lower paid than they are for those who now come in on the slightly higher salary. That would be quite obvious to everybody, I think.

Mr. Hutchinson: Do not you think that the sliding scale, according to the salary received, would be better than the salary bar?

Hon. A. F. WATTS: Yes, I would be quite satisfied with the sliding scale, provided it was otherwise equitable. I say, too, it was with the desire to have the best consideration given to this matter that I moved the motion in its present form.

The Premier: What would be the basis for a sliding scale?

Hon. A. F. WATTS: The amount of assistance would vary according to the salary of the teacher. I think that is what the hon. member has in mind.

The Premier: How would it vary?

Hon. A. F. WATTS: It would mean that a teacher receiving under £800 per annum would be on so much and those on £1,000 per annum on a little less. I think that is what the hon. member has in mind.

Mr. Hutchinson: Yes, it would taper off.

Hon. A. F. WATTS: That is how it would work out, but I have not attempted to work it out. In the circumstances that we have been discussing, I am not satisfied, at present, to say to a teacher: "When you pay more than £5 a week for board in the place you are stationed and which, in the circumstances, you cannot escape paying, the most we will give you is £1 per week." That is the inadequate part of it. That is the principal complaint I have against the regulation which has substituted that phraseology for what was used in the previous method of paying all over a certain figure.

I quite believe that it is perhaps desirable to amend the figure from £2 15s. a week to something slightly higher. When that amount of £2 15s. a week was inserted in the ministerial arrangement, it was because, at that time, it was considered that, provided private board could be obtained it would be about that price. I suppose today that one could justify a slightly higher figure in the light of all that has taken place in the preceding 3½ years. In my view, that does not justify the taking away of everything except the maximum of £1 a week allowance. I think it was going too far at once. It was, as the member for Cottesloe said, a little niggardly.

The Premier: Do other Government employees get this benefit?

Hon. A. F. WATTS: I do not know that they do. In certain circumstances some civil servants do get paid allowances, but I have never gone into that question. In all the circumstances, I do not think it matters very much.

The Premier: No, but I was thinking that teachers get a lot more in the way of holidays than do other civil servants.

Hon. A. F. WATTS: But the allowance is not paid during the holidays.

The Premier: I was not thinking of it in those terms. I was looking at the field of teachers, overall, compared with other groups of civil servants.

Hon. A. F. WATTS: I think the Premier must compare the position not with other Government employees, but with teachers in the Eastern States and elsewhere. One has to remember that teaching is becoming one of the most learned professions.

The Premier: Do teachers in other States get this benefit?

Hon. A. F. WATTS: They do not get benefits similar to these, but I think the Premier will find that the teachers in this State are by no means the highest paid so far as salaries are concerned.

Mr. Hutchinson: New South Wales pays the highest salaries.

Hon. A. F. WATTS: The salaries in New South Wales are high, I know. I think this particular allowance was amply justified in Western Australia. Until a few years ago the situation was that, almost invariably, a country teacher could obtain board and lodging with private people. That made it comparatively easy, as a general rule, to make very satisfactory financial arrangements, but as time has gone by, the possibility of doing that has been substantially reduced.

As I said in my remarks made when moving the motion, there are few places today where there are suitable boarding houses. As a general rule, the only places of an established character are hotels. The farmers who, in some cases, used to welcome teachers are either no longer anxious to do so or, alternatively, the little country school to which the teacher was appointed has been closed and all teachers in the district are congregated in one or two of the larger centres, so that if they were invited to stay at a farmhouse it would mean that they would be five or six miles away from their work. Therefore, all those arrangements have virtually come to an end. We find, as we found in 1951, that bitter complaints are forthcoming from the teachers as to the expense to which they are being put in regard to obtaining board and lodging in these country centres. Obviously it has had some effect on the availability, or at least the desire, of teachers to betake themselves to these country places and remain there for any length of time.

There is no justification whatsoever for the rural districts having to accept any teacher who might be classed only as a volunteer. The teachers should be entitled to the best that can be given to them and be afforded a reasonable opportunity to have as much out of his or her weekly pay cheque as their brother or sister in the metropolitan area. That was the reason why the allowances were first entered into. I think they were entitled to them.

I hope, as this motion only calls upon the Minister to give early consideration to the question of lifting these figures, that it will be passed by the House. He said he was not competent to determine whether they were adequate or not and would like more time in which to do so. The longer the delay ensues the more the losses will be to certain teachers who are affected. I feel certain that sufficient information could be obtained from the country superintendents and other departmental sources to indicate to the Minister, in a very few days, just what are the maximum and minimum amounts that are being paid for board and lodging by teachers in country areas.

Having considered that, I think that if we would come somewhere near restoring the status quo that existed before the regulation came into force, taking into consideration, of course, whether it is desirable to slightly increase the amount of £2 15s. to some other figure more in conformity with the modern position, then everybody would be quite happy. I submit the motion and trust that it will be carried. I hope that the Minister will be good enough to give early consideration to the matter for the reasons I have advanced.

Question put and a division taken with the following result:—

| | |
|---|---|
| Ayes .... .... .... .... | 20 |
| Noes .... .... .... | 17 |
| Majority for | 3 |

| Ayes. | |
|---|---|
| Mr. Brand | Mr. Nalder |
| Mr. Cornell | Mr. Nimmo |
| Mr. Court | Mr. North |
| Mr. Doney | Mr. Oldfield |
| Mr. Heal | Mr. Owen |
| Mr. Hearman | Mr. Perkins |
| Mr. Hill | Mr. Thorn |
| Mr. Lapham | Mr. Watts |
| Mr. Manning | Mr. Wild |
| Sir Ross McLarty | Mr. Hutchinson *(Teller.)* |

| Noes. | |
|---|---|
| Mr. Andrew | Mr. McCulloch |
| Mr. Brady | Mr. Norton |
| Mr. Graham | Mr. Nulsen |
| Mr. Hawke | Mr. O'Brien |
| Mr. W. Hegney | Mr. Rhatigan |
| Mr. Hoar | Mr. Sleeman |
| Mr. Jamieson | Mr. Styants |
| Mr. Johnson | Mr. Sewell |
| Mr. Lawrence | *(Teller.)* |

Question thus passed.

## MOTION—TRAFFIC ACT.

*To Disallow Overwidth Vehicles and Loads Regulation.*

Debate resumed from the 4th August on the following motion by Hon. A. F. Watts:—

> That regulation 203F made under the Traffic Act, 1919-1953, published in the "Government Gazette," on the 23rd April, 1954, laid on the Table of the House on the 22nd June, 1954, be and is hereby disallowed.

**HON. J. B. SLEEMAN** (Fremantle) [5.47]: In supporting the motion, at the outset I would like to say that the Leader of the Country Party has put up a good case. As a matter of fact, I am never very much in love with regulations. This seems to be more complicated than usual and I cannot see my way to support

the regulation as it stands. The portion of the Act to which the regulation applies is Section 46A which says—

> No vehicle having a greater overall width, including the load, than eight feet, shall be licensed or driven on any road.
>
> Provided that, with the permission of the Minister given on the recommendation of the Commissioner of Police, and under such special circumstances and conditions as may be set out in the permit, a vehicle having a greater overall width, including the load, than eight feet may be licensed and driven on any road.

The regulation reads—

> Where the Minister has, in writing, on the recommendation of the Commissioner of Police, notified a local authority outside the metropolitan Area as to the special circumstances and conditions under which a person shall receive his permission to drive, use or tow, within the district of that local authority, a vehicle having, together with its load, if any, a greater overall width than eight feet, the local authority shall, on the application of the person, issue to him a permit to drive, use or tow the vehicle subject to those circumstances and conditions which shall be set out in the permit, and the permit shall constitute the permission of the Minister within the meaning of the proviso to Section 46A of the Act.

My first objection is that the permit will be issued by the local authority, but it can only do so to grant permission to the farmer to drive, use or tow his vehicle within the district under its jurisdiction. It may happen that a person is going through four or five districts covered by different local authorities, in which case he will have to obtain a permit from each. I think that is wrong and quite unnecessary.

What I object to mostly are the conditions to be fixed by the Minister and the Commissioner of Police. We do not know what those conditions will be. They are not contained in the regulations. The proper method to get over these difficulties is to disallow the regulation and then amend the Act by setting out what the drivers of overwidth vehicles may do. For those reasons, I support the motion.

**MR. NORTON** (Gascoyne) [5.50]: I feel that I must have a few remarks to say on this motion. As I see it, the regulation affects motor-vehicles. From the remarks of other speakers, the regulation is mostly related to farm machinery shifted by road. Like the member for Fremantle, I am unable to follow the impact of this regulation on Section 46A of the Act.

The proviso says that a licence may be given to drive on any roadway, but the regulation, on the other hand, says that under the proviso permission may be given by the local authority within its district. In the Gascoyne electorate there is a large number of overwidth vehicles licensed by the Minister. They run between Carnarvon and Geraldton carrying beans, wool, sheep and other overwidth loads.

I take it that under this regulation the Carnarvon Municipal Council, being the licensing authority, would have the right to issue the permit for that vehicle to travel within its district. If the vehicle has to travel to Geraldton, it will be necessary to go through the districts controlled by the Gascoyne, Minilya, Shark Bay, Northampton, and Upper Chapman road boards into the Geraldton municipal area. I take it that permits would have to be obtained from each of those authorities.

The Minister for Police: That is not correct.

Mr. NORTON: I cannot see any other interpretation. I think the Act should be altered to define exactly what is required in the licensing of vehicles. For those reasons I protest against this regulation.

Question put and a division taken with the following result:—

| | |
|---|---|
| Ayes .... .... .... .... | 20 |
| Noes .... .... .... .... | 17 |
| Majority for | 3 |

Ayes.

| | |
|---|---|
| Mr. Brand | Mr. North |
| Mr. Cornell | Mr. Norton |
| Mr Court | Mr. Oldfield |
| Mr. Doney | Mr. Owen |
| Mr. Hearman | Mr. Perkins |
| Mr. Hill | Mr. Sleeman |
| Mr. Manning | Mr. Thorn |
| Sir Ross McLarty | Mr. Watts |
| Mr. Nalder | Mr. Wild |
| Mr. Nimmo | Mr. Hutchinson |
| | *(Teller.)* |

Noes.

| | |
|---|---|
| Mr. Andrew | Mr. Lapham |
| Mr. Brady | Mr. Lawrence |
| Mr. Graham | Mr. McCulloch |
| Mr. Hawke | Mr. Nulsen |
| Mr. Heal | Mr. O'Brien |
| Mr. W. Hegney | Mr. Rhatigan |
| Mr. Hoar | Mr. Styants |
| Mr. Jamieson | Mr. Sewell |
| Mr. Johnson | *(Teller.)* |

Question thus passed.

## MOTION—NORTH-WEST.

*As to Commonwealth Financial Assistance.*

Debate resumed from the 4th August on the following motion by Mr. Ackland:—

> That this House expresses its opinion that that portion of the State which lies north of the 26th parallel of latitude is incapable of being fully developed if wholly dependent upon such finance as is only obtainable from State resources.

It therefore requests—

(a) that a programme for the development of this portion of the State be drawn up by a committee consisting of the Premier (Hon. A. R. G. Hawke, M.L.A.), the Leader of the Opposition (Hon. Sir Ross McLarty, K.B.E., M.L.A.) and the Leader of the Country Party (Hon. A. F. Watts, C.M.G., M.L.A.);

(b) that this committee submit such programme at an interview with the Rt. Hon. the Prime Minister and the Federal Treasurer;

(c) that a special Federal grant of £3,000,000 a year or an amount considered necessary for this work for a period of 10 years be requested in order to carry out this vital developmental work.

This house also desires that the Legislative Council be acquainted accordingly and asked for its concurrence.

which had been amended, on motion by the Premier to strike out all words after the word "that" in line 1 of paragraph (a), and to which the Premier had moved a further amendment as follows:—

That in lieu of the words struck out, the following words be inserted:—

the Government present a programme for the development of that portion of the State to a committee consisting of the Premier (Hon. A. R. G. Hawke, M.L.A.), the Minister for the North-West (Hon. H. C. Strickland, M.L.C.), the Leader of the Opposition (Hon. Sir Ross McLarty, K.B.E., M.L.A.), the Leader of the Country Party (Hon. A. F. Watts, C.M.G., M.L.A.), and the Speaker and member for Pilbara (Hon. A. J. Rodoreda, M.L.A.).

(b) That this committee consider the programme as presented to it by the Government and, if thought necessary, amend the programme.

(c) That the committee submit such programme personally at Canberra to the Prime Minister and the Federal Treasurer.

(d) That a special annual grant of an amount considered necessary for such developmental work be requested for a period of 10 years in order to carry out the programme.

**MR. O'BRIEN** (Murchison—on amendment, [5.57]: I support the motion and congratulate the mover. I do this because I think it necessary to put the strongest possible case to the Federal Government on behalf of the people in that portion of the North above the 26th parallel of latitude.

About 40 per cent. of the Murchison electorate is north of that parallel. On the border there is the newly-established mission known as Karalundi. It is making very quick and satisfactory progress, and is controlled by the Seventh Day Adventists. This property was originally known as Crystal Brook. On the border of the 26th parallel we find many buildings in the course of construction and when they are completed, the mission I refer to will be in full operation.

North of the 26th parallel we have Peak Hill, the manganese producing portion of the North-West, and further north there is the Horseshoe gold mine, which this year produced 8,896 ounces of gold and employs approximately 45 men. These men have their homes and families living in the district and all amenities are provided for them. If the assistance indicated can be obtained from the Federal Government, I feel sure that a great day will dawn for the people in that part of the State, for they certainly deserve all possible help. They have been living in those parts for many years and may well be considered to be the pioneers of that territory.

I am satisfied that we shall witness great development in the North in the not distant future. I visualise the North being served by a good shipping service, a good air service and a good road service. If these services can be provided, together with additional amenities, there will be a strong inducement for people to go there and live and thus improve the area. I venture to say that very great possibilities exist in the North, and my advice to the committee would be to take into consideration the whole of the territory above the 26th parallel, and not confine its attention to the North-West. Water supplies are needed inland, transport is necessary and, as I have already said, a good air service is essential.

Incidentally, I was pleased, Mr. Speaker, to find your name included in the personnel of the committee. You have represented a northern constituency for many years and must be cognisant of the many difficulties confronting the people there. I was very pleased to hear the Leader of Opposition stress the importance of appointing such a committee, and I must congratulate the member for Moore on having moved the original motion.

On motion by Hon. V. Doney, debate adjourned.

## BILL—HEALTH ACT AMENDMENT.

*Second Reading.*

**THE MINISTER FOR HEALTH** (Hon. E. Nulsen—Eyre) [6.5] in moving the second reading said: This is quite a simple Bill and should not give rise to any controversy. At any rate, I hope that it will not because I do not look for arguments, but prefer to see my Bills passed through quietly.

This Bill introduces a number of amendments to the Act. One proposed amendment seeks to speed up action where premises are without sanitary conveniences. At the present time, if a health inspector comes upon premises which ought to be provided with sanitary conveniences, but which are not so provided, he must report the matter to his local authority. Local authorities do not meet at frequent intervals, and this results in delays where circumstances require quick action. The purpose of the amendment is to empower a health inspector to issue an order on owners of premises which do not provide essential conveniences as required by the by-laws.

Another amendment concerns the disposal of rubbish. In built-up congested areas, where land has been subdivided into small lots, the disposal of rubbish by the occupiers of premises is giving rise to nuisances in the breeding of flies and rats. In many cases where householders choose to dispose of their own rubbish, they are negligent in their methods, and this results in nuisance to themselves and their neighbours.

By an amendment, it is proposed to permit a local authority to prescribe areas in its district comprising any built-out section. All premises within the prescribed area will be compelled to use the organised rubbish service for the disposal of rubbish. This should result in cleaner districts and a reduction in fly and rat breeding. Another angle to be considered is that it will also permit of the more efficient and economical running of rubbish disposal services. An exception is made of any business premises which have large and irregular amounts of rubbish to get rid of. With the permission of the local authority such people may be permitted to dispose of their own rubbish on the place set aside for disposal.

A class of premises has sprung up from which food is sold and which is not adequately covered by the principal Act. These premises comprise stalls and caravans which are now a common sight along our main highways and are used as hamburger or sandwich stalls. It is necessary to tighten up the sanitary condition of some of these premises, and the proposed amendment will permit of this.

Another amendment is designed to prevent the obstruction of exits from public buildings and for this purpose it is intended to give the department the necessary power. The regulations relating to fire precautions in public buildings require that exit doors be made to open outwards. This is a precaution against panic in an emergency. Many of the buildings in Perth have exit doors opening on to laneways, and it is not an infrequent occurrence for motor-vehicles to be parked in these laneways in such a manner that the exit doors cannot be opened fully. One can well imagine the situation that could be created in the case of fire in such circumstances.

I now come to an amendment which concerns substandard or unwholesome food or drugs. If a person sells substandard or unwholesome food or drugs, he commits an offence and may be prosecuted. If, however, he has understandard or unwholesome food on his premises for sale, he is immune from action until a sale can be proved. Many shopkeepers are aware of this fact and, when a health inspector seeks to purchase a sample of food for examination, they refuse to sell. The inspector may then seize a sample of the goods for the purpose of examination but, if they are defective, he can take no further action against the shopkeeper because no sale has taken place. The amendment seeks to make it an offence not only to sell understandard or unwholesome food or drugs, but also to have such goods exposed for sale.

Next I propose to deal with a very important amendment to the principal Act. Members will recollect that, last year, the State paid out several thousand pounds in compensation for coconut which was seized from shopkeepers and warehousemen. This coconut had been manufactured under insanitary conditions, and it was proved upon examination of a number of samples that the coconut was infected with dangerous organisms. The health authorities had a duty to the public to ensure that this coconut was not used in food. As a result of this seizure of all supplies, the State was required to pay compensation. This was the only State to pay compensation.

Again, instances have occurred where drugs have been found to be defective for use and to have caused ill-effects to patients. A particular line of anaesthetic was found to have deteriorated and disturbing symptoms were produced when this anaesthetic was used on patients undergoing operations. Another example I can quote is of a line of aspirin tablets found to produce severe symptoms in patients when administered to them. The action taken by the health authorities in these cases was to endeavour to locate all supplies of these drugs and have them destroyed to protect the public. However, this is a difficult procedure, because the department is not able to ascertain from any source where stocks of suspected quantities of food or drugs may be.

Mr. Hutchinson: Has any publicity been given to that?

The MINISTER FOR HEALTH: I do not know whether it has been widely publicised, but I think I have read paragraphs in the Press. However, the department feels considerable concern about the matter.

Hon. A. F. Watts: How will the department find out?

The MINISTER FOR HEALTH: Any drugs that may be used with detrimental effect will be reported to the Commissioner of Public Health. The amendment will permit the Governor to declare a quantity of food or drugs to be dangerous after he has been presented with sufficient evidence by the Commissioner of Public Health. Once the Governor has made a declaration in regard to a suspected quantity of food or drugs, the Commissioner can then take whatever action is necessary in order to ensure that the public is protected against possible harmful effects.

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

The MINISTER FOR HEALTH: If food or drugs are found to be defective, either due to deficient manufacturing processes or lack of sanitary care, or through deterioration on account of storage, the commissioner can require the food or drugs concerned to be surrendered and treated or destroyed. No compensation will be payable. Members will recollect that last year when the State paid out compensation in connection with the seized Papuan coconut, this was the only State liable for compensation payment.

Another amendment deals with the infant health service, which has become a very important part of the organisation of the Department of Public Health. Although infant health centres are commonly known throughout the State, they are not established with statutory authority. This Bill seeks to empower the commissioner to enter into an agreement with local authorities in regard to the provision and maintenance of centres.

A still further amendment is the result of a proposal by the National Health and Medical Research Council which has recommended to all States that they should amend their legislation relating to the notification of foetal and neonatal deaths. At present the Health Act can be used to require premature births, still-births or abortions to be notified by medical practitioners. However, this does not give the desired range of information for an effective statistical survey.

It is proposed to add a section in the principal Act extending the period of limitation for prosecuting offences under the Act from six months to 12 months. For instance, it is possible that, where tinned or bottled food is sold, it may not be discovered that the contents are unwholesome until after the period of six months from the date on which the shopkeeper purchased his supplies from a manufacturer. In such cases the fault lies with the manufacturer and not with the shopkeeper as the latter has no means of ascertaining the quality of the contents of a sealed container. However, at present the manufacturer can be prosecuted if the offence is discovered within six months, but if the offence is discovered after six months—which is not uncommon—only the shopkeeper can be prosecuted.

I have given a fair review of the measure and I think most of the amendments are essential for the protection of the people. As members know, sanitary conveniences are important to public health, and this measure will give the inspector authority to issue an order on the owners of premises which do not provide essential conveniences as required by the by-laws. As the Act now stands, the inspector must report the matter to his local authority and it must take the necessary action. If this measure is passed, the inspector will be in a position to say that such-an-such will have to be done for the protection of the people. This power will be most useful during an epidemic, such as poliomyelitis. But if the people concerned think that the inspector has gone too far, they can appeal to the local authority and will get their redress in that way. Thus the inspector will not have absolute power but will be able to accelerate the present procedure.

Rubbish is a menace to health, especially in our built-up areas; it harbours rats and flies, and, as a matter of fact, I think that because of the existence of rubbish the numbers of rats and flies have increased considerably. This amending Bill will give the local governing bodies greater power than they have had in the past and they will be permitted to prescribe areas in their districts comprising any built-out sections. If necessary, the local authorities can compel the people in those areas to comply with the Act and it will also permit of a more efficient and economical running of rubbish disposal services. Unless a person has a special privilege in regard to the disposal of his rubbish, he will have to comply with the conditions set out by the local authority.

As members know, stalls and caravans, used for the selling of food, have sprung up all round the metropolitan area, and the Health Department has not had much control over them, especially in regard to their sanitary conveniences. The Bill will give more power in that regard, and, like all other businesses, these stalls and caravans, used for the selling of food, will have to provide sanitary conveniences for their employees and sometimes for the public. Many of these people have not been complying with the health regulations and this

measure will give the Commissioner of Public Health an opportunity to say what they should do in that regard.

In company with the Commissioner of Public Health, I visited Fremantle on one occasion, and on looking round we found that some of the exit doors in public buildings were opening inwards instead of outwards. We noticed, too, that in some cases where the exit doors were opening outwards, trucks and cars were parked in the lane-ways on to which the exit doors opened. In the event of a fire, the people in the buildings would have had no means of escape through the exit doors because of the parked motor-vehicles. This Bill will give the Commissioner of Public Health further control in this direction and will enable him to ensure that the exit doors are clear and workable in the event of a fire. Most of the theatres in the city comply with the present regulations and their exits have always been satisfactory.

The Bill also deals with substandard or unwholesome food or drugs. As members know, the commissioner has no redress unless the inspector is sold unwholesome food or drugs by the storekeeper. A sale must be made to the inspector, and if the storekeeper knows him, no sale is made. As the Act now stands, the inspector can seize a sample of the goods for the purpose of examination, but can take no further action, even if the goods are defective, because no sale has taken place. But the Bill will enable the inspector to seize a sample, and, if it is unwholesome, he can prosecute and take necessary action, so long as the goods are exposed for sale. We had an example last year with Papuan coconut. That was manufactured under insanitary conditions, but we had no redress against the manufacturers. As a matter of fact, the manufacturers were well looked after, because this was the only State that had to pay compensation, and that cost some thousands of pounds.

I do not know the attitude of the member for Cottesloe to this proposal, but I think he will agree that the manufacturers should be held responsible, and that if a person buys unwholesome food, or a food which is poisonous or a danger to the public, it should not be the responsibility of the taxpayers, but rather of the businessman concerned. If these business people realise that they will not receive compensation for unwholesome food, they will see that they get redress from the people responsible for its manufacture. Because stocks of drugs are held for some time, they probably deteriorate and are likely to become dangerous. I do not think that the public should be exposed to that risk and the people dealing in that class of goods should see that they are not kept in stock too long. If they buy them, they should ensure that they are fresh. We have had examples of aspirin tablets deteriorating and having a bad effect on persons who have used them. Under this measure no compensation will be paid by the Government; it will be the responsibility of the person or businessman who deals in that class of goods.

Over the last two or three years a number of infant health centres have been established throughout the State, and in my opinion they are doing a marvellous job. The aim of the Health Department is to keep our babies healthy and, as a consequence, we have been rather liberal in our treatment of the infant health centres. The Bill will give the commissioner statutory power to see that the regulations or conditions set down are carried out by the various local governing bodies, and also by the committees that are controlling them. Up to date there has been no dissatisfaction at all. Infant health centres throughout the State have been a credit to the local bodies and the committees that have run them.

The matter of notifying foetal and neonatal deaths has been put in for statistical reasons in order to find out what the position is. It does not need any explanation. The time has been reduced to 20 weeks after conception and that will give a greater scope and enable a more accurate record to be kept of conditions generally. There is also a limitation on the prosecution of offenders. As the Act stands at present, any person or storekeeper having unwholesome goods in his place is responsible for them if they are not discovered within six months. If they are discovered within six months, then the manufacturer is responsible. I refer, of course, to sealed bottles and tins and the food they contain; if they are unwholesome and the storekeeper does not discover the fact within six months, then he is responsible to the department.

The Premier: Does that apply to beer?

The MINISTER FOR HEALTH: I do not know, but it is quite a wholesome food. I saw something in the paper about someone having walked 300 miles on water. I am sure he would have walked a far greatdistance on beer!

The Premier: Not as the crow flies!

Hon. L. Thorn: In the case of sausages, you prosecute the storekeeper, not the manufacturer.

The MINISTER FOR HEALTH: I do not think so.

The Premier: Each butcher makes his own.

Hon. L. Thorn: I am referring to the smallgoods man.

Hon. A. V. R. Abbott: You would not keep sausages for six months!

Hon. L. Thorn: No, but the storekeeper is prosecuted instead of the manufacturer.

The MINISTER FOR HEALTH: I agree that it should be the responsibility of the manufacturer.

Hon. L. Thorn: I think he is compensated afterwards.

The MINISTER FOR HEALTH: I commend the Bill to the House.

Mr. Hutchinson: Before you sit down and, reverting to the question of the diseased coconut, could you let us know if the State was able to recoup any of the loss suffered for compensation.

The MINISTER FOR HEALTH: I do not know the amount, but it was very small. I move—

That the Bill be now read a second time.

On motion by Mr. Hutchinson, debate adjourned.

## BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

*Council's Amendments.*

Schedule of amendments made by the Council further considered from the previous day.

*In Committee.*

Mr. Brady in the Chair; the Minister for Housing in charge of the Bill.

No. 29. Clause 21—Delete. (partly considered):

The CHAIRMAN: The Minister had moved to disagree to this amendment with a view to submitting an alternative amendment.

The MINISTER FOR HOUSING: I indicated to the Committee last evening the intention of the Government broadly in respect to the clause which is the subject of this amendment. The clause sought to deal with the situation that had been created because of the law from the 1st May until this amended Act comes into operation. It sought to interfere with action that had been taken by way of giving notice, commencing proceedings before the court, and other stages up to, but before, the time the tenant had actually left the premises. I think I indicated last evening that it was my intention to proceed along those lines, but in a modified form.

On reviewing the situation, I find, now that the damage has been done, that very many who had given notice to their tenants have now taken their cases to the court and the court has granted eviction orders and a number of people have left the premises they previously occupied. To some extent, therefore, the intention of the Government, which was to pass this legislation before the impact of the amendments made in December was felt, has been frustrated because of the passage of time. The amendment I was intending to submit would, by and large, have had the effect of the provision we already have, namely, that the decision of the court should be automatic unless the lessee was able to prove to the satisfaction of the court that there was severe hardship.

There was provision in the Bill to deal with the situation as it applied to rent. The two propositions have been rejected by the Legislative Council. The Government's original intention was that where a landlord since April of this year had increased his rental, with the passage of this measure the rental should return to its previous figure and the tenant should have the right to claim a refund of what I might call the excess amount that had been paid in rent. Then, from this date forward, it would be a matter of making application to the tribunal, either by the landlord or the tenant, for a fair rent to be determined.

Members of the Opposition have complained because of the retrospective nature of that proposal in requiring landlords, many of whom did grossly exceed a fair thing in the new rents they charged, to refund the amounts so charged. Nevertheless, the landlords were able to do that under the law as it stood, which, as I said, was a bad law even though those who proceeded under it were acting within the ambit of the legislation as it has operated since the 1st May. The proposal is that there should be a modification of the original intention and that as from the coming into operation of the amendments being considered by Parliament at present, all rents should revert to the lawful rent as at April of this year, with no provision whatsoever for any refunds to be made. The rent should revert to the lawful rent chargeable to April of this year unless the tenant within three months of the Bill coming into operation had indicated in writing to the landlord that he was prepared to pay the increased amount. If there was no undertaking forthcoming, then it would be for the landlord to approach the court for determination of a fair rent.

The Government thinks that is a fair proposition. There was a scale of rentals being charged in April of this year in accordance with a set of principles that had been in operation in previous years. There is easy access to the court. There was previously, and there is in the Act as it stands at present, a provision enabling either party to approach the court, whether they have or have not agreed between themselves as to the rent. Accordingly, there would be no additional hardship whatever placed on the owner of premises.

If he felt that what he was receiving last April was insufficient, it would be simple for him, in several weeks' time, to apply to the court for a fair rental which might be equivalent to the amount he had been receiving from April to the present time. It might be a little less or a little more; that would depend on the strength of the case he could submit to the court. Accordingly, there would be no hardship. It would mean that before a landlord could increase the rent, the fair rents court would have to determine a fair rental.

The amendments I have circularised to give effect to that will be dealt with shortly. Up to the present stage, the Council will allow no action whatever to be taken in respect to the situation that developed between April and the present time. The Government regards it as essential that something be done to meet that position. I think I have explained the intention of the Government in connection with this matter, and what it is proposed to do subsequently. But first of all it is necessary to disagree with the Council's amendments, so that we can get down to business on the alternative amendment I have foreshadowed.

Mr. WILD: As I said last evening, I cannot consent to our disagreeing to the amendment from another place. In order not to have to speak on a second occasion, it might be as well if I voiced my protest at this stage against the amendments to be moved by the Minister. In effect, he is endeavouring to take the retrospectivity from the amendment which he has in the amending Bill before us. But he does endeavour by these amendments to retain one section which the Opposition thinks is totally unfair and, in the main, unnecessary. If his proposal is accepted, the man who has entered into an agreement to pay an increased rent will have that rent taken back to the 30th April; and then, within three months of the specified day, the landlord must go to the tenant and say, "Do you agree to the increased rent we decided upon by previous agreement? If so, sign here on the dotted line." Then the parties carry on as before the previous agreement.

Already, under Section 13, the tenant has exactly those rights, except that the position is thrown into reverse. If the amendments become law, the onus will be thrown on the landlord to make an approach to the tenant, asking him whether he agrees to the rent, and whether he will sign to that effect. Under Section 13, either the landlord or the tenant can give notice; and immediately that is done, the tenant's rent goes back to that of the 30th April, and that stands for three months. The tenant has every protection.

If this provision were completely excised from the amending Bill, he would still have all the protection he wants. He does not need this added safeguard. He already has protection, provided there is not a lease of two years or more. If he is dissatisfied with the rent and the agreement he entered into after the 30th April, then the moment this Bill becomes law he has all the right in the world to make application to the court; and from that moment he has three months, if Parliament agrees to the amendment inserted on those lines by the Minister yesterday. What the Minister is endeavouring to have left in is extraneous and unnecessary.

The small individual who may have from one to five houses will not be affected so much as large organisations like the W.A. Trustee Company, and the Perpetual Trustee Company, and people like Milner & Co. with a rent roll of up to 500 people. The trustee companies have said that their clients have instructed them to lift the rents; and one can say that, by and large, the rents in respect of which those organisations are agents have been lifted. Consequently, if this proposal becomes law, all those clients will have to be interviewed again with the object of some arrangement being reached.

It has taken those organisations right up till now to straighten out the position since the Act was amended, and they will be thrown into a state of flux and will have to start off from where they were before, if this proposal is accepted. Therefore, on the ground that under Section 13 the tenant today has every protection that he needs, and because of the confusion and extra work that would be thrown on people who have such large rentals on their books, I must oppose the motion.

The MINISTER FOR HOUSING: I had hoped there would be a little reciprocity on the part of the Opposition in connection with this matter. Surely it will be conceded that the Government has given away its proposals in connection with evictions, and has also given away the point in respect of retrospectivity! There have also been some alterations in this proposal for the purpose of making it more acceptable to the Opposition. It might not be entirely in accord with what members opposite want; but I would say that practically no clause of the Bill is in accord with what the Government wishes. But we have sought to meet the Opposition part of the way.

The situation outlined by the member for Dale is not involved. The three months' limit is only to allow people to come to some amicable arrangement. There is nothing to stop the owner of premises going to the court or to an inspector, as the case might be. Twenty-four hours after this measure becomes law, the owner could go to his tenant and say, "Here is a letter. Will you sign it, agreeing to the present rent you are paying?" If the tenant was not prepared to sign, the owner could go to the court, or to the inspector, and have a fair rent determined; it is as easy as that.

In order to arrive at some basis of understanding, the Government has said, in effect, that where a landlord has been getting two, three, or five times as much rent as he is entitled to, it will let bygones be bygones and allow him to stick to his ill-gotten gains. But we want to go back to where we were, and start off from that accepted point. If the landlord wants more, he can apply to the court.

Hon. Sir Ross McLarty: Have some been getting five times as much as they are entitled to?

The MINISTER FOR HOUSING: Yes.

Mr. Court: But there is already provision in the amendments that have been put through for those people to be protected. They can go to the court with protection up to three months for a start, once they have asked for a determination of rent. Then there is other protection.

The MINISTER FOR HOUSING: I only wish I could accept what the member for Nedlands has said as being the position. This Committee has agreed to that proposition, but Parliament has not. My position would be far more simple if only I knew what the hon. member's counterparts in the Legislative Council would be doing in connection with the legislation. I cannot say that any of the proposals we agreed to last night will be accepted by the Council, and I need to have a reserve all the time when approaching this matter. The Government has gone, in respect of this entire clause, 90 per cent. of the distance with the Opposition.

Hon. A. V. R. Abbott: It had 90 per cent. and still has.

The MINISTER FOR HOUSING: We had the whole of the clause before.

Hon. A. V. R. Abbott: It was valueless before; it was not necessary. I will tell you why in a minute.

The MINISTER FOR HOUSING: That may depend on the point of view. Suffice to say that there is not likely to be any greater upset in the case of the trustee companies and the rest of them than was apparent previously. It was not any great trouble for them on behalf of their clients to write to their tenants and inform them that their rent had gone up a couple of pounds.

Hon. A. V. R. Abbott: They could not say that either. All they could say to the clients was, "Are you prepared to pay?"

The MINISTER FOR HOUSING: Exactly. All this will entail is that they will ask the tenants to sign an agreement that they are prepared to pay the rent, or else have the matter taken to the fair rents court for a proper determination. What is being overlooked by the Opposition is that there was that rest period from the end of April to the present time when tenants signed up, agreeing to the increased amount at the point of a gun.

Hon. A. V. R. Abbott: They are not bound by that.

The MINISTER FOR HOUSING: Of course they are!

Hon. A. V. R. Abbott: Of course not.

The MINISTER FOR HOUSING: They have been paying the money for the past several months.

Hon. A. V. R. Abbott: They are not bound by that.

The MINISTER FOR HOUSING: They will continue to do so, or they will have to leave the premises.

Hon. A. V. R. Abbott: No!

The MINISTER FOR HOUSING: This is an entirely new outlook on the matter, and I have pleasure in resuming my seat in order to hear the words of wisdom of which there is promise from the member for Mt. Lawley.

Hon. A. V. R. ABBOTT: Let us be clear about existing rights of tenants.

The Premier: If any!

Hon. A. V. R. ABBOTT: After there has been notice of eviction, a magistrate has always had the power under the Act to postpone repossession rights to such time as he thought fit. That has been done. The idea that the tenant had to go out at the end of 28 days, and that that was automatic, is entirely wrong. Section 99 of the Local Courts Act provides that if the tenant does not go out at the end of the notice, a summons shall be issued and the magistrate may order that possession of the land be given to the plaintiff either forthwith or on or before such date as the magistrate appoints. The magistrate has been using that discretion. I know of one case in which he gave a period of three months. So the tenant has not been so badly off in that respect. The magistrate has given as long as three months after the 28 days, and it has virtually meant five or six months.

Hon. J. B. Sleeman: That must have been a bad case.

Hon. A. V. R. ABBOTT: I do not know whether it was. The magistrate used his discretion.

The Minister for Housing: Nobody has contested what you have said already.

Hon. A. V. R. ABBOTT: That is one point. Then, by the amending Act of 1953, Section 13 was amended and the tenant has now and always has had, and will have in the future until the order of the court is obtained, the right to have it altered. Even if the Minister's proposal went through and the lessor got a fresh agreement and confirmation, the tenant would not be bound by it because at any time, if the lease is for less than two years, an application can be made to the court to have the rent reviewed.

The Minister for Housing: Do you think the court is going to make a different decision every week as to the fair rent?

Hon. A. V. R. ABBOTT: No. Application can be made only once in six months. It is said the tenant is in a difficult position. Well, is he? If he applies to the court he has at least three months' tenancy whatever order the court might make from the date of his application. Then, if notice

is given, or in other words if the landlord is not satisfied with the award of the court, he has to give another 28 days, so that makes four months. Then the case has to be heard and that means another month, making five months. Then the magistrate has power to withhold the order for six months, so this is 11 months altogether in the case of severe hardship. Is that unreasonable? The tenant who may establish a plea of severe hardship can get an extension of 11 months through the channels of the law. Why should we go through this unnecessary performance of approaching the tenant again, when he has already agreed, to say, "Do you agree to it?" Even if the tenant does agree, he can go to the court again next week. What is all this fuss about?

The Minister for Health: If you agree to the amendment of the Minister for Housing, what difference will this make?

Hon. A. V. R. ABBOTT: It will make only this difference, that in every case the landlord will again have to go as a guilty party to the tenant and say, "A new Act has been passed. We have to get our rent confirmed again. Even if you confirm it and agree to it, it is not binding on you because you can go to the court at any time and get a court determination." Does not this seem a farce and unnecessary expense? Everyone knows there is some expense in connection with trustees when they have to write formal letters. They then have to see that they get a reply, and if they do not get a reply, they have to go to the court. Why should they have to do that? If the tenant does not think the rent is fair, let him go to the court. In that case, he can get 11 months' protection. I cannot see anything wrong with the suggestion put forward by the Opposition.

The MINISTER FOR HOUSING: I listened attentively to the member for Mt. Lawley, and I think it can be safely said that he laboured and brought forth a mouse.

Hon. A. V. R. Abbott: He brought forth 11 months.

The MINISTER FOR HOUSING: We are discussing a proposition pertaining to rentals. If the measure becomes law, the lessor or lessee will be able to approach a fair rents court.

Hon. A. V. R. Abbott: Yes, at any time he likes.

The MINISTER FOR HOUSING: Yes, but at intervals of not less than six months. It is hardly likely that a court will be so erratic as to decide today that the rent will be £6 and in six months, £4. So, it is not likely that the parties will make frequent approaches to the court. The whole essence of the matter is that both parties can approach the court for the determination of a fair rent. The amendment is to deal with an entirely different situation—a situation in which there will be one-way traffic, because it is hardly likely that there will be any approaches to the court if landlords reduce rentals between April and the present time. Therefore, this is a provision to allow the tenant to revert to the previous state of affairs and throw the onus on the owner to go to the court if he wants any advance on the rent.

Hon. A. V. R. Abbott: Why should he do that?

The MINISTER FOR HOUSING: Because the court will be dealing with cases only of increases in rentals. There will not be applications to the court for rents to be further increased, but for reductions.

Hon. A. V. R. Abbott: And the tenant can do it at any time he likes.

The MINISTER FOR HOUSING: Yes. I am suggesting that as the Government has agreed that whatever might have been the charge—however excessive—

Hon. A. V. R. Abbott: Or however reasonable.

The MINISTER FOR HOUSING: Yes. The Government has agreed that the amount shall be retained by the owner of the premises, but he has access to the court to determine the fair rental if he is not satisfied with the April figure.

Hon. A. V. R. Abbott: And so has the tenant as the position is now.

The MINISTER FOR HOUSING: Yes, but does the member for Mt. Lawley want every single line and clause of the measure to be in the direction of the owner of the premises? Surely the tenants have some moral rights.

Hon. A. V. R. Abbott: They have equal rights.

The MINISTER FOR HOUSING: Exactly!

Hon. A. V. R. Abbott: Do you want more than that?

The MINISTER FOR HOUSING: As we are allowing the landlords to get away with the princely sum that many of them have been receiving—

Hon. A. V. R. Abbott: I dispute that too, absolutely—many of them!

The MINISTER FOR HOUSING: I am not suggesting a majority by any means.

Hon. A. V. R. Abbott: Nor many of them.

The Premier: Too many.

Hon. A. V. R. Abbott: Even one is too many.

The MINISTER FOR HOUSING: The figures submitted by the Chief Secretary indicate that there were rather substantial increases in respect of both houses and flats. As members are aware, the basic wage remains unaltered, and accordingly the increases have been a burden on the tenants. The owners have been on the receiving end. Are we going to leave that position undisturbed? We say, "Go back

to where you were. Retain what you have already got, and if you, the owner, want the additional amount, get it confirmed from the tenant or go to the court and have a fair rent assessed." I cannot see anything wrong with that proposition.

Question put and a division taken with the following result:—

| | |
|---|---|
| Ayes .... .... .... .... | 18 |
| Noes .... .... .... .... | 17 |
| Majority for .... .... | 1 |

Ayes.

| | |
|---|---|
| Mr. Andrew | Mr. McCulloch |
| Mr. Graham | Mr. Norton |
| Mr. Hawke | Mr. Nulsen |
| Mr. Heal | Mr. O'Brien |
| Mr. W. Hegney | Mr. Rhatigan |
| Mr. Jamieson | Mr. Rodoreda |
| Mr. Johnson | Mr. Sleeman |
| Mr. Lapham | Mr. Styants |
| Mr. Lawrence | Mr. Sewell |

*(Teller.)*

Noes.

| | |
|---|---|
| Mr. Abbott | Mr. Nalder |
| Mr. Brand | Mr. Oldfield |
| Mr. Cornell | Mr. Owen |
| Mr. Court | Mr. Perkins |
| Mr. Doney | Mr. Thorn |
| Mr. Hearman | Mr. Watts |
| Mr. Hill | Mr. Wild |
| Mr. Manning | Mr. Hutchinson |
| Sir Ross McLarty | |

*(Teller.)*

Question thus passed; the Council's amendment not agreed to.

The CHAIRMAN: I understand the Minister has some amendments in place of the Council's amendment that has just been dealt with.

The MINISTER FOR HOUSING: I have already outlined the intention of my amendments. The specified period mentioned is that between the 1st April of this year and the date of operation of this legislation. The provision, as I propose to have it amended, will read—

> Where the lessee of premises has prior to the expiration of the specified period agreed to pay as rent of the premises an increased amount above the rent lawfully chargeable for the premises immediately prior to the commencement of the specified period the lessee is not bound to pay the amount of the increased rent from the day on which the specified period expires unless within three months of the expiration of the specified period the lessee in writing signed by him confirms the agreement to pay the increase or the court or inspector as the case requires determines the rent of the premises for the term as being not less than that agreed.

That is how it will read if the amendments I propose to move are accepted. I move an amendment—

> That Subsection (2) of proposed new Section 23, pages 9 and 10, be struck out.

That is the provision with reference to eviction notice, court action and so on.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

> That the words "for a term, being or including the whole or part of the specified period" in lines 20 to 22, page 10, be struck out.

The reason for that is that originally there was provided an interim period tying up with the refund of the excess amount of rent. That wording is now superfluous.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

> That the word "and" in line 27, page 10, be struck out.

If this amendment is agreed to, I will then move to insert the words, "from the date on which the specified period expires" in lieu of the word struck out. The result of that will be that when this Act comes into operation the lessee will no longer be required to pay the increased amount that is chargeable. The rent will revert to that which was lawfully chargeable in April of this year. Without the insertion of these words it could be construed that the lessee could obtain a refund as between April and the present time.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

> That in lieu of the word struck out, the words "from the day on which the specified period expires" be inserted.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

> That all words in lines 28 to 31, page 10, be struck out.

They are the words that would enable the lessee to recover from the lessor the amount of increased rental paid since April of this year.

Mr. WILD: Opposition members do not agree with this amendment and I express my formal protest. I do not think the Minister was quite fair to the member for Mt. Lawley who expressed our viewpoint very well. We feel that this amendment is absolutely extraneous as the position is already covered and the tenant has every right at the moment. The tenant can agree today and confirm the agreement and on the following day go to court and file his application. Then there is the 28 days' notice and when the case comes before the court, as the member for Mt. Lawley pointed out, if the remainder of these amendments become law, it will be within the jurisdiction of the magistrate to allow anything up to six months, which would mean in all anything up to 11 months. On the other side of the ledger, people with a number of properties would be put to a great deal of totally unnecessary inconvenience, work and cost. Again I formally protest that the Opposition does not agree to this superfluous amendment.

The MINISTER FOR HOUSING: I do not wish to debate this matter, but to indicate to the Opposition that of the schedule of 29 amendments received from the Council the Government has completely accepted 23. It has amended three and disagreed with only three.

Mr. Wild: Most of those accepted were consequential.

The MINISTER FOR HOUSING: That applies only to the first of them. The Government has made all these further concessions, notwithstanding the many it gave when the measure was first before this Chamber. It therefore cannot be said that the Government has been rigid in dealing with this measure. It has accepted amendments with great reluctance, because it knew the alternative. That point should be definitely and widely known. Because this amendment is regarded by the Government as important, I say that surely we are entitled to our viewpoint on at least one or two matters in relation to the Bill, when the Opposition, which does not carry the responsibility of government, has succeeded, in a great majority of instances, in establishing its viewpoint.

Amendment put and passed.

The MINISTER FOR HOUSING: I move an amendment—

> That proposed new Subsection (4) be struck out.

This provision has relation to the situation that the Government envisaged when it was proposed that there would be some refunds or that the court or inspector could make a determination dating back for a certain period. That provision is now superfluous.

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

Resolutions reported and the report adopted.

A committee consisting of the Minister for Housing, Mr. Jamieson and Mr. Wild drew up reasons for not agreeing to certain of the Council's amendments.

Reasons presented.

Hon. J. B. SLEEMAN: Mr. Speaker, would I be in order moving that the Legislative Council be notified that the Legislative Assembly has no intention of asking for a conference?

Mr. SPEAKER: I do not know that the member for Fremantle would be in order in moving that addendum.

Hon. J. B. SLEEMAN: There is a good reason for not asking for a conference.

Mr. SPEAKER: If the member for Fremantle objects to the reasons given by the Minister, he can debate that phase. I cannot agree to accept his motion.

Reasons adopted and a message accordingly returned to the Council.

## BILL—PRICES CONTROL.

*Second Reading.*

Debate resumed from the 3rd August.

HON. A. F. WATTS (Stirling) [9.12]: Before December last, a Bill was introduced in this House to continue the operation of a price control measure which had been in existence for a considerable number of years. I expressed myself at that time as being in two minds as to the desirability of continuing that legislation for another period of 12 months, which the Bill then before the House proposed. I did, however, express concern as to the position that might arise in the absence of price control in regard to several commodities which I dealt with as being of particular interest to the rural industries, and of those, fuel, petrol and superphosphate were the most important.

I think I quoted at that time references to some Press reports that appeared in South Australia which dealt with aspects of superphosphate prices. I impressed on members then present and listening to the debate that, because of the fears I had in regard to those particular lines of manufacture, and notwithstanding the desire that I, in common with many other people in Western Australia, had to avoid any further imposition of controls, I proposed to support the second reading of the Bill.

Now, in the intervening eight months or more, one has been able to ascertain whether the fears that one expressed were soundly based or not. As a matter of fact, what happened was quite the contrary, in the main, to my expectations. The price of the fuels in question has not increased, but rather the reverse; and the same position exists in regard to superphosphate. What is more, we have had a period of something like eight months during which the machinery of the Prices Control Branch has virtually disappeared.

With the exception of one item, namely rents, in connection with the price index that governs the basic wage findings, there has been little or no increase in the cost of living to cause us any concern. The question of rents has been dealt with, assuming that the legislation that has been before us during the last three or four sittings passes both Houses, which I hope it does. Under that legislation, a fair rents court will be constituted.

So far as I understand the position, I have found this more involved than most legislation, but all the time there has been a means of controlling the rents of what is termed shared accommodation, but I am not particularly concerned about that, though I believe it could have been more strictly enforced by the department in the past few months than it has been. The major question, of course, is that of the rents that may be controlled by a fair rents court, which I supported from the inception of the proposal some weeks ago.

In all the circumstances, one has to consider very carefully whether this legislation should again be imposed on the community. It has been suggested that one of the remaining items that is impingeing strongly on the cost of living is the price of meat, and in some quarters it has virtually been urged that for this reason only we should attempt to revive price control machinery.

I have looked up the report of the select committee which investigated this question in 1950 when there was price control. The committee consisted of the member for Roe, Mr. Perkins, as chairman, the present Minister for Education, Hon. W. Hegney, who was then member for Mt. Hawthorn, the member for Cottesloe, Mr. Hutchinson, the member for Blackwood, Mr. Hearman, and the member for Kalgoorlie, now the Minister for Railways, Hon. H. H. Styants. The select committee presented a report from which there was no dissent and therefore I can only assume that unanimity existed on the question.

I do not think that the problems surrounding the control of meat prices have varied since the report was made. At that time it was a very controversial subject. Great difficulties were being experienced at Kalgoorlie in maintaining any meat supplies at all for the public there. I remember the concern expressed by the member for Kalgoorlie and some of his colleagues, and it was not surprising to find some reference to that in the select committee's report. The recommendations of the select committee were—

> 1. That price control of fresh meat be discontinued and price control of frozen meat be restricted to control of the profit margin between cost of the frozen meat out of the freezer and the consumer.
>
> 2. That action be taken by the State Government to ensure that sufficient stocks of frozen meat are built up, by private enterprise or if necessary by the Government itself, to augment meat supplies during any period of probable fresh meat shortage.
>
> 3. That such frozen meat stocks bought at slightly above export parity, available to the consumer during times of fresh meat shortage, be used as a check against unduly high fresh meat prices.
>
> 4. That sufficient freezer space be provided in Derby to enable Air Beef Limited to fill all available freezer space of ships on the Singapore-Fremantle run with beef for marketing in Perth.

The first two recommendations are the major ones, namely, that price control of fresh meat be discontinued, and that action be taken by the State Government to ensure that sufficient stocks of frozen meat were built up. I should like to remind the member for Fremantle of the report of the select committee because, when an endeavour was made to give effect to the second recommendation, some loss was incurred to which the hon. member made reference. He will doubtless remember that there were very sound reasons for the action taken.

Thus we have it on the recommendation of the select committee that the price control of fresh meat should be discontinued. In the comments that led up to this recommendation the select committee said—

> All witnesses have agreed that high wool prices plus uncertainty regarding price control have driven and are driving producers away from meat to wool production. Last year's comparative price index figures, using year 1939 and 1,000 as a base are—Lambs 1,771, butter 2,504, wheat 3,971, wool 5,355.
>
> All witnesses except the Prices Commissioner have also agreed that price control on meat is ineffective in most areas, and in the only part of the State where it was effectively enforced, meat supplies decreased seriously and the area, the Eastern Goldfields, is receiving less than 40 per cent. of its meat requirements through its butchers' shops.
>
> As price control on meat is ineffective, it cannot have any material effect on prices paid for livestock on the hoof, but witnesses have generally agreed that price control, even though ineffective, discourages producers of livestock for slaughter by creating uncertainty.
>
> Producers of fat stock for slaughter in the short supply period of late autumn and winter must provide special fodder supplies, and fear of rigid enforcement of ceiling prices discourages this use of such pastures and encourages a further changeover to the highly profitable wool production.

There we have pretty conclusive evidence, after long attempts to control this very difficult item, that control has apparently been ineffective, and the select committee recommended that the control of fresh meat be discontinued and that certain steps be taken to provide through Government or private channels alternative stocks of frozen meat to overcome any shortage that might arise. Thus it appears that the need for price control of meat has not been established. The benefits that may be derived from control of the two items that have risen in price and might seriously concern us, on the one hand rents and on the other hand meat, can be dealt with.

The first is being dealt with by legislation that is now before Parliament—the establishment of a fair rents court and the general supervision of rents and tenancies. As to meat, it is fairly clear that the control, if again enforced, will be as ineffective as it was in the past. Hence I come back to my original assertion that one would prefer to see the control machinery

put out of existence as rapidly as possible. In the absence of the fears I previously entertained and for the reasons I have given, I have come to the conclusion that, having ceased to exercise price control, we should not revive it. Therefore I shall oppose the second reading.

On motion by Mr. Perkins, debate adjourned.

*House adjourned at 9.26 p.m.*

# Legislative Council

Thursday, 12th August, 1954.

CONTENTS.



The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

## ADDRESS-IN-REPLY.

*Presentation.*

The PRESIDENT: I desire to announce that, accompanied by other members, I waited upon His Excellency, the Lieut.-Governor and Administrator and presented the Address-in-reply to His Excellency the Governor's Speech at the opening of Parliament. The Lieut.-Governor was pleased to reply in the following terms:—

> Mr. President and hon. members of the Legislative Council: I thank you, on behalf of His Excellency the Governor, for your expressions of loyalty to Her Most Gracious Majesty the Queen, and for your Address-in-reply to the Speech with which he opened Parliament.

## BILL—INQUIRY AGENTS LICENSING.

Read a third time and returned to the Assembly with amendments.

## BILLS (2)—REPORTS.

1, Lotteries (Control).

2, Warehousemen's Liens Act Amendment.

Adopted.

## BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

*Assembly's Message.*

Message from the Assembly notifying that it had agreed to amendments Nos. 1 to 13 inclusive, Nos. 17 to 25 inclusive, and Nos. 27 and 28 made by the Council; had disagreed to Nos. 14, 15, 16 and 29; had agreed to No. 26, subject to further amendments; and proposed an alternative amendment to No. 29 now considered.

*In Committee.*

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

No. 14. Clause 10, page 5—

> After the word "fifty-four" in line 16 insert the following words and brackets:—"(and before the thirty-first day of August, one thousand nine hundred and fifty-five)."

The CHAIRMAN: The Assembly's reason for disagreeing to this amendment and to amendment No. 15 is as follows:—

> These amendments are disagreed to because it is considered reasonable that the proviso should operate for the duration of the Act.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

I think it must be agreed that the Legislative Assembly has been very generous in its attitude towards the Council's amendments, and that we have reached a stage where we, too, could be generous and agree to the Assembly's requests. There are only four or five amendments in respect of which that House requires some alteration. The Assembly has given way on—

Hon. H. K. Watson: Two or three!

The CHIEF SECRETARY: Actually, over 20. Admittedly some are consequential amendments. However, I think we should hold out the olive branch on this occasion, without detriment to anybody, and agree to accept the Assembly's proposals.

Hon. L. A. LOGAN: I think the Committee should insist on this amendment. When I moved it originally, it contained the words "thirtieth day of April." The Chief Secretary said that if the "thirty-first day of August" were substituted he would accept the amendment. I conceded that point. This amendment deals with Clause 10 of the Bill and has reference to a landlord giving notice to a tenant to quit, without thereafter increasing the rent of the premises except by determination of the fair rents court. We considered that the proviso should remain in force only until the 30th April; but, as I have said, at the suggestion of the Chief Secretary the period was extended to the 31st August.