Legislative Council

Wednesday, 22nd October, 1952.

CONTENTS.

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

QUESTIONS.

NORTH-WEST SHIPPING.

(a) As to State Vessels, Age, Accommodation, etc.

Hon. H. C. STRICKLAND asked the Minister for Transport:

Can he supply the following information regarding the State Shipping Service:—

(1) "Koolinda"—
  (a) number of years in service;
  (b) passenger accommodation when new;
  (c) passenger accommodation now;
  (d) cattle accommodation when new;
  (e) cattle accommodation now?

(2) "Kybra"—
  (a) number of years in service;
  (b) passenger accommodation when new?
  (c) passenger accommodation now;
  (d) cattle accommodation?

(3) "Kabbarli"—
  (a) number of years in service;
  (b) passenger accommodation;
  (c) cattle accommodation?

(4) "Dorrigo"—
  (a) number of years in service;
  (b) passenger accommodation?
  (c) cattle accommodation?

(5) "Dulverton"—
  (a) number of years in service;
  (b) passenger accommodation;
  (c) cattle accommodation?

(6) What is the number of applications by intending passengers now listed over and above the carrying capacity of the service—
  (a) southward;
  (b) northward;
  (d) tourists from Fremantle?

(7) What was the result of an investigation made by two representatives of W. M. Denny & Bros. to design a suitable ship for the North-West coast?

(8) What immediate plan has the Government to provide a freight and passenger shipping service between Darwin and Fremantle which can meet the demand of residents, tourists and normal commercial requirements?

The MINISTER replied:

(1) (a) 25 years—first voyage on North-West coast commenced January, 1927. Vessel now completing her 336th voyage.
  (b) 170 berths, comprising 142 in cabins, 28 shakedowns.
  (c) 110 berths, comprising 88 in cabins, 22 shakedowns.

  Note: Reduction in passenger accommodation was created by necessity under the Maritime Industry Commission directive that crews of vessels were to be accommodated amidships.
  (c) 400 head.
  (d) 540 head.

(2) (a) 26 years—vessel just completed her 494th voyage.
  (b) 32 berths.
  (c) 12 berths, comprising 10 in cabins, 2 shakedowns.

  Note: Remarks as per No. 1 (c) similarly apply to "Kybra" passenger reduction.
  (d) Nil.

(3) (a) Vessel arrived Fremantle on the 23rd December, 1951, on her maiden voyage from Newcastle, N.S.W. Initial voyage on North-West coast commenced on the 9th January, 1952. Vessel has just completed her 7th North West coastal voyage.
  (b) 37 berths.
  (c) Nil.

(4) (a) Vessel has traded on the North-West coast since August, 1946, 6 years. This vessel which is under charter to the State Shipping Service from the Australian Shipping Board, originally—from August, 1946, to November, 1947—traded on the coast under directive of the Australian Shipping Board with the State Shipping Service acting as agents. In November, 1947, the vessel was taken over by the State Shipping Service under a "Baltime" Charter agreement, which has been renewed each year. Present renewal expires on the 17th November next.

(b) Nil.

(c) 230 head.

(5) (a) 4 years. This vessel was also under charter to the State Shipping Service until the 8th May of this year when the vessel was temporarily withdrawn by the Australian Shipping Board. The vessel is being returned to the State Shipping Service next month.

(b) Nil.

(c) Nil.

(6) (a) 193. The Wyndham Meatworks would have booked at least 30 additional passages had it been possible to offer berths.

(b) Nil (see answer to (c)).

(c) Nil for 1952. The application list for 1953 winter voyages covers 540 intending passengers, of which we should be able to book approximately 360.

(7) Wm. Denny & Bros. Ltd. were engaged to prepare plans and specifications for a light draft passenger cargo vessel and tenders for building were later called. In view of the State's financial position, however, the project was deferred.

(8) A proposal is now under consideration for the purchase of the "Dorrigo" and "Dulverton" from the Commonwealth Government.

(b) As to Permits to Other Shipping Lines.

Hon. H. C. STRICKLAND asked the Minister for Transport:

With reference to other shipping lines—

(1) How many applications for permits to trade on the North-West coast have, during this year been—

(a) granted;

(b) refused?

(2) If any have been refused, what were the reasons?

The MINISTER replied:

(1) (a) 5 granted this year.

(b) Nil.

(2) Answered by No. (1) (b).

(c) As to Transport of Cement.

Hon. C. W. D. BARKER asked the Minister for Transport:

(1) Is it a fact that on the last trip to the North made by "Dorrigo" a large consignment of local cement was delivered in paper bags for use by an oil company?

(2) Is he aware that the privilege of cement being carried in paper bags is denied to residents of the North, who have to pay 4s. 6d. extra for jute bags, and have to wait until such bags are available?

(3) Will he investigate this state of affairs and endeavour to allow residents of the North to receive their cement in paper bags?

The MINISTER replied:

(1) No, but part of shipments of special oil-boring cement that had been imported from America in paper bags was accepted on the understanding that future supplies would be imported in jute bags.

(2) Yes.

(3) The State Shipping Service will not accept cement in paper bags because they are not durable enough to withstand handling in loading and unloading. Consequently loose cement accumulates in the bilges of the vessels, and trouble is incurred with wharf labour.

The Fremantle Harbour Trust also refuses to pass cement in paper bags through its goods sheds.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Introduced by Hon. H. C. Strickland and read a first time.

BILLS (5)—THIRD READING.

1, Railway (Mundaring - Mundaring Weir) Discontinuance.

2, Mining Act Amendment (No. 1).

3, Marketing of Onions Act Amendment.

4, Sheepskins (Draft Allowance Prohibition).

Transmitted to the Assembly.

5, Physiotherapists Act Amendment. *Passed.*

BILL—CHILD WELFARE ACT AMENDMENT.

Report of Committee adopted.

BILL—PHARMACY AND POISONS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. R. J. BOYLEN (South-East) [4.48]: I intend to support the second reading of the Bill. It is only a small measure and one which I think is well worth consideration by members of this Chamber. I do not think it allows of very much debate. The first provision makes reference to members of the Pharmaceutical Society who engage in business in this State, who must be domiciled in Western Australia. I think it is a very wise provision not only as far as Australians are concerned but also as regards those we propose, under the Bill, to allow to practise pharmacy on approval by the Pharmaceutical Council.

Provision is also made in the parent Act that no pharmacist in Western Australia is permitted to own more than two pharmacies. It will be readily appreciated why such a course should be adopted. If more than two pharmacies were owned by one individual, it would be virtually impossible for him to give them the attention and supervision necessary to safeguard his own interests and those of the public with whom he comes in contact. As was explained by the Minister in another place when moving the second reading, some pharmacists, if permitted to engage in as many businesses as they might desire, would have only a balance sheet before them each year as the extent of their knowledge of the business, and their clients would probably suffer.

There is another clause that was debated by Dr. Hislop yesterday. It provides that if a pharmaceutical chemist is engaged to take charge of a pharmacy for a period exceeding three days—it may be on account of illness or any cause whatsoever—the person engaging him or the chemist engaged must notify the registrar that someone has been engaged to look after the business. There are sound reasons for this provision.

The engaging of a locum tenens by a doctor is very different from the engaging of a substitute for a pharmacist. If a patient goes to a doctor's surgery and the doctor is not there, nothing detrimental to the patient's welfare is likely to happen, but if a man went to a pharmacy and the proprietor was not present, and his substitute was not a registered chemist, it would not be in the interests of the client. We must ensure that prescriptions are not dispensed except under the supervision of a registered pharmaceutical chemist.

One of the main provisions of the Bill is designed to allow migrants possessed of the requisite qualifications to practise pharmacy in this State. It might be of interest to members to know the history behind this movement. The Commonwealth Minister for Migration, Mr. Holt, got into touch with the Pharmaceutical Council in this State on the matter, but before the council had had an opportunity to consider it, the Prime Minister contacted our Premier and he in turn communicated with the Pharmaceutical Council. After deliberation, it was decided that, in certain circumstances, it would be possible for migrants to be qualified to be registered as pharmaceutical chemists.

I acknowledge that we have a responsibility to the migrants who come to this country, provided they fulfil the obligations laid upon them. Some of them are required to engage in works of various kinds for two years, but there is nothing to say that they shall continue at laborious work for the rest of their lives, more particularly if they are highly trained professional men and can prove that they possess the qualifications requisite to entitle them to engage in the professions here. If they were so qualified, this would be to their advantage and to the advantage of the professions, as well as of the people of the State.

One stipulation made by the Pharmaceutical Council—a very important one, too—is that these people should not only have a knowledge of the English language, but should also be able to pass an examination set in the English language. The Bill provides for the insertion in the Act of the following words:—

> which certificate or diploma was issued to him to show that he has passed an examination conducted in the English language, etc.

That is not equivalent to providing that he must pass an examination in English; it means that he must pass an examination in certain subjects in the English language. This would be an indication to the Pharmaceutical Council that he understands not only the language, but also the practice of the profession. Dr. Hislop may have conveyed the impression yesterday that it would be necessary for the migrant to pass an examination in the English language, but that is not intended. He must pass an examination, if necessary, in the pharmaceutical subjects and pass them in the English language.

There are degrees that may have been conferred on migrants similar to those known to us as courtesy degrees, and it must be understood that a courtesy degree in no circumstances would entitle a migrant to practise the profession of pharmacy any more than a courtesy degree conferred upon some person in Australia for outstanding service would entitle him to practise. Another matter of interest has reference to the schedules dealing with the sale of poison. Instead of referring to "the fifth and ninth schedules" it is proposed to make Section 25 read, "in either the fifth or the ninth schedule." This is necessary because some of the poisons included in the fifth schedule may or may not be included in the ninth schedule.

I must correct certain impressions conveyed yesterday by Dr. Hislop which, although he did not intend them to be misleading, most certainly were. They have a definite bearing on the profession of pharmacy in this State. Dr. Hislop implied that the position of the Pharmaceutical Council was practically the same as that of the Medical Board established under the Medical Act. The Pharmaceutical Council has all possible protection under the law because it is a corporate body. Consequently its individual members, irrespective of what action they may take, are protected at law. They cannot be sued as individuals; only the Pharmaceutical Council may be sued. Therefore, the suggestion of Dr. Hislop that a much wider meaning should be given to the position of the Pharmaceutical Council is not necessary.

He also stated that there was no actual controlling hand over the method of elections of a body which is not only going to lay down the course of training for pharmacists, but which is also going to set the code of behaviour for them. I am afraid that Dr. Hislop has not given full consideration to the position because ample provision is made under Sections 6, 23 and 24 of the Act to safeguard the interests not only of the council, but also of the apprentices. Of course, most of the lads articled to pharmacy are in the metropolitan area, the reason for that being quite obvious.

Further, Dr. Hislop also stated that the Pharmaceutical Council should be constituted somewhat similarly to the Medical Board. I do not think there is any need to give that suggestion the slightest consideration. The Pharmaceutical Council has been constituted for many years, and I believe it is more concerned about safeguarding the interests of the public than of the chemists. It certainly does safeguard the interests of the chemists, but its responsibility to the purchasing public is far greater. It is vigilant not only in affairs affecting the chemists but also of those dependent upon their services.

Only recently a chemist from the Eastern States, who was not registered in this State, arrived at a shop in one of the main towns and approached the local chemist stating that he was qualified and registered and was capable of looking after the business during the owner's absence. The owner, desirous of obtaining proof, contacted the registrar, who advised the owner of the business that, though the chemist might have been qualified in the Eastern States, he was not registered in Western Australia and was not eligible to practise here and consequently could not take control of the business. I mention this to show that the council is vigilant and safeguards the interests of the public and assumes the responsibilities that rightly it is expected to do.

It was also stated by Dr. Hislop that he could go to one chemist's shop and see the letters M.P.S. and on another merely the name of the chemist, and on another Ph.Ch. The letters M.P.S. indicate that the man is a registered chemist, because they stand for the words, "Member of the Pharmaceutical Society". Unless a man is registered annually he cannot be a member of that society. The letters are an advantage because they indicate the position to the public. They have other benefits because under the Pharmaceutical Benefits Act the pharmacist has to have them before he has authority to dispense prescriptions.

The letters Ph. Ch. stand for "Pharmaceutical Chemist" and they are similar to the letters B.Sc. or M.B. which a doctor uses when he obtains his degree at a university. Some titles are used that are not properly applicable but are more in the nature of courtesy titles. The average medical title of "doctor" is merely a courtesy title in most cases, because it cannot be claimed by probably 99 per cent. of the medical practitioners in this State. They are either bachelors or masters of medicine and not doctors.

Further, Dr. Hislop went on to say that he considered it preferable for the registration of pharmacists to be in the hands of a pharmaceutical college or board. That is exactly the position at present. We have a pharmaceutical college in Perth—it has been functioning for many years—situated in the same premises as the Technical College. The Pharmaceutical Council is appointed by the whole of the chemists, and the Pharmaceutical Society lays down the examination requirements. There are four sets of examinations, under three headings—the preliminary, the intermediate and the final. They are taken over a period of four years.

The chemists in this State are very jealous of their standing, and will be equally as jealous of the standing of anyone who comes into their ranks from oversea. It may be necessary for chemists who wish to be registered to serve a probationary period of one or two years and then take a final examination. That is only fair to our native born apprentices. Why should a man be admitted to any profession and have an advantage over those who have to serve a four years' apprenticeship in Western Australia? Dr. Hislop went on to state or infer that we did not issue a diploma, but had some type of registration.

Years ago, when I did pharmacy, a diploma was issued, but we had to pay a guinea or two guineas for it. In the last few years, however, a student who passes the subjects in the final examination is issued with a diploma. He can have it in his shop; if he likes, he can put it in the window. He is also required to get

a registration certificate, if he wants to practice, to show that he is registered and is a member of the Pharmaceutical Society: and annually he has to get what is known as a license to practise. Under the law he is supposed to display that in his shop, but I am afraid many chemists do not do so. The license is issued yearly because a chemist may have committed some offence as a result of which registration would be withheld.

The Pharmaceutical Council is a corporate body. It can perform its functions in exactly the same way as does the board of the Medical Society, the board of the Dental Society, the board of the Optometrists' Society, or any other similar body. It is fully covered at law. It can take action, be sued, advise the Governor respecting certain actions to be taken, and register or deregister chemists, but no action can be taken against its individual members. Mention was made of the certificate of competency issued to certain chemists who come here from other States. If they have that certificate, it is possible for them to be registered; but the Pharmaceutical Council here is jealous of its standard and it will not register chemists from other countries except in accordance with the regulations. The only boards with which it has reciprocity, as far as the certificate of competency is concerned, are those of New Zealand, all the other States of Australia and the Societies of Great Britain, Ireland and Northern Ireland. It does not otherwise have to register chemists who come here, but under the provisions of the Bill it may be possible for such chemists, if they can prove they have attained a sufficiently high standard of proficiency, to become registered in Western Australia.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 19A added:

Hon. J. G. HISLOP: I cannot accept Mr. Boylen's statement, regarding this clause, as being adequate. He said this is most important because otherwise someone might come along to a pharmacy and find no pharmacist there. I do not see how the clause will protect that position. If that is what is intended, the clause should contain the provision which is embodied in the Victorian Act, that no pharmacy shall at any time be left open without there being a qualified chemist in charge.

Hon. R. J. Boylen: That is already in the Act.

Hon. J. G. HISLOP: Then this is not required. The clause apparently cannot do what is required of it and if it is already contained in the Act, there is no reason for it to be included here.

Hon. R. J. BOYLEN: Dr. Hislop has put a wrong construction on this provision. The clause is necessary. It does not say anything about the business being open for three days. What could be simpler than for the man who is engaged to take charge of a pharmacy to drop a note to the registrar stating that he is in charge? It is not always possible to give notice within three days. It might take a month for a letter to arrive from Derby. That position will be allowed for.

Hon. J. G. HISLOP: I dislike putting unnecessary restrictions on individuals. I am going to vote against the clause and ask the Committee to vote against it also.

Clause put and passed.

Clauses 4 and 5, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—CRIMINAL CODE AMENDMENT.

Received from the Assembly and read a first time.

BILL—HEALTH ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 15th October.

HON. W. R. HALL (North-East) [5.15]: I secured the adjournment of the debate on the Bill for the purpose of perusing its contents and, as it seeks to protect the public generally, I cannot see anything wrong with it. There is also a provision whereby the Governor may appoint an advisory committee consisting of the Commissioner of Public Health, the Government Analyst, the registrar of the Pharmaceutical Council and the Director of Agriculture or his nominee. Another good point about it is that it does not conflict with the Pharmacy and Poisons Act. Therefore, I have much pleasure in supporting it.

Question put and passed.

Bill read a second time .

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. M. DAVIES (West) [5.18]: From the contents of the Bill, I cannot ascertain what it means or what it aims to do, should it become law as part and parcel of the Act. The measure seeks to amend Section 65 of the Fremantle Harbour Trust Act which already gives the Harbour Trust Commissioners power to make certain regulations. The amendment proposes to grant additional powers to them to regulate, control and prohibit—

(a) the entering or remaining within the boundaries of the harbour or any specified part or parts of the harbour by any person or class of persons, or anything or class of thing;

(b) the doing or omission of any thing or class of thing within the boundaries of the harbour or any specified part or parts of the harbour.

These additional powers would enable the Commissioners to make regulations which, to my way of thinking, are exceedingly wide.

After residing in Fremantle for an extremely long period and having visited the harbour on many occasions, I cannot see any reason why the Harbour Trust Commissioners need be granted any further powers, because already they have power to deal with the subjects enumerated by the Minister when introducing the Bill. The Commissioners already have authority to control or prohibit any people from entering upon the wharves, and they have acted upon it. They also have control over persons remaining in the precincts of the harbour, control over vehicular traffic, the sale of goods and the closing or the partial closing of the wharves.

We had an illustration of that recently when certain ships which were connected with the atomic bomb experiment off our coast, visited the harbour and some sections of it were closed to prevent pedestrians going anywhere near those ships while they were berthed. I do not know what the Commissioners seek to do. I am not prepared to sign a blank cheque by agreeing to this Bill and thus enable them to make regulations which can be brought into force and need not be tabled until within 14 days of the commencement of the next session of Parliament. The Minister has told us that the Crown Law officers have advised that although the power asked for is rather wide, it is not possible to make it more specific. If that is the case, I do not think it is fair to ask members virtually to sign an open cheque by supporting the Bill which will enable the Harbour Trust Commissioners to bring down any regulation they desire.

We know it would be quite possible for the Commissioners to prevent people strolling along the quay for pleasure at the week-end, as many of them do. People enter the harbour to visit ships for the purpose of meeting those aboard whom they know. Other persons will be affected also such as those who sell streamers on the wharves, newspaper vendors and representatives of charitable organisations who make collections on their behalf. If the Commissioners so desire, they could bring down a regulation to prevent those people from doing what they have for many years.

Hon. C. W. D. Barker: Have they any control over taxis?

Hon. E. M. DAVIES: They are asking for power to control vehicular traffic, and I suppose that taxis would come within that category. Until the Minister can give me some further information I am not prepared to support the second reading of the Bill. I will give no indication as to what my attitude to it will be unless the Minister can assure the House that it is something other than what I think it is.

HON. G. FRASER (West) [5.25]: I was hoping that the Bill would not have been introduced until next week because I was anxious to make some inquiries from people who are in the best position to judge its contents.

The Minister for Transport: Why not arrange for an adjournment?

Hon. G. FRASER: I am hoping that some other member will secure the adjournment of the debate in order that we may see if it is possible to make some alterations to the measure, although it will be pretty hard to effect any amendments to it. I know that the exponents of decontrol will be extremely pleased this afternoon because on this occasion I am against control being granted to the Fremantle Harbour Trust Commissioners, as is set out in the Bill.

Hon. L. C. Diver: You did not assist Dr. Hislop just now.

Hon. G. FRASER: I did not know what he was after! It appears to me that the Bill desires to give to the Trust control over any person who enters the precincts of the harbour.

The Minister for Transport: It is very necessary at times.

Hon. G. FRASER: It is rather a peculiar thing that the Fremantle harbour has been in existence for 50 years, and yet it has taken all this time to discover that something of this description is needed.

The Minister for Transport: It is always occurring.

Hon. G. FRASER: Yes. I have a faint idea why the Bill was introduced, and I would much prefer legislation that went right to the core of the question and indicated clearly what persons the Commissioners sought to prevent from entering upon harbour property instead of embracing every person in the community.

The Minister for Transport: It does not indicate they are going to do that.

Hon. G. FRASER: No other interpretation can be placed on it. No one is exempt under the Bill. I am making a wild guess, but it appears to me that the persons they are after are the red officials who happen to be associated with some organisations on the waterfront. If that is true, let us have the matter brought right into the open and not include every other person.

The Minister for Transport: How can you define them?

Hon. G. FRASER: They are called many names; some parliamentary and some otherwise. So if the Commissioners want power to control these persons they should indicate their true intention and not hit at me or anybody else who visits the wharves either to address a meeting, or as Mr. Davies has said, to vend goods or carry out work of some description. Quite a number of people get a good living by engaging in activities on the waterfront.

The Minister for Transport: Do you think an instrumentality, on which the Trades Hall is represented, would be a party to anything like that?

Hon. G. FRASER: Of course, if the Trades Hall had a representative on such a body, and I know it has, he would be only one among others. There is nothing in the Bill, however, to indicate that he was in favour of its provisions. I should think that if a request came from the Fremantle Harbour Trust Commissioners for legislation such as this, it would be as a result of a majority decision, but there is nothing to show that it was a unaminous decision or otherwise.

The Minister for Transport: I understand that it was.

Hon. G. FRASER: It may have been, but even if it were, one individual does not always speak with the full authority of the organisation he represents. In many instances he may adopt a purely personal point of view. Possibly something of that description might apply here.

The Minister for Transport: Your Leader in another place asked the very same question, and was quite satisfied.

Hon. G. FRASER: He might be more easily satisfied than I am. The Bill proposes to extend the principle of control too far altogether. Unlike Mr. Davies, I make no bones about my attitude, but shall be very definite in that respect. I will not agree to extending such widespread power to any body. I would not request it on behalf of a Labour organisation, let alone would I agree to hand it out to a Government that might be hostile and might exercise the powers in times of stress when tempers were frayed and quite a lot could happen that would not occur in ordinary circumstances. Heaven knows what might eventuate!

The Minister for Transport: Or what trouble might arise without these powers being granted to the Trust.

Hon. G. FRASER: I do not know that it would apply in that way. The number of people that the Bill will seek to deal with could be counted on the fingers of one hand, yet we are asked to agree to a Bill that might place everyone in the State at a disadvantage.

Hon. H. S. W. Parker: It would apply only to those that become objectionable.

Hon. G. FRASER: And how is it to be determined who is objectionable? If the powers embodied in the Bill were vested in me, I would frequently prevent the hon. member from speaking because his views are so often objectionable to me, just as some of my views may be objectionable to him. Who is to determine whether somebody's actions are objectionable? It might be that the action was regarded as objectionable only by the handful of people who comprise the Fremantle Harbour Trust, while the rest of the people of Fremantle might be quite satisfied.

I shall definitely vote against the second reading. Merely a quick look at its provisions indicates that it is too dangerous to allow it to reach the Committee stage, because there will be little opportunity to alter its provisions. As a general rule, I support the second reading of Bills with the object of trying to amend them in Committee, but in this instance the measure is one of those sudden-death Bills that must be either passed or "outski!"

Hon. H. S. W. Parker: Why use a Russian term?

Hon. G. FRASER: Because I am referring to a Bill that deals with the Reds, in consequence of which the Russian term occurred to me. I sincerely trust the Bill will be thrown out. If that should happen, the Harbour Trust could submit a measure stating more specifically the element it desires to deal with. If that course were adopted, I might speak in a totally different vein. I want all the decontrol artists in this Chamber to rally round the banner—

The Minister for Transport: Which banner?

Hon. G. FRASER: In this case, the banner of decontrol.

On motion by Hon. C. W. D. Barker, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

Second Reading.

HON. A. L. LOTON (South) [5.35] in moving the second reading said: The purpose of the Bill is to enable local authorities to extend, by concessional license fees, the same privileges to beekeepers—I allude to those covered by the

definition in the Bees Act of 1930-50—as is extended to bona fide prospectors, sandalwood-pullers and kangaroo-hunters. Under the Traffic Act, the concession extended to those three sections of the community is that they shall pay only a half fee to the local authority, provided that such local authority is satisfied that those affected are engaged mainly in one or other of the three occupations mentioned. I propose by means of the Bill to include beekeepers under the same heading so that they will be entitled to concessional license fees.

At present, a beekeeper is not looked upon as a primary producer or grazier, and therefore is excluded from the benefit of this concession. Mr. Gostelow, the secretary of the Road Board Association, had this to say on that point—

> The rule—

That is, the rule of the association I have mentioned.

> —is that beekeepers are not farmers or graziers and are therefore excluded from concession rates. It would appear that although my executive regards beekeepers as primary producers, an amendment to the Act will be necessary before concession rates can be granted by local authorities to beekeepers.

As far as I can gather, there are approximately 60 commercial beekeepers operating in Western Australia at present. In addition, quite a few are brought within the provisions of the Bees Act, because it requires any person who keeps two or more hives to register under that legislation. Those people will not be eligible for the benefits of the concession I seek on behalf of the professional beekeepers.

The beekeepers do not use their trucks to any extent on the main highways. They are mostly engaged in forest country and make use of byways and side roads. They proceed into the bush for a short distance, to where they discover the flowing of nectar and water. They will remain there for a while and then move elsewhere. They follow the flow of honey and are by no means the menace on the road that are travellers, private motorists, truckdrivers and others.

Hon. W. R. Hall: What sized trucks do they use?

Hon. A. L. LOTON: The trucks vary with the number of hives. Some may be 5-ton trucks, while others are larger. It largely depends on the size of the extractors used by the beekeepers. Some do not fully extract the honey in the bush but part-extract it and do the final extraction at their homes or factories. They do not have heavy loads because the hives cannot be carted in more than one layer, and I should imagine that the weight of a hive would be between 25 and 30 lb.

Hon. G. Bennetts: What would be the annual revenue from them?

Hon. A. L. LOTON: I cannot say. Perhaps the Minister for Agriculture, who was at one time the president of the Beekeepers' Association, could give members some idea.

Hon. E. M. Davies: Have you been stung?

Hon. A. L. LOTON: Yes, but possibly not in the way the hon. member implies.

Hon. W. R. Hall: Would beekeepers use their vehicles for other purposes as well?

Hon. A. L. LOTON: Under the terms of the Bill, those I refer to are indicated as follows:—

> The license is required for a motor vehicle which is owned by a person who—
>
> (a) is a beekeeper within the meaning of the Bees Act, 1930-1950; and
>
> (b) is bona fide engaged in the keeping of bees substantially as a means of livelihood;
>
> and which is used by such person during the currency of the license solely or mainly in connection with the occupation of beekeeping.

The effect of that is to make the measure apply to those who follow beekeeping as a full-time job.

There are others, of course, who take their bees to a certain locality where honey is flowing, and leave them there for a while, during which time they engage in some other part-time job. Later they collect the bees, which require fairly regular attention, and transport them elsewhere. The hives of the commercial beekeepers are stamped with a registered brand, so that will be an extra precautionary measure. I know of one place where 10 or 12 hives have been lying in the bush for over 2½ years. They have been uncared for. We do not know if the owner has died or whether he has forgotten where he left them. No one is prepared to touch them because they are on a public reserve and possibly they will remain there until destroyed by fire.

With regard to the other provision in the Bill, this has been included at the suggestion of the draftsman, who considers the references will be more clearly stated in the form suggested. I have outlined the main provisions of the Bill, which is a small one. I ask members to give it their sympathetic consideration. Beekeepers are supplying a very vital need for the community. Honey is an essential foodstuff for many people. Quite a large export trade has been built up and the industry is expanding.

Hon. G. Bennetts: Are those concerned fully employed?

Hon. A. L. LOTON: I have already mentioned that point. Those affected by the Bill are fully employed in the industry but there are others engaged in it on a part-time basis only. I am not suggesting that the concession should be extended to them. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Henning, debate adjourned.

BILL—COOGEE-KWINANA RAILWAY.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. C. H. Simpson—Midland) [5.45] in moving the second reading said: Paragraph (p) of the agreement between the State of Western Australia and the Anglo-Iranian Oil Company Ltd., requires that the State shall—

> Within 12 months from the commencing date but subject to the provisions of Section 96 of the Public Works Act, 1902-50, construct and thereafter maintain a railway to the refinery site from the existing railway at Woodman's Point, or from any other existing railway as the parties may agree, and further, at the request and cost of the company, provide and lay internal railway lines on the refinery site as the company may from time to time reasonably require.

In conformity with Section 96 of the Public Works Act, I have laid on the Table of the House a plan of the route as described in the schedule to the Bill. I have also, as provided by Subsection (7) of Section 11 of the State Transport Co-ordination Act, laid on the Table of the House a report by the Western Australian Transport Board, which approves of the construction of the railway.

The State Government, under the agreement with the Anglo-Iranian Company, is committed to construct a railway to the refinery within 12 months from the date the company advises the Government that it is prepared to start work on the refinery site, or on the area of the construction camp. The company recently advised the Government that this date would be the 1st October, 1952, and it is essential, therefore, to pass this Bill now to give the Railway Department authority to commence the construction of the line. The route described in the schedule to the Bill has been surveyed and it is expected that pegging will soon be completed.

The actual construction of the line will not take long as, owing to the level nature of the terrain, earthworks will not be a difficult problem. The average grade will be about 1 in 132 and the estimated cost of the line is approximately £100,000. This is an approximate estimate only as it has not been possible so far to effect a firm and final estimate. This estimate is based on the use of the new 60 lb. rails sufficient of which are in stock.

Although the immediate object of the line is to serve the refinery site, consideration has also been given to the fact that other industries, such as the proposed new rolling mill of the Broken Hill Pty. Ltd., a new cement works and bulk cargo wharves will also need rail access in the future, and the route of the line has been planned accordingly.

The proposed line will be 8 miles 20 chains in length, commencing from the existing Coogee station on the Robb's Jetty-Woodman's Point railway line, skirting the eastern boundary of the explosives reserve at Woodman's Point, and then more or less paralleling the coastline and the coastal road for a little more than six miles, until it turns inland in a south-easterly and south-south-easterly direction for approximately 1½ miles, finally continuing in a westerly direction alongside Thomas-st. for half a mile to the refinery site.

This route, which has been recommended by the engineers of the Railway Department, and the Deputy Director of Works, has also been discussed with the surveyor and property officer of the Department of the Interior as most of the land to be traversed by the line is held by the Commonwealth Government. Arrangements are in hand for the transfer at valuation of as much as is required of the Commonwealth-owned line which runs from Coogee to the Naval Base stores, situated immediately south of Woodman's Point.

The Commonwealth desires to retain the land between the Naval Base-rd. and the coast from the explosives reserve in a southerly direction to the breakwater, a distance of about one mile. This will in no wise affect the construction of the railway through this area and it is probable that an easement over the land will be secured. That assurance has been given by the Commonwealth property officer.

The reason why the line swings inland and enters the refinery site from the east is that this is necessary in order to avoid the area which it is proposed will be taken over by the Broken Hill Pty. Ltd. In its swing inland, the line skirts the boundary of the Broken Hill company's site. It was originally intended that that company's area would extend even further east, but this was found not feasible owing to the rough nature of the limestone country. It is necessary to enter the refinery site from the east as this is where the Anglo-Iranian company desires rail access to be made.

It might be mentioned at this stage that possible alternatives were examined by the railway engineers to determine the

best route as to length of line, magnitude of earthworks, disturbance of existing properties, expedition of construction and final costs. Taking these into account, the engineers advised that the coastal route is the most direct and cheapest in construction and creates a minimum of disturbance as far as private properties are concerned. Disturbance is practically negligible.

For the information of members, the possible alternatives were: Route (b) via Spearwood-South Coogee to Kwinana, and route (c) via Jandakot-Thompson's Lake and Long Swamp to Kwinana. Route (b) created very considerable disturbance in the vicinity of Spearwood station. It would be 1½ miles longer, entailing extra constructional cost, and involving more expensive earthworks. In route (c) these disadvantages are more marked. This route presents difficulties in breaking through the coastal hills. It could serve the refinery and steel works area, but development of facilities to serve the area suggested for a harbour, immediately south of the Naval Base hotel, would be difficult.

In view of the obvious difficulties and disadvantages of routes (b) and (c), the engineers strongly recommend the coastal route as planned, and this has the added advantage of having been accepted in another place and having received the blessing of the member for Fremantle, who made the only contribution to the debate, apart from that of the Minister who introduced the Bill.

I trust that the measure will receive the aproval of members of this Chamber. It is important that statutory authority be given for the commencement of the line as soon as possible, in order to keep faith with the Anglo-Iranian Oil Company. As soon as the line is completed, it can be used for the transport of materials, etc., to the refinery site. I move—

That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT (CONTINUANCE).

Second Reading.

Debate resumed from the previous day.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [5.53]: Having listened to those who contributed to the debate, I formed the impression that members generally were prepared to accept the Bill but some were contemplating challenging Clause 2 at the Committee stage. I think I have mentioned before in this House that the policy of the Government is toward the easement of controls so far as that can possibly be done. But in connection with this Bill, I think it has to be accepted that we have been working under unusual conditions.

We have had a greater addition to our population in the past five years than during any previous portion of our history. There has been a tremendous strain on housing and building materials and, because of the shortage of housing generally, a set of conditions has been created which has made it very easy for certain people to profiteer at the expense of those unfortunate folk who have little choice in the matter of accepting conditions which will enable them to have a home over their heads. It is because of that set of special conditions that we think these controls should be continued.

There has been a tremendous strain on the State Housing Commission which, in the circumstances, has done an excellent job. When introducing the Bill, I pointed out some of the achievements of the Commission and I also indicated that it had been under a severe strain in the pressure that had been brought upon it to provide houses for evicted persons. I have here some notes which bear out the points I have just made. Since July last year, the Housing Commission has been approached by 1,465 tenants who have received notices to quit. Of that number, 1,149 cases have been dealt with by the various courts. When introducing the Bill, I pointed out that that total is by no means the full number of those who have received notices to quit. Those are the only ones that have actually approached the Commission.

Eight hundred orders to vacate have been issued by the magistrates, enabling owners to obtain possession of their properties after carrying out the formalities under the Act. Of the 800 tenants required to vacate, 597 have been dependent on the Commission for their alternative accommodation. This has imposed a severe strain on the resources of the Commission. The pressure during recent months was so heavy that it became necessary to appoint an eviction committee within the Commission with a view to assessing the merits of each applicant under threat of eviction, in order that he could be advised whether or not alternative accommodation would be provided. When it appeared that any applicant was in a position to help himself, or the number and ages of the family would create no undue hardship, he was expected to arrange his own accommodation.

It was felt, however, that in the event of the Act not being continued, the number of future evictions would be considerably increased and the Commission would be unable to find the requisite accommodation. It is doubtful whether this legislation has had any adverse effect on the housebuilding programme during re-

cent years, as the number of homes erected has been steadily increasing and keeping pace with the labour and materials available. The figures for this year for house construction, namely 6,577, are an all-time high for Western Australia, being more than three times the prewar rate.

Laws dealing with the relationship between the landlord and tenant are most difficult of interpretation and understanding. That fact is recognised by the legal profession and it is no wonder that confusion and misunderstanding should arise in the minds of members in respect of this particular piece of legislation. The point at issue, which calls for very serious consideration, is whether or not it is now necessary to continue the existing form of supervision and control of rents and evictions, and on this aspect there appears to be divided opinion in the House. So far as the Government is concerned, there should be no doubt about where it stands in the matter. That should be obvious.

Those who have opposed the Bill have mentioned the disparity in rents charged by the Housing Commission and private individuals respectively. Mention has been made of certain difficulties of landlords as regards evictions and other matters to which I will reply during the course of my remarks. Mr. Watson indicated that the Government should search its conscience and see if it could reasonably and conscientiously ask this House to continue the measure for another twelve months. That is exactly what has been done, otherwise the Bill would not have been introduced. The 1939 Act was clearly an emergency measure, calculated to retard and, as far as possible, limit the extent of the economic dislocation which is almost inevitable in a country engaged in a full-scale war. It served its purpose and the emergency has passed, but only to leave in its train a set of postwar circumstances which differ little from those against which this control measure was intended to be a safeguard.

The population of the State is increasing at a rapid rate. Immigration accounts for many thousands and will account for more in the future. The demand for housing accommodation exceeds the available supply. Well-informed opinion does not provide any basis for the expectation that equilibrium between the housing requirements of the community and the accommodation available will be reached for a number of years, notwithstanding the considerable number of houses that are being erected annually. If control were completely removed, as is advocated by some members, it is not unreasonable to suppose that in a substantial proportion of instances rents would be raised to a figure above that which could be related to an economic standard. There would be much hardship for many. Surely on that ground alone there is need for continued control! I think it is unrealistic and unsound to advocate the complete removal of the Act. To some degree the Government has eased the controls in this regard and that was done by means of last year's measure, which this Bill seeks to continue.

First, let us have an appreciation of the provisions of the existing Act. In general terms it pegs rents at a certain level and controls certain eviction proceedings. It provides for a standard rent as at the 31st August, 1939, plus an increase of 32 per cent. on dwelling-houses and 43 per cent. on business premises, in addition to which may be added increased costs for rates, taxes and other outgoings. If this is not satisfactory, there is the right of approach by either party to the court for the determination of a fair rent. On premises first let after the 31st December, 1950, the lawful rent will be that at which the premises were first let, and here also there is the right of either party to approach the court.

That is a brief summary of the position and should not confuse members. Could anything be fairer in existing circumstances? Where is the real or imaginary hardship for the landlord or tenant? The burden of the complaints of Messrs. Watson, Baxter and other members is in respect of what they describe as a disparity between the rents charged by the Housing Commission and those charged by private individuals. Housing Commission rentals are based on building costs, past and present, so that at all times they are fixed at economic standards as provided for by the Act under which the Commission operates.

There seems to be much criticism of some of the present-day rentals on houses erected by the Commission. They are claimed to be excessive, but on the evidence available they are no more excessive than those charged by individuals on new buildings. Under the Act the lawful rent of premises first let after the 31st December, 1950, since which date building costs have increased considerably, would be the rent at which the premises were first let. So it is unfair for any member to criticise the Commission when, in fact, the private landlord may charge a rent consistent with the cost of building. There is plenty of evidence to indicate that he does so and would not be prejudiced by this continuance Bill.

What I have said discounts, too, the statement made by Mr. Watson that of all the landlords the State Housing Commission alone is obtaining a fair economic rent for its premises. Mr. Watson seemed to be emphatic that the Housing Commission charges twice as much—indeed, he did say more than twice as much—as the rent a private owner is permitted to charge for similar accommodation. There may

be isolated cases of this, but I am advised that the statement is not in accordance with facts and, generally speaking, rents charged by some private owners are much more than those charged by the Commission for similar accommodation. Mr. Watson makes the astounding statement that he would prefer the administration of rent control in respect of rooms and the like to be placed in the hands of the Police Department, as against the present system of administration. I suggest it would be wrong in principle for such a procedure to be adopted and that no member would support his proposal.

To Mr. Watson's remark that since the Government has come into office it has done many things of which it could be proud, but on the question of easing and abolishing tenancy and rent control has displayed "a deplorable attack of cold feet," my answer is that this is not so. In no other Australian State today has any Government eased the controls under its rent legislation as has been done in this State. As already mentioned this Government has provided for percentage increases with the right of the owner of premises first let after the 31st December, 1950, to charge the rent he thinks fit, with the further provision that premises first let after that date be not subject to eviction control.

Turning to the matter of evictions, Mr. Watson stated that no attempt is being made to ease the position of property owners and give them control of their premises or to decide whether they shall, or shall not, continue with an existing tenant no matter how undesirable he might be or to what extent he might be knocking the property about. This is incorrect, as under Section 20 of the Act an owner may secure his premises by giving 28 days' notice on the following grounds:—

(1) Failure to pay rent for a period of 28 days from the due date.

(2) Failure to perform or observe a condition of the lease.

(3) Failure to take reasonable care of premises or any goods leased therewith.

(4) That a tenant has been guilty of conduct which is a nuisance or annoyance to neighbours.

(5) The tenant is a convicted person, etc.

(6) The tenant has become an occupant of premises by virtue of an assignment or transfer to which the owner has not agreed.

Such provisions clearly indicate that the remarks of the hon. member were not in accordance with the facts.

Hon. H. K. Watson: I challenge the Minister to indicate one case where any landlord has succeeded under those provisions.

The MINISTER FOR TRANSPORT: I could not tell the hon. member about that. The statement that rent control has retarded the house building programme is one that is open to question. As mentioned by Mr. Fraser, there has been little investment for rental purposes for many years, as compared with home-ownership building, all of which had to be subjected to some form of restriction owing to shortage of materials. When introducing this measure, I stated that chaos would ensue if it were not passed and that rents would spiral and add to the inflationary trend.

There is another aspect to be considered, namely, the effect on the welfare of the ex-servicemen and widows of ex-servicemen, who by the provisions of the Act, are furnished with certain protection in respect of eviction. I think it is undeniable that if the controls were lifted entirely, there would be a tendency to increase rents, particularly those applying to flats. Under the existing law flats, when first built, have their rents determined in accordance with the actual cost of construction. In some cases, where the original tenants have for some reason vacated premises, the rents, which had been fixed by the rent control officer at a figure of about £2 15s. per week or less, have immediately been raised for the ingoing tenant to as high as £4 or £5, and while those new tenants have paid such rents, they have been frightened to go to the court or to the control officer because they knew that if they did so they would immediately be subject to eviction.

I think it can be accepted, also, that if there were no control, these excessive rents would become the legal rents. While it may be conceded that many landlords are quite fair, there certainly would be a tendency for them to think they should be entitled to charge the same legal rents as other people were receiving. It therefore seems to me that there is need to continue these controls despite the fact that we, as a Government, disagree in general with the principle of control where it can be avoided.

Hon. H. K. Watson: From the Minister's remarks it would seem that it is the intention of the Government to continue the controls for another five or ten years.

The MINISTER FOR TRANSPORT: That was not what I meant. I intended to convey that the easement of the building position, in view of the additions to our population, might not be sufficient to avoid difficulties for some years longer. That, I think, is undeniable, but the question of whether controls will continue to be imposed must remain purely a matter for the Government of the day, and will be something for this House to accept or reject when the time comes. In the light of present-day conditions, I think it most desirable that these controls be continued.

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

Ayes	19
Noes	6
Majority for	13

Ayes.

Hon. C. W. D. Barker	Hon. Sir Chas. Latham
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. Craig	Hon. J. Murray
Hon. J. Cunningham	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. H. L. Roche
Hon. J. A. Dimmitt	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. F. R. Welsh
Hon. E M. Heenan	Hon. R. J. Boylen
Hon. J. G. Hislop	*(Teller.)*

Noes.

Hon. L. C. Diver	Hon. A. L. Loton
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. J. McI. Thomson
	(Teller.)

Pair.

Aye.	No.
Hon. Sir Frank Gibson	Hon. N. E. Baxter

Question thus passed.
Bill read a second time.

Sitting suspended from 6.15 to 7.30 p.m.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 21 amended:

Hon. H. K. WATSON: I hope that the Committee will not agree to this clause if only for the reason that it will stultify itself and make itself look ridiculous, because only last year Section 21 was put into the principal Act for the purpose of informing the world at large that Part IV would cease on the 31st October, 1952. In other words 12 months' notice was given.

We must bear in mind the manner in which Section 21 came to be inserted in the principal Act. The section had its genesis following on the suggestion by Mr. Parker that Part IV was, even then, unnecessary and that we should revert to the common rule of the relationship between a landlord and a tenant. In his second reading speech last year, Mr. Parker suggested that inserting a section such as this in the Act would give tenants 12 months' notice of the fact that the normal relationship between landlord and tenant would be resumed even though rent control was to continue. As we have clearly indicated our intention, we would stultify ourselves and make ourselves look ridiculous if we extended the provisions for a further 12 months.

Part IV does not embrace all premises; there are many premises today where there is no control exercised and no prohibition against recovery of possession. For example, repossession of all hotels can be recovered by the landlords without any notice being given and the same applies to farms, other agricultural properties and apartment houses.

The Minister for Transport: Are not the tenants of those places protected by lease provisions? I would say that they are with hotels.

Hon. H. K. WATSON: That is a matter between the landlord and the tenant. With apartment houses they are not, and yet there is no prohibition against a proprietor evicting his lodger. The same position applies to tenancies entered into after the 1st January last year—that is almost two years ago. In addition, there is that large class of person who requires the property for his own use, whether it be a houseowner or the owner of business premises. He can obtain an eviction order in the restricted circumstances which are set forth in the Act as it now stands.

Therefore the class of tenant who would be affected if we did not continue Part IV would be, if I may use the word, the bad tenant over whom the landlord has no control. It would enable the landlord to stop such a tenant from allowing the property to fall into a state of disrepair. For that reason I hope the Committee will reject the clause and I emphasise the point that this has no bearing on the continuance of the rest of the Act in regard to rent restrictions.

The MINISTER FOR TRANSPORT: I explained at length the reason why the Government desired to continue Part IV of the Act until the end of next year. It is solely a question of supply and demand. As yet houses are particularly hard to get and while that position obtains, there is bound to be a demand for them. As members will admit, the State Housing Commission has done a tremendous job in the face of many difficulties and it has provided premises for persons who have been evicted. Now it is asking for a breathing space of 12 months until the position becomes easier, so that it can regulate the flow of applications.

In another place, the Minister for Housing gave some idea of the rate at which evictions are proceeding and there is a committee at the State Housing Commission which deals with these applications made as a result of evictions. Where it is shown that the members of a family have a combined income which should entitle them to buy a house, or to secure one by other means, the claim is disregarded; where the applicants are young and their claim can be put to one side for the time being, that is done so as to give elderly people, pensioners and other deserving cases consideration. The Housing Commission tries to deal with the situation as humanely as possible, and if this clause is defeated it will make an already difficult job much harder, in fact almost impossible. So I ask members to agree to this clause.

Hon. H. L. ROCHE: As I indicated during my second reading speech, I supported the measure only in the hope that this clause would be defeated. If we pass the Bill in its present form I would be quite happy to see it defeated on the third reading. I cannot see how this clause affects the supply and demand position. The Minister conjured up a situation in his own mind where there will be an increased number of evictions It is obvious that if this clause is defeated the only persons evicted will be those who have been unsatisfactory tenants. Where a man, through his own initiative and enterprise, has built up an asset he is entitled to control over it. So I hope the clause will be defeated.

Hon. G. BENNETTS: I hope members will agree to the clause because I am sympathetic towards both landlords and tenants. I realise that there are bad tenants as there are bad landlords.

Hon. R. J. Boylen: Plenty of them.

Hon. G. BENNETTS: If this clause is struck out, I am fearful of what will happen to the women and children. Only recently I went looking for accommodation for a month or six weeks. I went to several places and I was asked, "Is there only yourself and your wife?" When I said, "No, there is my wife and grandchild", I was told that there was no accommodation available. In every case the rental was £5 a week or more. If a family has children they are not wanted and if this clause is defeated I am afraid that some landlords who have tenants with three and four children will put them out and get others who have no children.

I agree with what Mr. Jones said last night. It is hard on a landlord who has a tenant with uncontrollable children because they do terrific damage to property. I know of a landlord near me who has several three-roomed houses and one of them recently became vacant. He will not let that house unless the prospective tenant comes up to a certain standard. The rent for the three-roomed house is £3 10s. a week. The rent of one nearby is £2 10s. a week. A person who takes it over has to pay the rates and do certain jobs. The restrictions on him are pretty severe. Here we have a hard landlord and the bad tenant. Seeing we are so short of homes and because the position may be better in another 12 months, I support the Minister.

Hon. E. M. DAVIES: I trust the Committee will retain this provision. Mr. Watson has said that it will enable landlords to displace bad tenants. The Act already provides for that. If the rent is not paid for a period of eight weeks, the landlord obtains an eviction order.

Hon. A. R. Jones: How long does it take him to get it? About three months.

Hon. E. M. DAVIES: It does not. The hon. member may think that the position is easier in the metropolitan area. I have been associated with the housing problem for a number of years and have visited the Housing Commission several times endeavouring to get accommodation for people who have been evicted. If the Act ceases to operate on the 31st October, there will be chaos and there is no point in members saying otherwise. As regards the bad tenants, the landlord can obtain an eviction order if the property is not being looked after. Some landlords want to get tenants out in order that they may sell the houses with vacant possession. Landlords who have owned houses for some time and who have desired to obtain possession, have long since done so.

The Bill will protect the tenant living in a house purchased by a new owner; the new owner must give the tenants six months' notice. But if the tenant is deprived of this provision in the Bill, then the new owner can displace the tenant under common law with a week's notice. A number of houses may have been built, but we must consider our migration policy. If members desire housing conditions to return to normal, then we must cease our migration policy until the supply of houses catches up with the demand. I feel the Government has done the right thing in retaining this provision for another 12 months, and it should be reviewed after that period. If the position has not improved by then, control should continue.

Hon. H. S. W. PARKER: Last year I strongly opposed the extension of this Act. Conditions have altered and I am afraid I have changed my mind to an extent. I agree with Mr. Davies that we should not extend it for more than 12 months and I therefore propose to move an amendment to that effect. Due to a number of causes the Housing Commission has not been able to supply the requisite number of houses. But I do not want a Bill placed before us next year in the dying hours of the session to extend the operation of the Act. I should like to see ample time given for any extension we may ask for. I move an amendment—

> That in line 5 the word "December" be struck out and the word "October" inserted in lieu.

Hon. L. A. LOGAN: I think the Committee will appreciate that I have endeavoured to water down some of Mr. Watson's suggestions. When we put this section in last year we were giving the people of Western Australia an idea of just what might happen in Committee this time next year. Now that eight years have elapsed since the end of the war we should permit legislation like this to lapse in order to find the true position in Western Aus-

tralia. We will not find the true position while controls continue. If at the end of 12 months the position is still difficult and this legislation has been allowed to lapse I will be quite prepared to return for a special session in order to do the right thing. There are three sections of the community; the Government, which is not controlled; the landlord who does not come under this section and who is not controlled, and one small section that is controlled. It is most unfair. They should all be put on the same footing.

Hon. G. Fraser: Do you not know the housing position now?

Hon. L. A. LOGAN: Nobody knows the position.

Hon. G. Fraser: I suppose you go around with your eyes shut.

Hon. L. A. LOGAN: That is the case not only with housing but with everything else when there are controls. The same position applied to super when the supply was reduced to 10 per cent. Everybody said they could not accept the decrease but as soon as the control was lifted, they could not use what was ordered. I mention that merely to illustrate the point I am trying to make.

Hon. A. R. JONES: Members should give landlords an opportunity to do what they wish with their own properties. For the last 12 years they have been hamstrung. Most people would be about 50 years of age before they acquired a property. Add 12 years to that and their age would be 62 and still they have no control over that property whatever. The Government should show consideration to people who have put by a little for a rainy day, and who have provided houses for the community, and permit them to do what they wish with their own properties.

Hon. J. G. HISLOP: Last night I said I was giving serious consideration to the clause. I have done so but am no nearer a solution. Listening to one member after another seems to add to the confusion in my mind, and it is difficult to see where justice lies. I dislike controls, as members know. I have spoken to a number of people engaged in business and their opinion is that if this legislation is not allowed to pass, some individuals will be able to sell houses with vacant possession with the idea of obtaining a capital gain, which is said to be their right. I wonder how the position would be controlled if that were to occur and whether the authorities would be able to cope with the number of evictions. The Minister might answer that. Apparently he feels the Government would not be able to meet the evictions; if that is so, I would hesitate considerably.

Hon. H. K. Watson: You would make the individual bear the responsibility?

Hon. J. G. HISLOP: I am not even accepting that. Houses put up with vacant possession are not put up for sale for rerenting. Members know that a man would be foolish to buy a house to rent. Therefore he is selling his house in order to take his capital assets, and this would create a difficult position. We all know that people should be content with the interest on the capital they invest and not on the capital value today. The people who will look for the capital asset are those who get only 30 per cent. increase on an investment made 20 years ago and whose property is probably worth four times the amount put into it.

Hon. L. A. Logan: Where will the money come from.

Hon. J. G. HISLOP: Bank credit has eased considerably. I believe it will not be long before the banks again make finance available. I am not prepared to assist in producing a very difficult situation in the immediate future. I should like the Minister to state whether the Government could meet the situation that might arise under the conditions that we may reasonably fear will occur if the clause were deleted.

Hon. A. R. JONES: Members need not fear that there would be a wholesale selling of houses. Apart from those that would be sold in ordinary circumstances, the only ones to change hands would be the more costly residences ranging in price around £7,000 to £9,000. The type of house we are concerned about would not change hands because a rental of £3 or £4 a week would represent the limit that a person renting a house could afford to pay. A land and estate agent assured me that he had not sold a house in months. Yet in the newspaper many houses are being offered at about £2,800 to £3,100, with vacant possession.

Hon. H. S. W. PARKER: I wish to point out the effect of the amendment. If members agreed to alter the month to October, they would then have an opportunity of voting out the whole clause. If they do not vote for the amendment, the month will be December next.

Hon. L. A. Logan: You would be putting it forward only two months.

Hon. H. S. W. PARKER: The object is to ensure that, if the Government next year proposed to continue control, the Bill would not be brought down in the dying hours of the session.

The MINISTER FOR TRANSPORT: There is very little difference between stipulating October as against December. If members will not approve of December, I would be quite happy to accept October rather than have the clause deleted. When the Bill of last year was passed, we were not in a position to know how many evictions would occur. We tried to cushion

the effect by providing a number of cheap houses in which to accommodate evicted persons and, for the most part, we were able to accommodate them. We hoped then to be able to discontinue the Act at the date of expiry.

In reply to Dr. Hislop, we are having a tough time in trying to meet the demand which evictees are placing on us and, if the clause were deleted, the pressure would become greater. We have gone much further in the direction of easing controls than have the other States, despite the fact that the pressure of increased population has been greater here. I repeat that we shall be hard-pressed to find sufficient housing for evicted persons and that, if the clause is deleted, our task will be rendered much more difficult.

Hon. L. CRAIG: I believe that the Government is embarrassed in its endeavour to find accommodation for evicted persons, and consequently I feel a desire to support the Government for that reason alone. I do not think the fact of substituting October for December would have any effect at all. It would merely mean that the Government would have to bring down a Bill next session before the Act expired.

Hon. H. S. W. Parker: That is correct.

Hon. L. CRAIG: My next reason for supporting the Government is that, if we reject this provision, the effect on householders will be the same as that experienced by occupants of apartment houses. Owners will be able, by holding out a threat of eviction, to obtain considerably increased rents from tenants. It may be said that the court would protect the tenant, but it could not protect the tenant from eviction. If a landlord considered that his tenant was not paying enough rent, he could say, "I can put you out and will do so unless you pay another £1 a week." I think there would be quite a lot of that occurring. Many people would also be seeking to sell their houses in order to get today's prices. Prices are declining, but that is due to credit restriction and not to reduced costs of building. Those costs are higher now than ever. It is impossible to get a brick house built for less than about £300 a square. In all the circumstances, I must support the Government.

Hon. L. C. DIVER: I support the deletion of Clause 2. Some members have given the finest exhibition of running with the hare and hunting with the hounds that I have ever seen. The Government was elected on the promise to lift controls and it has not done so. It is time that landlords once more were given the right to determine what to do with their own property. The landlord was unfortunate in that he, of all the people who had saved money, invested it in house property. Because of that unfortunate choice, he has been placed in the position of being controlled. If it is correct that a majority of the rented houses are very old and that exorbitant rents are being paid for them, what is there to fear from the lifting of control? I appeal to members who were elected on a given platform to live up to it.

The CHAIRMAN: Members are overlooking the fact that the question before the Chair is that of altering the date from December to October, whereas they have been debating the advisability of retaining or deleting Clause 2.

Hon. F. R. H. LAVERY: When the Minister in another place was speaking on the continuance Bill he said the reason for altering the date from October to December was to bring both rents and tenancies into line.

Hon. H. K. WATSON: I assume the position is quite clear, that even if the amendment is carried, it will still be open for the Committee to reject the clause as amended.

The CHAIRMAN: Yes.

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

Ayes	10
Noes	15
Majority against	5

Ayes.

Hon. L. C. Diver	Hon. A. L. Loton
Hon. C. H. Henning	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. H. S. W. Parker
	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. Sir Chas. Latham
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. Craig	Hon. J. Murray
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. F. R. Welsh
Hon. Sir Frank Gibson	Hon. R. J. Boylen
Hon. W. R. Hall	*(Teller.)*

Amendment thus negatived.

Hon. F. R. H. LAVERY: I support the Government in its wish to retain Clause 2. The Housing Commission has, for two- and three-unit homes, between six and seven thousand applications that it cannot meet. It also has another seven or eight thousand applications that it cannot supply from people who, it has been said, should do something for themselves. Since 1942 these people have not been able to do anything. The Housing Commission is now the agent of the Workers Homes' Board, and I think there are more than 2,500 applications for workers homes. I have an application form here for a tenancy.

Hon. L. A. Logan: The retention of this clause will not give that applicant a house.

Hon. F. R. H. LAVERY: I am trying to point out that the Housing Commission has approximately 14,000 applications from two-unit families, and so on. My sympathy goes out to the executive members of the Housing Commission for the dilemma they find themselves in at present in trying to provide homes for the people.

Hon. H. S. W. Parker: You agree the Housing Commission is doing an excellent job.

Hon. F. R. H. LAVERY: I do, but it has not kept to the promise of supplying two- and three-unit families with premises.

Hon. L. A. LOGAN: Mr. Craig and Dr. Hislop were very worried about the number of landlords who would immediately give their tenants notice of eviction. How many landlords who have been excluded from the provisions of this Act since 1951, since when there have been increases in the basic wage, rates and maintenance costs, have given their tenants notice to quit so that they can increase the rent?

Hon. L. Craig: They cannot do that.

Hon. L. A. LOGAN: Yes, they can. They do not come under the provisions of the measure at all. From the way Mr. Lavery spoke, it would appear that the retention of this clause would provide the Housing Commission with the means of making more houses available. There is a chance of more houses being made available if the clause is thrown out.

Hon. H. K. WATSON: Mr. Diver expressed amazement at some members running with hare and hunting with the hounds. As he was not here when this particular provision was put into the Act, I will read some of the names of those who helped to carry it on that occasion. They include Mr. Craig, Mr. Murray and Mr. Parker. It is extraordinary to me that members who, 12 months ago, fought for the express purpose of making this provision finish on the 31st October, 1952, should speak tonight as they have.

Hon. G. Fraser: They have seen the error of their ways.

Hon. L. Craig: Do you think it would make any difference whether it was October or December?

Hon. H. K. WATSON: I am speaking of the hon. member's view, as I understand it, that the clause should be continued for another 12 months. In other words, that Clause 2 should stand.

Hon. L. Craig: I voted that way last year, too, although I think I voted for October.

Hon. H. K. WATSON: The hon. member voted for the express purpose of having Part IV of the Act deleted, and to have no further continuance of the measure. I oppose the insertion of Clause 2 in the Bill, The reasons put forward 12 months ago stand just as firmly today and even more so because the people have been given 12 months' notice of what the House intended to do.

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

Ayes	17
Noes	8
Majority for	9

Ayes.

Hon. C. W. D. Barker	Hon. Sir Chas. Latham
Hon. G. Bennetts	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. J. Murray
Hon. L. Craig	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. F. R. Welsh
Hon. W. R. Hall	Hon. J. Cunningham
Hon. J. G. Hislop	*(Teller.)*

Noes.

Hon. L. C. Diver	Hon. A. L. Loton
Hon. C. H. Henning	Hon. H. L. Roche
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. J. McI. Thomson
	(Teller.)

Clause thus passed.

Clause 3—Section 33 amended:

Hon. H. K. WATSON: In view of the Minister's statement and the opinion expressed by the majority of members tonight, I suggest that we should have a little more frankness and a little less humbug. It appears that so long as this Government is in power and so long as this House is constituted, there will be rent restrictions.

The CHAIRMAN: Order! The hon. member cannot anticipate future legislation.

Hon. H. K. WATSON: I am not anticipating future legislation.

Hon. G. Bennetts: There might be a Labour Government in power after next election.

Hon. H. K. WATSON: I am merely suggesting that we would be more frank and would create less humbug if we repealed Section 33 altogether instead of amending it as proposed, and we would thus save this Chamber the farce of amending the legislation from time to time.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—LAND ACT AMENDMENT.

Second Reading.

HON. H. C. STRICKLAND (North) [8.38] In moving the second reading said: The Bill seeks to amend certain sections of the Land Act for the sole purpose of speeding up the machinery which provides for the resumption or withdrawal of areas of land from pastoral leases under Part V

of the Act. That part deals with conditional purchase leases, homestead farms, working men's blocks and closer settlement areas. The amendments will not be required in those cases where a lessee is willing to surrender an area from his lease when an application is made for it under Part V of the Act.

However, when a lessee is reluctant to surrender portions of his leasehold property, the machinery of the Act is then unnecessarily slowed up and this has the effect of discouraging potential settlers and, in my opinion, of eventually driving them away altogether. The proposals in the Bill will in no way deprive the lessee of any rights he holds now. All that is intended is to reduce the period set out in the legislation which enables him to either take up the area that is selected, or is intended to be selected, by somebody else who thinks he can put it to greater use.

Hon. L. Craig: You mean pastoral leases.

Hon. H. C. STRICKLAND: Yes, I am referring only to pastoral leases.

Hon. L. Craig: You did not say pastoral leases.

Hon. H. C. STRICKLAND: I am sorry: I thought I indicated that when I said that the Bill dealt with resumption or withdrawal of leases under Part V of the Act, which deals with conditional purchases and so on. Under the Act as it stands, if an applicant desires to select a holding in any land division with the exception of the South-West Land Division, the Minister, if he thinks the applicant should be given an opportunity to do so, is faced with a tremendous number of provisions which will enable the passing of four years before the excision can be effected. That is, of course, if the pastoral lessee desires to prevent any resumption of his leasehold property for land settlement purposes. Otherwise, the application will go through in the normal way.

To indicate what is intended, I will explain the provisions of the Bill. It is reasonable to assume that when a Minister receives an application he will, after giving it consideration, either advise the applicant that the land is not available for selection—which would be the end of the matter—or, if he thought the land—which might consist of five acres or less—could be put to better use by granting the application, he has to comply with the provisions of the Act which lay down, under Section 109A, that the lessee must be notified of the intention to resume a section of his land. The notice must include a description of the area and set out the lessee's right under Sections 55 and 56 of the Act. These sections give the lessee the right to select for himself the land which has been applied for. In other words, he has No. 1 priority. If he says, "No, I will take up the land myself under conditional purchase conditions," that is the end of it, and the applicant loses any opportunity he might have had to secure the land.

This section gives the lessee the right in all divisions other than the South-West Land Division to a period of 12 months in which to make up his mind. If the Minister decides to proceed with the matter, he must notify the lessee and all encumbrancers of his intention, and the lessee can wait for the full period of 12 months before exercising his right to take up the land himself. If he does not reply to the notification, the Minister can, after the twelve months have elapsed, then further proceed under Section 109B., the provisions of which apply where a person has made an application and the Minister, acting on his behalf, is endeavouring to secure the land for him.

First of all, after the period of 12 months has elapsed, he must follow the provisions of Section 111 under which the Minister is required to give notice to the pastoral lessee that he must lodge within 60 days any claim for compensation in respect of improvements, and the Minister must also nominate an agent for the applicant or appoint himself as such. The lessee is required to appear before a referee whom the Minister may appoint, should a dispute arise regarding the valuations placed upon the improvements.

Upon receipt of this notification, at the end of 60 days the selector is given a further 60 days within which either to pay the amount of compensation claimed or to endeavour to come to an agreement with the lessee. Failing agreement being reached, the Minister then appoints a referee, who is the magistrate in the district where the land is situated. It would take another three months before the case would be heard and the magistrate would probably adjourn the proceedings with a view to having a look at the improvements himself and assessing their value.

So the process goes on almost endlessly. First there is the period of 12 months, then another period of 60 days, another period of 60 days and then a period of three months—and so there is almost endless argument. It would take about two years to deal with the whole matter, and so my proposal is to amend the sections relating to the procedure. The first proposal is to amend Section 56, which applies to the rights of the lessee when someone applies for a conditional purchase lease of part of his holding or the Crown may desire to resume or excise portion of his pastoral lease. It reads—

> Any pastoral lessee in the Kimley, North-West, Eastern and Eucla Divisions who shall have in his possession in any such division at least ten head of sheep or one head of large stock for each 1,000 acres

leased, may apply in the prescribed form to purchase any Crown land within his lease (not being within a goldfield or mineral field) in one or more blocks...

I believe that provision was not intended to apply absolutely in accordance with what is stated in the section. The effect of it is that a pastoralist could hold two leases in one land division and the leases could be hundreds of miles apart. He could have 10 head of sheep per 1,000 acres or one head of large stock per 1,000 acres on the one lease, but he would still have a prior right to select any conditional purchase area of land on his unstocked lease.

The section refers to "any pastoral lease" in the divisions mentioned, and I do not think it was intended to apply in the way I have suggested. For that reason I propose to delete the words "in any such division" and to insert in lieu the words "on the pastoral lease from which Crown land may be purchased as provided in this section." The effect of the amendment would be that the lessee would have to stock the particular lease concerned before he would have the prior right to say he would take up the area himself. I think that is only reasonable.

The next amendment seeks to alter Section 109A., which deals with resumptions. Subsection (1) reads—

> Before any land in any division held under pastoral lease is resumed and withdrawn from any such lease for the purpose of being declared open for selection under Part V of this Act, the Minister shall give notice to the lessee and also to every encumbrancer (if any) of the lease, of the intention so to do.

Then in Subsection (3) it states—

> The lessee may, unless his rights under section fifty-five or section fifty-six of this Act have been expressly negatived as aforesaid within a period of three months from the date of the notice given to him as provided in subsection (2) hereof, if the land is situate in the South-West Division, or within a period of 12 months from the said date, if the land is situate in any other division, exercise the rights provided for him under the said section fifty-five or the said section fifty-six, as the case may be.

The Governor can expressly indicate if he wishes to take the land on behalf of the Crown. I am arguing the case respecting the individual who has held the land and has not really used it, but is not prepared to surrender it in any event while doing nothing with it himself.

I propose to amend Subsection (3) by deleting the words "if the land is situated in the South-West division or within a period of 12 months from the said date if the land is situate in any other division" which appear in lines five to eight of that subsection. The effect would be to leave the period at three months in all land divisions, which I think is fair and reasonable. Surely it would not take a man more than three months within which to make up his mind. I could understand the longer period necessary in the earlier days when mails were conveyed by horse and buggy, camels or mules. In these days of fast air mail services a period of three months should be ample, even though the lessee might be living in England.

The next amendment deals with Subsection (4) which reads—

> Where it is proposed to resume and withdraw any land from a pastoral lease which is situate in any Division other than the South-West Division, a description of such land shall be laid before both Houses of Parliament at least thirty days before such resumption and withdrawal is effected.

I propose to delete that subsection. The South-West Land Division extends from approximately 50 miles north of the Murchison River down to the south coast. Any pastoral areas in that huge section of the State do not come within the provisions of this measure. I propose to make the period three months uniformly throughout all divisions with respect to resumptions. If Parliament had risen, it would mean probably nine months before any matter could be dealt with under the circumstances I have indicated.

Section 109B is the next I desire to amend, by applying a similar principle. That will ensure a period of three months throughout, and I consider that is ample time. Another amendment applies to the same section with the object of speeding up the time taken to deal with matters departmentally. It is provided that the Minister shall give certain notice to pastoral lessees but does not indicate when he shall do so. I propose to stipulate a period of one month so that matters can be dealt with a little faster. I think that is reasonable in the light of a situation that I will explain later on.

The next amendment refers to Section 111, which deals with the procedure the Minister must follow once he decides to support an application for the lease of any pastoral area and, after twelve months have expired, to give the lessee the right to take up the land himself. That section provides as follows:—

> The Minister shall give notice to the pastoral lessee when any land within his lease is resumed or selected as above mentioned, and shall require the lessee, within sixty days of the date of such notice, to furnish him with a full and complete statement of the improvements (if any) for

> which the lessee claims compensation, and the amount claimed in respect of each such improvement; and the Minister shall, by the same notice, require the lessee within the same period to nominate himself or some person as his agent to appear and support his claim before a referee...

There is a proviso to this section and it is the proviso I propose to amend. The proviso reads—

> Provided that where land is resumed or selected prior to survey, the said period of sixty days shall commence to run from the date the pastoral lessee is informed that the land has been surveyed instead of from the date of the notice.

That could take easily another two years in the North, because the departmental surveyors rarely visit a district more than once in two years. They are very busy. All the work cannot be done that is required of them in the North, so the Surveyor General sends them to different areas each year to get as much done as they can. Private surveyors have been engaged in addition to enable the department to keep up with the work which is piling up in some of the towns like Carnarvon, Port Hedland and Broome.

I think that where land is selected and is unsurveyed, that would apply in 99 per. cent of cases. That means that another two years can pass before the lessee is required to lodge his claim for compensation. It seems to me that when the lot is added up, nothing less than four years will expire when the lessee really digs his toes in and says, "I am going to hang on to this at any cost," though he is not prepared to develop the land himself. The objective I have is to shorten the time.

Hon. A. R. Jones: The applicant would give up hope in that time.

Hon. H. C. STRICKLAND: He does. It may be asked why I should be introducing this sort of Bill which should really, perhaps, come from the department itself. I was prompted, during an earlier session, to attempt to do something along these lines, but I have realised since that that session was called for one particular purpose. However, I am very anxious to have this Bill passed, because several applications were lodged by me, by hand, with the Minister in May, 1951, for small areas adjacent to Broome township. That is land which people are prepared to develop with their own resources. I am sure they could do something with that land. They could make a good living from small areas. The applicants applied for 640 acres each out of a pastoral lease of something like 350,000 or 400,000 acres.

I did not know it was a pastoral lease. I understood the station was abandoned. Certainly the improvements had disappeared. The people in Broome were also under the impression that the station was abandoned and they applied for those areas along the coast. One chap is making quite a handsome living off a few acres —I think about five or six. He sold £1,000 worth of ducks to the meatworks last year, and also the year before. Quite a lot could be done there, but the town is absolutely lease-locked. There is no land available along this particular area, which is very suitable for development, having fresh water at shallow depths in a narrow strip along the coast. That land could certainly be utilised; but nothing seemed to happen to the applications, and that is why I have been so anxious to try to effect some amendment to the Act.

It appears to me that pastoral leases are so safeguarded and wrapped up in protective land laws that it is virtually impossible for any potential settler to think of going North; and it is almost imposssible even for the Governor to resume any land and throw it open for selection under a couple of years, if he complies with the provisions of this Act, which he is called upon to do. I know that when these provisions were incorporated in the Act they were very necessary. They were inserted in 1939, and at that time the pastoral industry right throughout the State was generally in a poor financial condition. It is only reasonable that in those circumstances financial firms would not provide credit unless there was security of tenure. That is only correct business.

But circumstances have altered tremendously since 1939 and there has been a revolutionary change in the financial position of pastoralists that has been very good to see. There would be no hardship imposed on any pastoralist in the North by surrendering small areas of land such as those adjacent to towns where they could be suitably used. I know many towns where it would not matter how much land one had, because it would be of no use to one; but there are some good pockets in the North, such as the one at Broome and the one at Carnarvon that have proved so successful.

Hon. L. Craig: Would there be expensive improvements on those properties?

Hon. H. C. STRICKLAND: Those at Broome had disappeared when the applications were made. There were no improvements; they had all rotted away. What has happened in the intervening 17 months, I do not know. I do know, however, that it was 16 months before the department made a move at all, and it was only a month ago that one of its officers was sent to report on the place. I understand he has returned to Perth and is compiling his report. What is in it I do not know. I did ask the Minister, but he will not divulge any information until the report is complete, which I suppose is

quite correct. We are always hearing of and reading about, and some of us even stressing the importance of settlement in the North. There is no doubt that land settlement is the permanent type. Mining attracts population only for short periods, only for so long as the ore being mined commands a good price on the market. As soon as the price drops or the mine peters out, the population falls off.

It is different with land settlement. That is permanent, and it is very necessary for food production. I am therefore amazed that it has taken so long for the department to act in this respect. The population in Broome is increasing rapidly. There is a large coloured population there, the members of which have the money and are prepared to take up the land and endeavour to do something with it. What will happen to those people if they are not allowed to expand, goodness only knows. There is very little behind a place such as Broome. There is actually no back country. There is only the pearling industry, and we have known that industry to suffer long periods of slump.

In that district there is suitable land with a 22-in. and up to a 30-in. rainfall that rarely fails. Even this year, though there has been a drought, I doubt whether the fall is far below the average. It would still be around 16 or 17-in. When I was there recently, I was surprised to see that the grass was just as abundant and high as in other years when there has been more than an average rainfall. It seems to me a great shame that the land adjacent to these towns should be so tied up in leases that the population cannot possibly expand and develop and do anything with it so that they must clear out; and in the long run the population shrinks, as has been the case for years. It will continue to shrink unless we can encourage people to take up land.

My motive in introducing the Bill is not to take land away from anybody. It will not do that but it will speed up the machinery and will bring under the notice of the Minister, I hope, the need to move along a little faster with this type of land settlement. I would very much like to have done considerably more, but the job is one for the Government. What is required is a new measure altogether such as we have in other cases when Governments have brought in new Acts to suit altered conditions. The time is ripe for the legislation to be amended in such a way as to make the selection of land easier in cases where it is being held and not used. I have no complaint against the holder of land who is using it properly, but it is not fair that great areas should be tied up until 1984 while not being used in the manner required by the Act. I move—

> That the Bill be now read a second time.

HON. C. W. D. BARKER (North) [9.16]: Up till now, as Mr. Strickland has just explained, when anyone in the North has tried to secure a piece of land held by a lessee, it has taken years, and in fact such applicants have never been successful. As one member said, the applicant, quite reasonably, becomes disheartened beyond endurance, and simply gives up.

Hon. A. R. Jones: He dies before he gets it.

Hon. C. W. D. BARKER: Exactly. The Bill, if passed, will give people in the North reasonable hope of securing land. It will enable men in the Kimberleys and the North-West, who apply for land, to have some chance of obtaining it. It could mean the beginning of a new era in the development of the North. There are large tracts of fertile country—particularly in the Kimberleys—suitable for irrigation and for tropical agriculture, to say nothing of the raising of pigs, sheep and fat cattle.

The Kimberley division covers an area of 134,000 square miles, or 85,337,600 acres. It is drained by two principal rivers, the Fitzroy and the Ord, the Ord draining the eastern flank and the Fitzroy the southern flank. For the greater part of its course, the Fitzroy flows east and west and is joined by numerous tributaries which enter it at right angles. Both those main rivers are subject to extensive flooding. That is particularly so in the case of the Fitzroy, on the lower reaches of which there are extensive fertile flats. Both these rivers, in the higher country, have cut deep gorges, which are excellent sites for dams.

In the final 200 miles of its journey to the sea, the Fitzroy has a fall of 175 feet, which makes it an excellent proposition for damming and irrigation. The huge flats, which throughout the ages have been flooded by these rivers, have a deposit of very rich soil, and should be some of the most sought-after country in the world. Were that land anywhere but in Western Australia, it would be populated and producing to its fullest extent. It is capable of producing an enormous quantity of foodstuffs, such as rice and sugar, as well as flax and other commodities.

I have on several occasions been asked from whence the people are to come to go on that land. The answer is that there are plenty of people in the North anxious to take up land and build homes there, but under the present legislation they cannot secure the land. We must not be afraid of change, for sooner or later it must come. What has the pastoralist to fear? If he says this country is fit for nothing but the raising of cattle and sheep, why should he oppose anyone else securing a piece of it?

Hon. H. S. W. Parker: Who is opposing it?

Hon. C. W. D. BARKER: If the hon. member tries to get some of it, he will find out.

Hon. H. S. W. Parker: Who opposes it?

Hon. C. W. D. BARKER: Every squatter in the North. The passing of this Bill would speed up the process of development in that country and would give the people an idea of where they stand. Why not let them try to irrigate this country and develop it? The pastoralist has nothing to fear because what he would lose in sovereign rights he would gain tenfold in other ways. If the country is fit for nothing but cattle and sheep, of course no one will want to take it up in small holdings.

Hon. H. S. W. Parker: Is it not a question of markets, rather than what the country is fit for?

Hon. C. W. D. BARKER: There are plenty of markets, as the hon. member well knows.

Hon. H. S. W. Parker: The trouble is to get the produce to the markets.

Hon. C. W. D. BARKER: I will tell the House later how that could be done. There is one school of thought which says we can do nothing about this country by the production of food and raw materials, and that there must be a great deal of slow and careful experimental work done before small blocks are taken up for agriculture, but I do not hold with that theory. In my experience, the best way of finding out what country will produce is to let the practical farmer show what he can do with it.

Hon. H. S. W. Parker: How are we to get the practical farmers to go there?

Hon. C. W. D. BARKER: There are plenty of them willing to go on that land. When they have proved what it will do, the experts can consolidate and improve their findings. The initiative should be left in the hands of practical men. It is sometimes the apparently ignorant man who solves the problems of the land. It is useless to put down bores to increase the carrying capacity of the land because if that is done the pastoralists stock the country heavily, eat it out and then move on. The time has come when we must put something back into that land, and that can only be done by closer settlement. There are several small rivers in the Kimberleys which offer great possibilities for irrigation schemes. One of those rivers has the same name as I have. I refer to the Barker River.

Hon. H. S. W. Parker: Are you sure it is a river, and not a babbling brook?

Hon. C. W. D. BARKER: It is a river, a tributary of the Leonard River, which reaches the sea at King Sound, north of Derby. The land along that river is extremely fertile. There are huge black plains where the wheatgrass grows 12ft. high. I have seen an onion crop of 30 tons to the acre on the top of the Napier Range, in six inches of soil, close to the Barker River. I think the fertility of that country is due to the limestone and mineralisation.

Hon. H. S. W. Parker: Are these the brown onions that keep so well?

Hon. C. W. D. BARKER: Both brown and white onions that keep well. The Barker River drains the western end of the Leopold Range, and never fails to run. Even in this present drought year, it has run two or three times. Some of my friends took it upon themselves to measure the amount of water that flowed through the Barker Gorge in 24 hours They found that in that time the flow was 30,000,000,000 gallons; enough water in 24 hours to fill the Canning Dam 1½ times.

Hon. Sir Frank Gibson: On how many days of the year does that happen?

Hon. C. W. D. BARKER: For three or four months of every year. The land on the banks of that river has been levelled by nature, and would lend itself to irrigation. Such projects are being held back simply by the inability of men to secure the land. If we let it be known that there is a chance of securing land in those areas, we will soon hear from the applicants.

What about the people of the North, both white and coloured. There are hundreds of young coloured people there whose outlook now is hopeless. It suits the big beef barons to have that pool of labour at call, but are we justified in leaving them to such a life, or should we give them hope of a far better outlook for the future? After all, this is their country. I refer to the half and quarter-castes—I think I should say the outcasts. Let us dam these rivers and cut up the surrounding country into irrigation areas. Forty or fifty acres of irrigation land would be sufficient for each farm, together with some back country. The local people would make excellent husbandmen and farmers if given the chance. Each farm of 50 acres of irrigation land, together with some back country, would turn out 400 or 500 fat bullocks per year.

Hon. L. Craig: From where would they get the bullocks?

Hon. C. W. D. BARKER: From the big properties. The big holdings would still have a part to play in producing stock for the irrigation farms. With 20 such farms, we could produce 9,000 fat cattle annually.

The Minister for Agriculture: You are making out a good case. Do not spoil it by exaggeration. An irrigation area of that size could not carry such numbers of cattle.

Hon. C. W. D. BARKER: Why not? Fifty acres of irrigation land, together with 5,000 or 6,000 acres of back country properly farmed—

Hon. L. Craig: It would never fatten them.

Hon. C. W. D. BARKER: It would fatten 400 or 500 cattle per year. Any member who thinks it would not, simply does not know the North. Twenty such farms would produce 9,000 fat cattle per year.

Hon. L. C. Diver: Could you take us up there and show us?

Hon. C. W. D. BARKER: Willingly, if the Government would meet the expense. Nine thousand fat cattle would be sufficient to supply a meat works at the irrigation area where the beef could be killed, the blood and bone returned to the land and the offal, hides and meat taken to the port in insulated vans. That would be much cheaper than the present method of flying the beef out at high cost to the taxpayer and consumers.

Hon. H. S. W. Parker: Do you believe in Air Beef?

Hon. C. W. D. BARKER: In places such as Glenroy, Halls Creek and certain other centres.

Hon. H. S. W. Parker: In all these places to which you are referring?

Hon. C. W. D. BARKER: They are all easy to get at.

Hon. H. S. W. Parker: Then they would have to bring all the offal back.

Hon. C. W. D. BARKER: Back where?

Hon. H. S. W. Parker: You said that they would kill the beasts on the property and the blood and bone would be returned to that property.

Hon. C. W. D. BARKER: That is right.

Hon. H. S. W. Parker: Then you would have to fly the beef out, would you not?

Hon. C. W. D. BARKER: The beef, hides and the saleable offals, such as livers, tongues and so on, would go down to the port in insulated vans and be shipped from there.

Hon. H. S. W. Parker: You believe in slaughtering on the property?

Hon. C. W. D. BARKER: Absolutely. Put the blood and bone back into the soil. In a very short time, if we carried out schemes like this, there would be a different type of beast in the Kimberleys. At present they are a mongrel type and they would give way to well-bred stock.

Hon. L. Craig: Are you talking about humans or beasts?

Hon. C. W. D. BARKER: There would still be plenty of room for big runs to breed stock which could then be taken into these irrigated areas to be fattened. If that were done, the days of the five and ten-year-old bullocks would be gone for ever. What objection can there be to schemes like this? Such schemes will put people into the North and give us a chance to make something of it.

But, as I said before, we must not be afraid of changes; we must look to the future prosperity of this country. Even the people of the North have dropped their bundles because of heartbreaks, disappointments and unfulfilled promises. I ask members to give them a chance; too long has this country been under the domination of the absentee beef-barons who do not want to see any closer settlement. It suits them to continue to graze these semi-wild herds of mongrel cattle on some of the finest country we have in the State.

Hon. H. S. W. Parker: And the Labour Party put up with it from 1933 to 1946.

Hon. C. W. D. BARKER: It includes some of the most fertile areas in Australia. Are we going to allow them to continue like that? Perhaps the hon. member has an interest in that country and if so it might suit him to let existing conditions continue. This amendment to the Land Act would be the first step in the right direction. The need is urgent. Are we to go down in the history as being the ones who tried to do something or will we be remembered as the people who refused to do anything to help this country?

Hon. L. Craig: This is only to speed up the present procedure.

Hon. C. W. D. BARKER: That is the object of the Bill. There is the constant worry of a world food shortage and if we do not do something about it the world will go hungry. There is very little undeveloped or semi-developed country left in the world, but we have thousands of square miles of it in the Kimberleys. We cannot say what the rest of the world is going to do about the food shortage or what they are going to do about their undeveloped land, but we can make sure that we put into production all the land we possess and particularly such fertile land as we possess in the Kimberleys.

Hon. H. S. W. Parker: Are you aware that a Commission came out from England four years ago and inspected that country up there?

Hon. C. W. D. BARKER: And what a lot of good things it had to say about the land in the Kimberleys! There has been too much stress on secondary industries in this State. We must concentrate more on the production of food for the world.

Hon. A. R. Jones: It needs it now.

Hon. C. W. D. BARKER: We will not be able to get that increased food production if we do not do something about these large tracts of fertile country which are lying idle. I know that all this cannot be brought about by a simple amendment to

the Land Act, but at least it will be a step in the right direction. It will give people a chance of getting a small block of land in the Kimberleys and I do not see what objection anybody can have to a scheme such as that. One either wants to develop the country in the Kimberleys or one does not; one is either interested in the necessity to increase the production of food or one is not.

While speaking on the Address-in-reply Mr. Dimmitt mentioned the Air Beef scheme and said what good it was doing in supplying beef to Britain. If Mr. Dimmitt votes for this Bill much more beef will be sent to Britain and it will be of a much better quality. I will even go so far as to say that if the Kimberleys are developed, that section of the State and the Northern Territory could become great rivals of the Argentine. The old method of running stock, eating out the country and destroying the pastures has to stop and a new method of working the land has to be found. That can be done only by closer settlement. I have heard many members in this Chamber say that land left for development in the south is mainly light land. We have some of the finest country in the world; large fertile flats which are just waiting to be developed.

The Minister for Agriculture: You have a rival.

Hon. C. W. D. BARKER: I have plenty of them.

Hon. G. Bennetts : I was thinking about Esperance.

Hon. C. W. D. BARKER: Once again, I ask members not to be afraid of a change. If we pass this Bill it will go a long way towards relieving the world's food supply which will sooner or later become an international problem. A round-table conference will have to called to discuss it, and are we going to say that we tried to do something to develop our land or are we to say that we have large tracts of fertile country which have been literally destroyed and wasted by people who are not using it as they should?

At present, if a man tries to get a piece of land in the Kimberleys, he is hampered by restrictions which are now embodied in the Land Act. Those restrictions were not meant to apply in these days. Surely it is time they were altered! I am asking members to agree to this Bill because it will do away with a system that is destroying the North. If the Bill is passed it will do a good deal towards helping to develop the North and will help to increase the production of food. It will give the coloured population a chance to spread out; it will give them some hope in life and a chance to settle on the land. There are plenty of farmers' sons today who would welcome this opportunity. There are many farming families, with sons growing up, and they cannot spread out because the land is all taken up. We could offer it to them in the North if we were given the opportunity, and that could be done if this Bill were passed. The day will come when the Kimberleys and the North will have to be developed and produce to their fullest extent; why should it not be in our day? Why should not we be the ones to start off such a scheme? If we leave things as they are the pastures will become worse and worse. They are being destroyed and it is time something was done to prevent it.

So I ask members to treat this as a serious matter. The Bill will not harm anybody and will take nothing away from anybody. No one will lose any sovereign rights if it is passed, but it will give us a chance to apply for blocks of land with some reasonable hope of getting them. I support the Bill.

On motion by Hon. L. Craig, debate adjourned.

BILL—HEALTH ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [9.40] in moving the second reading said: This Bill seeks to remedy a number of deficiencies in the principal Act. The most important amendment provides for a modification of the conditions relating to the registration of piggeries. Under the principal Act piggeries are offensive trades and have to be registered as such with the local authority of the district in which they are established.

At a conference between the Commissioner of Public Health and the Farmers' Union it was pointed out by the latter that while it was most desirable to register piggeries which were in or close to built-up areas, there should be no necessity for farmers in remote areas to register their pigs, as these constitute no nuisance to people and do not endanger the public health in any way. The Act provides for annual registration and for a registration fee of up to £5. To comply with this every person who keeps pigs for sale must register his premises as an offensive trade. There is no doubt that this is necessary where a piggery, with its characteristic odour and attendant nuisances, is adjacent to a built-up area.

The Bill proposes therefore that in future it will be necessary to register piggeries only in areas which are prescribed in bylaws made by the appropriate local authority. However, where pigswill is wholly or partly used to feed pigs, such piggeries must be registered notwithstanding their locality. Pigswill is a very dangerous medium whereby highly infectious diseases can be transmitted in pigmeat to human beings.

At the present time the Department of Agriculture is taking every precaution against the very serious possibility of the

introduction of foot-and-mouth disease through the bringing of meat and other animal products into the State. Practically every day the seizure and destruction takes place of salami and other types of sausage containing uncooked meat, bacon, dried pork, etc. found in possession of migrants at Fremantle, or intercepted in parcels at the G.P.O. These foods may harbour the foot-and-mouth virus and should they escape the quarantine search and find their way into unsterilised garbage fed to pigs, they might commence a disastrous outbreak of disease. Rinderpest and swine fever could be introduced in the same manner.

Under the Stock Diseases Act pigswill has to be sterilised by heating in a temperature of not less than 212 degrees Fahrenheit for not less than two hours, and pigmen using swill are required to obtain and license the proper treatment plant. From the public health point of view, several infectious diseases can be transmitted to man by the consumption of incompletely cooked pork containing the larva of parasites. It is highly desirable that there be the closest co-operation between the Departments of Agriculture and Public Health in the efforts being taken to prevent the introduction and spread of highly infectious animal diseases and of infections transmissible from animal to man. Therefore the proposal in this Bill to register all premises where pigswill is used will assist considerably in these efforts. To this end it has been found necessary to insert a definition of "pigswill" in the principal Act.

Another amendment deals with the provision of sanitary conveniences for the use of workmen. This requirement has been evaded by groups of persons building houses for themselves and employing no outside assistance. This has, in some instances, created a nuisance which cannot be proceeded against under the Act, and the Bill proposes to remedy that state of affairs.

The next amendment refers to sewerage fittings. Before any such fitting or part can be used in any sewerage work in the metropolitan area, it must be inspected and branded by officers of the Metropolitan Water Supply, Sewerage and Drainage Department. Some traders have made a practice of selling rejected and defective fittings to persons constructing septic tanks, particularly those in country districts.

This is a most undesirable state of affairs as it is no less essential that good quality parts be fitted to septic tanks than it is to deep sewerage installations. In many cases persons who have been sold defective parts have been caused extra expense and inconvenience when the septic tanks have failed or have functioned improperly. The Bill proposes to rectify this by giving local authorities power to make bylaws prescribing standards for fittings and parts for septic tanks and for the marking of satisfactorily inspected fittings and parts.

Another anomaly which the Bill seeks to rectify refers to the sale of understandard foodstuffs or drugs. The principal Act lays an obligation on local authorities to administer food and drug regulations within the boundaries of their districts. It occurs frequently, however, that products ostensibly of good quality, but in reality below standard, are supplied to retailers by manufacturers from outside local authority boundaries. In such a case, where the retailer is not at fault, the local authority is usually reluctant to prosecute him, although he is liable according to the Act.

In an instance such as this the retailer may, under the Act, recover from the manufacturer the amount of the penalty and costs. This is often done but the retailer still bears the obloquy occasioned by the publicity attendant on a prosecution. To overcome this, the Bill proposes to give local authorities power to take action against manufacturers situated outside the boundaries of their respective districts. Where reasonable doubt exists as to where blame lies, both vendor and manufacturer may be joined in the proceedings.

Under the Act medical practitioners are required to advise the local authority and the Commissioner of Public Health of each case they attend of infectious or suspected infectious disease. As a reward the local authority has to pay the doctor 2s. for each case notified. For several reasons this fee is inadequate. Obviously it is not in keeping with present money values. Also a great deal of information often has to be supplied by the doctor. These details are usually required in connection with research and other work carried out by the Public Health Department.

The Bill therefore proposes that the amount of fee shall be fixed by regulation, and that a scale of fees be instituted which will take into account varying types of disease. Also, in view of the fact that the information is often required for the Public Health Department, in such circumstances, the fees will be paid by the department.

The last amendment is consequential upon the coming into operation in May last of a new Commonwealth-State Hospital Benefits Agreement. Under the old agreement no charge could be made against patients occupying a public ward hospital bed. In view of this, it was necessary to delete from the parent Act the provision allowing local authorities to recover from patients any expenses incurred by the local authority for the maintenance of the patient in hospital.

As members are aware, local authorities are responsible for the control of infectious diseases in their districts. When a local authority arranges the admission of a patient to an infectious disease hospital, the hospital receives the usual allowance under the Hospital Benefits Agreement. This, of course, does not cover all the cost of treatment and the balance is charged by the hospital to the local authority. In view of the provisions of the Hospital Benefits Agreement, the local authority could not exercise its right of recovery under the principal Act from the patient, and so, as I have said, this power was deleted from the Act. Under the new agreement patients become responsible for a proportion of their fees and the Bill therefore reinstates the right of the local authorities to attempt to obtain a refund from patients.

This is a reasonable provision for there can be no doubt patients should, if at all possible, be responsible for their own hospital charges, as otherwise a strain could be thrown on local authority finances. That constitutes a fairly detailed explanation of the Bill. I do not think that any of the proposals are of a contentious nature and I trust they will all receive the approval of the House. I move —

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [9.50]: This Bill must be approved and I have no quarrel with it. I would ask the Minister, however, to allow me a short time to do one thing. If he is prepared to do it, I will not object, but if he suggests that I should do it, then I shall require a little time. The provision in Clause 8 deals with Subsection (2) of Section 276 of the principal Act, and this is to be repealed and re-enacted. As the Minister points out, it allows for a fee fixed by regulation to be paid to medical practitioners for notification of cases. I doubt very much whether that in itself as it is laid down would have any effect.

To my knowledge the Health Act has not been altered for the last 45 years. The original Act says that the local authority shall pay the medical practitioner on notification of an infectious disease In over 25 years of practice, in this State, however, I have never received any fee for any notification from any local authority. I doubt whether any other member of the profession has done so either.

Hon. A. R. Jones: They do.

Hon. J. G. HISLOP: If the profession actually renders an account to these people, they may be paid; but the vast majority of them have not received any fee for the notification of a disease. In Great Britain it is mandatory on the local authority on receipt of a notification to actually make a payment to the practitioner. If the practitioner is to be called upon to notify cases and keep a record of cases notified and send accounts to local authorities, it is only going to add further to the working costs. In Great Britain the local authority forwards at the end of each quarter a cheque to each practitioner. If the medical man is required to notify the local authority, then it should be incumbent on the local authority to pay for the service.

The Minister for Agriculture: I agree.

Hon. J. G. HISLOP: Whether the words "and forward such payment to" added in the appropriate portion of the Bill would have the desired effect, I am not sure and perhaps the Minister will have a look at it. It has become a recognised fact that whilst practitioners are owed this money, very few have received it. As I have said, in 20 years I have never received one single penny from a public health authority or a local authority for notifying any disease.

Hon. L. Craig: Make it retrospective!

Hon. J. G. HISLOP: If the Minister would look into that and give us his advice on it, I would assist him.

HON. E. M. DAVIES (West) [9.54]: I support the Bill. It deals with quite a number of anomalies that have existed for a long time particularly in regard to bylaws concerning piggeries and bacterial treatment of sewerage and also the question that has been raised by Dr. Hislop, namely, the payment to the medical fraternity for notifying infectious diseases. It is quite true, as Dr. Hislop has pointed out, that local authorities have not in the past paid this fee of 2s. for the notification of infectious diseases. It seems to be honoured more in the breach than in any other way.

In recent months the attention of local authorities has been drawn by the Medical Department to that provision of the Act and it has been the desire of the local authorities to ascertain who is actually responsible for the payment of that fee for the notification of infectious diseases. If I remember correctly, a direction has been given by the Medical Department that it does apply to medical practitioners in private practice; but it does not apply to medical superintendents of hospitals or Government medical officers because they are already in receipt of a salary for the services they are rendering to the State.

I do not know that there is any great quarrel with the amount of 2s. that would be paid to a medical practitioner in private practice, nor do I feel that a medical practitioner would be inconvenienced to any great extent because he was compelled to notify a local authority when called upon to treat a case which he has diagnosed as infectious under the provisions of the Act. There would be no objection

as far as local authorities are concerned to paying that 2s. but, as I understand it is now to be dealt with by regulation from time to time, I would be rather interested to know what regulation would be prescribed by that particular department in this respect.

If the regulation made it mandatory for a local authority to pay a fee which was considered to be exorbitant, then I feel sure there would be repercussions from local authorities throughout the State. But if the fee were purely nominal and was to recompense the medical practitioner for out of pocket expenses he might have incurred in making a report to the local authority, I have no doubt that the local authority would honour the obligation in that respect. If this is to be prescribed by regulation in the future and from time to time, consideration will be given to the fact that the medical practitioner is not called upon to do anything very much in making this notification to the local authority.

Provision is made in this measure to alter the existing conditions in regard to hospital treatment. I take it that applies to the inmates who are compelled to go into the infectious diseases hospital and it is proposed that it shall not be a charge on the local authority but on the patient. I do not consider that fair at all. If a case is diagnosed by a medical practitioner as one of an infectious disease, the patient is compelled by law to be segregated in an infectious diseases hospital.

Hon. J. G. Hislop: In the interests of the public.

Hon. E. M. DAVIES: That is the point, and for the individual to be called upon to bear the expense, to me does not appear to be quite equitable. As already mentioned by Dr. Hislop by way of interjection, they are compelled to be segregated in an infectious diseases hospital in the interests of the public and to prevent an epidemic of whatever infectious disease they may be suffering from. I do not agree, therefore, that it should have nothing to do with the local authority and should be a charge on the patient. As the patient is to be segregated in the interests of the public, it should be the responsibility of the public to bear the cost of treatment of people who unfortunately are compelled to enter the infectious diseases hospital.

Hon. J. G. Hislop: Then who should pay?

Hon. E. M. DAVIES: There is quite a lot of argument going on at present. I should think that Dr. Hislop would know that the cost in the infectious diseases hospital at the present time amounts to £3 10s. per day.

Hon. L. Craig: Per bed?

Hon. E. M. DAVIES: We do not know what the cost is going to be in future. As I have already pointed out—and I mentioned this on the Address-in-reply debate—many local authorities go to considerable expense to maintain diphtheria immunisation and prophylactic treatment to prevent the occurrence of infectious diseases and, by so doing, have reduced the incidence to a very low degree.

The Infectious Diseases Hospital is conducted under an agreement between the Government and the local authorities and the Royal Perth Hospital finds that the bed capacity is not being used to its fullest extent with the result that the cost per bed has increased to 70s. It is proposed that 35s. shall be the maximum amount charged to a patient, and if he happens to be a member of an approved health scheme, that scheme will provide another 21s. In the event of a person being indigent and unable to pay, the balance must be provided by the Government and a local authority in the ratio of two-thirds to one-third.

Last year it cost the Fremantle City Council £1,097 for the treatment of infectious diseases, and if the local authorities are to be called upon to pay the increase that is continually occurring, it will not be possible to budget and strike a rate to cover the expenditure for the year. I venture to say that in most districts, the local health rate is bordering on the maximum permitted under the Act, and unless this matter is investigated, I am afraid that the local authorities will find themselves financially embarrassed towards the end of the municipal year.

These are some of the matters that ought to be taken into consideration as regards the Infectious Diseases Hospital, and while this measure does propose to transfer the maintenance costs in hospital to a patient, there are thousands of people who would not be able to bear the financial obligation. Even assuming that they were members of an approved health scheme, a considerable amount would still have to be paid for beds. Many people, not only those on the basic wage, but also those in receipt of reasonable salaries, if inmates of the hospital for any length of time, would find the financial burden beyond their capacity to bear. I am a little concerned about one word in the Bill of which I shall seek elucidation in Committee, and if I am not satisfied with the explanation, I shall move an amendment. I support the second reading.

HON. L. CRAIG (South-West) [10.5]: As members will have realised, this is a most comprehensive Bill, in which probably every one finds some portion of particular interest to him. Still, it is only a machinery Bill designed to adjust anomalies that have become apparent during the years.

I intend to deal only with the reference to piggeries, because that is the one matter in the Bill about which I know something. Under the Act, anybody who keeps pigs is regarded as being engaged in a noxious trade and must be licensed. Under the Act every farmer who keeps one pig must be licensed but this provision has not been enforced. I had a rather unfortunate experience. I was chairman of a road board and a substantial piggery was established near a country town and the residents complained bitterly that the smell was interfering with their comfort. We arranged for the health inspector to go around and we found that we could not take any action, so we had to set out and license every farmer who kept a pig. Well, there was quite a row about that. I think it unjust to charge a fee of £1 for the privilege of keeping one pig.

This measure is designed to exempt keepers of pigs who are not within a prescribed area. A local authority that desires to license a commercial piggery will prescribe the area within which anyone who keeps pigs must come under the Health Act and be licensed. It is quite right that that should be done, but people living in areas where the pigs are not likely to cause a nuisance will now be exempt, unless swill from a town is used for feeding the pigs. If swill is used, a license will be necessary because the risk arising from the use of swill is considerable. From that point of view, it is a good Bill and I commend it to the favourable consideration of the House.

We have had from Mr. Davies the story of the hospitals and from Dr. Hislop the story of the medical profession, and perhaps some member will now tell us the story of the septic tank fittings.

The Minister for Agriculture: Do not give them too much encouragement.

Hon. L. CRAIG: I support the second reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central—in reply) [10.8]: I am pleased at the reception accorded to the Bill which, as has been pointed out, is a comprehensive measure. In reply to the remarks of Dr. Hislop, I would point out that in Clause 2 (2) (a) we could provide, instead of a medical practitioner being entitled to payment of the appropriate fee, that he shall be paid the appropriate fee.

Hon. A. L. Loton: On a point of order, have we reached the Committee stage?

The PRESIDENT: No, the Minister is replying to the second reading debate.

The MINISTER FOR AGRICULTURE: I am replying to questions raised on the second reading. Perhaps Mr. Loton thought I was entering into too much detail. I was about to add that perhaps some of the medical practitioners have such large incomes that they would not desire to accept this payment, seeing that it might put them in a higher grade for taxation purposes.

Hon. C. W. D. Barker: Surely a doctor is entitled to his fee!

The MINISTER FOR AGRICULTURE: Of course. Mr. Craig has pointed out the position regarding piggeries. As to fittings for septic tanks, it is true that a lot of imperfect fittings have been sent to country districts. Recently country residents have been installing septic systems and many of them have found that the fittings were not of the right sort. In the metropolitan districts where septic systems were being installed, I desired, when Minister for Health previously, to compel local authorities to ensure that the fittings used complied with the Metropolitan Water Supply, Sewerage and Drainage Act and that these systems should not be installed unless, when the major scheme was completed, there would be sufficient water to enable them to function without additional expense. The whole of these amendments are necessary and I feel sure that members will approve of the measure.

Question put and passed.

Bill read a second time.

In Committee.

Hon. H. S. W. Parker in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3,—Section 102 repealed and re-enacted:

Hon. E. M. DAVIES: The proposed new Section 102 refers to sanitary conveniences to be provided by contractors "as prescribed by the regulations or bylaws of the local authority". This may cause difficulty because there might be regulations by the department and bylaws by the local authority, and the question might arise as to which should be observed.

Hon. L. Craig: Do not regulations override bylaws?

Hon. E. M. DAVIES: In some instances they do, but it might be preferable if the clause provided for regulations and bylaws.

The MINISTER FOR AGRICULTURE: According to the information supplied to me, this matter is entirely in the hands of the local authority. This does not give authority to the Health Department, but only to the local authority.

Hon. E. M. Davies: I am prepared to accept what the Minister says as being correct.

The MINISTER FOR AGRICULTURE: The local authorities can make regulations under the Health Act.

The CHAIRMAN: The Interpretation Act gives a definition of "bylaw".

The MINISTER FOR AGRICULTURE: Yes. I am satisfied that the local authority will have absolute control.

Clause put and passed.

Clauses 4 to 7—agreed to.

Clause 8—Section 276 amended:

Hon. J. G. HISLOP: I ask the Minister whether he will allow me time to move an amendment to the clause because it is not a question of the amount that is to be received by a medical practitioner or whether it is to be paid once every seven years or every seventeen years, but of his being paid for services rendered. The whole question of reporting various matters to the department is growing, until we have now reached the position where, if a stop is not made to the paper work required of medical practitioners, they will not have time to spend on treatment of the sick. The amount of 2s., which was put in when the Act was first introduced, was a considerable sum. No alteration of that amount has been requested by the profession, but the provision here does not help us. It simply states that we are entitled to payment. I ask the Minister to report progress and give us time to consider the matter.

The MINISTER FOR AGRICULTURE: I am quite willing to do that. Dr. Hislop wants to adopt the unusual procedure of having payment made without rendering an account.

Hon. J. G. Hislop: The account is rendered when the notification is sent in.

The MINISTER FOR AGRICULTURE: If that is so, it will be paid. Perhaps we could provide that the medical practitioner "shall be paid the appropriate fee."

Hon. J. G. Hislop: That is right.

The MINISTER FOR AGRICULTURE: He would not then have to send in an account.

Progress reported.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland): I move—

That the House at its rising adjourn till 3 p.m. tomorrow.

Question put and passed.

House adjourned at 10.23 p.m.

Legislative Assembly

Wednesday, 22nd October, 1952.

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