

Legislative Assembly

Thursday, 22nd November, 1951.

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The SPEAKER took the Chair at 3.30 p.m. and read prayers.

QUESTIONS.

EDUCATION.

(a) *As to Additional Classroom, Cloverdale School.*

Mr. GRIFFITH asked the Minister for Education:

(1) Will he endeavour to give an indication of expectations in regard to the building of an additional schoolroom at the South Belmont school at Cloverdale?

(2) Does he know that in the new year there will be approximately 108 children at this school, 72 of whom will be taught in the one classroom, and that there are, at present, two teachers in the room teaching Standards 2, 3, 4, 5 and 6 together?

(3) Will he not agree that such conditions call for some immediate action?

The MINISTER replied:

(1) The Education Department in May last approved of additional accommodation being erected.

(2) The enrolment justifies the employment of three teachers. It is considered by the director that this is preferable to too great a class load on two teachers, and while one classroom has to be used by them co-ordinated arrangement of teaching periods can overcome difficulties that might otherwise arise.

(3) My answer to (1) indicates this department's attention to the matter, but, if insuperable building difficulties cause delay, the position will be met as early as possible by prefab. building.

(b) *As to Renovations, Southern Cross School.*

Mr. KELLY asked the Minister for Education:

(1) Can he advise at what stage renovations to the Southern Cross State school now stand?

(2) Is the contract for these renovations still held by the contractor, Mr. Kronert?

(3) If Mr. Kronert's contract has been cancelled, will he advise who the new contractors are?

(4) If a contract to finish these long overdue renovations still remains in an unsatisfactory position, will he take steps to have this work completed under Government day work conditions, as the position at Southern Cross school is fast deteriorating and the job has become extremely urgent?

The MINISTER replied:

(1), (2), (3) and (4) I am informed by the Public Works Department that the contract is held by Mr. Kronert; work has not commenced, the Minister for Works is considering termination of same and, if determined, as there would be great difficulty in having the work done departmentally, tenders are to be recalled.

(c) *As to New School, Mt. Pleasant.*

Hon. J. T. TONKIN asked the Minister for Education:

(1) What is the position regarding the proposed new school at Mt. Pleasant for which Treasury approval has been given?

(2) When is it expected that the erection of the building will be commenced?

The MINISTER replied:

(1) and (2) Work commenced on the 7th November.

IRRIGATION.

As to Extension of Scheme.

Mr. MANNING asked the Minister for Works:

(1) Is it his intention to push on with the scheme to extend irrigation facilities to farmers at Bengier?

(2) When is it anticipated that water will be available to—

(a) Mornington-rd. area;

(b) Bengier area?

The MINISTER replied:

(1) The extension of the Harvey irrigation area is being pushed ahead subject to the limitation of Loan funds and manpower.

(2) It is hoped to be able to irrigate portion only of one of these areas during the 1952-53 irrigation season.

HOUSING.

(a) As to Rental and War Service Homes, Geraldton.

Mr. SEWELL asked the Minister for Housing:

(1) How many Commonwealth-State rental, and war service homes have been completed, or are in the course of construction, in Geraldton, during the period from the 30th June, 1950, to date?

(2) During the same period, how many contracts have been let, but not commenced?

The MINISTER replied:

	Commonwealth-State Rental Homes.	War Service Homes.	Total.
(1) Homes completed			
1/7/50 to 31/10/51	25	2	27
Homes under construction 31/10/51	14	8	22
(2) Homes for which contract let but work not commenced	5	2	7

(b) As to Accommodation for Evicted Family.

Mr. BRADY: I have a question without notice to ask the Minister for Housing and I should like to preface it with a brief explanation of the circumstances. Last night a woman and two children were evicted at Guildford. Today I communicated with the State Housing Commission in an endeavour to get a house for a sick woman and her two children, and the officer told me that he had 13 orders from bailiffs and could not get houses for those people and had very little hope of getting one for this woman. Another woman tried to get an interview with Mr. Prince, who stated that there were 500 people with eviction orders against them. My question is—

Will the Minister for Housing make a general statement to the House regarding the housing position, and does he think the position sufficiently serious to warrant greater activity or to do something to help people in such distressful circumstances?

The MINISTER replied:

I have no knowledge of the case to which the hon. member has referred but I am certain that, if those people were evicted today, some provision would be made for them. A conference was held this morning and I was acquainted by the Chairman of the Housing Commission of the result of the conference. Even though there may be a little hiatus until more houses are made available, accommodation is being found for anyone who has been evicted. If the hon. member will give me the name of the woman concerned I shall ring up the Commission, and ascertain what can be done.

ROADS.

As to Scott's Crossing, Great Eastern Highway.

Mr. CORNELL asked the Minister for Works:

(1) On what date was the work of altering "Scott's" Crossing on the Great Eastern Highway west of Kellerberrin commenced?

(2) What area of land was resumed for the purpose?

(3) Has any compensation been paid to the owner of the land resumed?

(4) If the answer to No. (3) is in the negative, does he regard the interminable delay in settling the compensation claim to be justified?

The MINISTER replied:

(1) March, 1946.

(2) 7 acres 0 roods 12 perches (approximately).

(3) No.

(4) Considerable delay occurs with all resumptions for road works by reason of the demands of higher priority works, such as soldier land settlement sub-divisions and housing sub-divisions, carried out by the Department of Lands and Surveys.

Recent inquiries indicate that this resumption will be published in the "Government Gazette" early in the new year, following which the owners will be supplied with the necessary forms of claim.

HOSPITAL BENEFITS LEGISLATION.

(a) As to Commonwealth Consultation with State.

Mr. CORNELL asked the Minister for Health:

(1) Is it a fact that the State Department of Public Health was not consulted in any way by the Commonwealth Govern-

ment in connection with the alterations to the existing setup foreshadowed by the Hospital Benefits Bill (1951)?

(2) In view of the State's interest and responsibility in respect of hospital administration and maintenance, can she explain the reason for this apparent lack of courtesy?

The MINISTER replied:

(1) There was a conference of State Ministers early this year at which the Federal Minister explained his intentions.

(2) Answered by No. (1).

(b) *As to Reasons for Commonwealth Questionnaire.*

Mr. CORNELL asked the Minister for Health:

(1) Is she aware that the Commonwealth Department of Health desires the compilation by hospital authorities of a questionnaire comprising 11 foolscap pages?

(2) What is the reason for requiring this questionnaire?

(3) Does she think any good will arise out of the furnishing of this questionnaire, or is it, like its predecessors, merely to be supplied at the caprice of some Federal civil servant?

The MINISTER replied:

(1) Yes.

(2) To ascertain present deficiencies and future requirements for hospital accommodation, and to provide a basis for planning for the future.

(3) (a) Yes.

(b) It was the result of a decision of Federal and State Ministers for Health in conference.

TRAM AND BUS SERVICES.

As to Mt. Lawley and North Perth Routes.

Mr. NEEDHAM asked the Minister representing the Minister for Transport:

(1) Has a decision been reached in connection with the future of the No. 19 and 22 tram routes?

(2) If so, what is the decision?

(3) Is it the intention of the Government to remove the trams from these routes and substitute other means of transport?

(4) If the trams are removed, will he state whether diesel or trolley-buses will be substituted?

(5) When will the altered transport system be in operation?

The MINISTER FOR EDUCATION replied:

(1) In regard to route 22—Yes. Final arrangements are still to be worked out for route 19.

(2) Route 22 will be converted to trolley-bus operation. Conversion of route 19—probably to motor omnibus operation—will be carried out in conjunction with route 18.

(3) Answered by (2).

(4) Answered by (2).

(5) It is anticipated that the conversion of route number 22 will be completed by the end of 1952. Conversion of routes numbers 18 and 19 will depend upon circumstances from time to time, particularly the availability of equipment, materials and labour to effect the alterations. Present indications are that the change cannot become effective for possibly five years.

ROTTNEST BOAT SERVICE.

As to Restriction on Launch "Islander."

Mr. W. HEGNEY asked the Minister for Lands:

(1) Is he aware that the owners of the "Islander" have been refused permission to convey passengers to Rottnest Island on Saturdays and Wednesdays?

(2) What is the reason for such decision by the Rottnest Board of Control?

(3) Is he aware that the board's decision grants a monopoly to the owners of another vessel?

(4) As the owners of the "Islander" desire to commence running to Rottnest on Saturday next, will he take immediate action to have the board's decision revoked?

The MINISTER replied:

(1) Yes.

(2) and (3) The Rottnest Board of Control in the course of its duties called for applications by owners of boats wishing to have authority to issue permits to passengers to land on the island. Applications were received from the owners of the "Zephyr" and the "Islander" respectively. The board, having in view the necessity, in the interests of the visitors to the island, for regular and co-ordinated services, allocated rights between the two applicants.

(4) In view of the fact that the board, which is charged with the responsibility of the administration of the island, has given careful consideration to all the facts concerning this matter, it is considered its decision should not be interfered with.

POTATO GROWING INDUSTRY.

As to Trust Fund, Research Expenditure, etc.

Mr. HOAR asked the Minister for Lands:

(1) What is the amount of money now held by the Potato Growing Industry Trust Fund?

(2) How much money has been collected by levy from growers over each of the last three years?

(3) Has the Government contributed money to the fund over these periods; if so, how much?

(4) What is the cost of administration per annum?

(5) Has any money from the fund been expended regarding research, compensation, or for any other purpose?

(6) If so, will he give details?

The MINISTER replied:

(1) On 21/11/1951—£2,686 2s. 9d.

(2) 1/10/48 to 31/7/49 £2,673 6 6

1/8/49 to 31/7/50 £3,262 15 6

1/8/50 to 31/7/51 £3,362 10 3

(3) No.

(4) Charges against fund for administration by Department of Agriculture, including insurance and running expenses of machinery—

1/10/48 to 31/7/49 £66 8 11

1949/1950 £84 13 2

1950/1951 £85 4 3

(5) Yes.

(6) Compensation—Flood damage £942 11 3

Compensation — Fire damage £25 0 0

Publicity £24 2 6

Purchase of dusting machines and accessories £309 6 8

Payment to Potato Growers' Association of W.A. £6,346 7 8

LICENSING ACT AMENDMENT BILL.

As to Leakage of Information.

Hon. A. R. G. HAWKE: I have a question without notice to ask the Premier regarding the suggested amendments to the Licensing Act, but I should first like to preface my question by quoting a report that appeared in "The West Australian" on Tuesday. It stated—

An attempt to legalise limited Sunday liquor trading by hotels in country districts will be made by the Government under legislation to be introduced in Parliament in the current session. The Government will submit a Bill to amend the Licensing Act.

The Bill will allow hotels outside a radius of about 20 miles from the G.P.O., Perth, to sell liquor over the bar for an hour before the midday meal and for an hour before the evening meal on the Sabbath.

The legislation will be submitted by the Government as a non-party measure and it will specifically exclude Sunday sales of liquor by the bottle. It will also contain provision for abolition of the sale of liquor under the present clause which allows 20-mile bona-fide travellers to be served. It is not intended, however, to debar travellers from obtaining liquor with any meal bought at a hotel on Sunday.

In view of that report, I asked the Premier some questions yesterday and one of the replies given was—

As the Leader of the Opposition knows, reporters are continuously on the look-out for news and reports are sometimes published for which the Government is not responsible, but I understand that in this case the Attorney General (Mr. Abbott) was approached by a pressman concerning the provisions of this Bill and he gave some information on a confidential basis.

That reply, published in "The West Australian" this morning, carried a foot-note as follows:—

Our report was built up from sources of information other than the Attorney General.

As the information given by "The West Australian" to the public is so very specific and as it is published in such decisive terms, it seems obvious that the newspaper obtained its information from an extremely reliable source, which could not have been other than a Governmental source. I accept completely the Premier's assurance that no Minister gave information to "The West Australian" for publication. My question is—

Will the Premier have very careful and close inquiries made through Government departments that might have been in possession of the information for the purpose of trying to ascertain whether there was an unauthorised leakage of that information?

The PREMIER replied:

From time to time I, myself, get shocks when I see certain statements in the Press relating to governmental activity and quite often they are right. Where the information is obtained I do not know, but these occurrences have been causing me some considerable concern.

Hon. J. B. Sleeman: There are some smart pressmen about.

The PREMIER: Yes.

Hon. A. R. G. Hawke: Were the contents of the Bill considered at a Government caucus meeting?

The PREMIER: It is possible that a leakage of information occurred there, as the hon. member will appreciate. A pressman who is keen on his business gets around and finds out all he can. Competition in Perth to obtain what is called hot news is probably not so keen as it is in Canberra, where it is very dangerous to say anything at all, because, if one does, publicity is given to the matter and probably one finds oneself in a difficult position. I do not know just what I can do or what steps can be taken to ascertain how this information was obtained. Talk goes on and some people who have information given to them probably consider it is smart to be the first to pass it on. As

I have said, I feel perturbed at times regarding the leakage of information. If it came from a department, I would certainly try to have it traced and see what action could be taken to prevent a recurrence.

BILL—WHEAT INDUSTRY STABILISATION ACT AMENDMENT.

Introduced by the Minister for Lands and read a first time.

BILL—STATE HOUSING ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE CHIEF SECRETARY (Hon. V. Doney—Narrogin) [3.50] in moving the second reading said: The purpose of this brief Bill is to correct an error in the parent Act and, in addition, to make one or two amendments. In the principal Act the Fire and Accident Underwriters' Association of Western Australia is referred to as an incorporated body, whereas in actual fact the association is not incorporated. The Bill seeks to rectify that error.

The Act provides for the setting up of a body corporate called the Motor Vehicle Insurance Trust. This trust comprises five members appointed by the Governor. Of the members so appointed, one is the manager for the time being of the State Government Insurance Office; three are nominated by the Fire and Accident Underwriters' Association of W.A.; and one is nominated by those participating approved insurers which are not members of the Fire and Accident Underwriters' Association.

The Act further provides that each nominated member of the trust shall hold office for a period of three years from the date of his appointment. That is not very satisfactory in its results. Under this provision it is possible in certain extreme circumstances for not a single one of the nominated members of the underwriters' association to be re-nominated; and the trust could, in that eventuality, be deprived of continuity of personnel who would have a knowledge of the trust's workings. The amending Bill provides that the nominated members of the Underwriters' Association shall hold office for a period of five, four and three years respectively—that is, in the year of their nomination and following re-nominations which will take place in January, 1952.

The principal Act sets out the conditions of participation in and contributions to the fund by approved insurers. The Bill proposes to make it quite clear that the claims of the trust shall be related to premium income in each specific year; and a further amendment provides that the basis is to be the claims received from insurance effected during any particular year. That is provided to enable the correct distribution or levy to be made to or from participating approved insurers—that is to say that the claims will in all cases relate to the premium income received during each particular year. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

BILL—THE PERPETUAL EXECUTORS, TRUSTEES AND AGENCY COMPANY (W.A.) LIMITED ACT AMENDMENT (PRIVATE).

Second Reading.

Debate resumed from the 15th November.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [3.55]: This Bill is to provide the company concerned with increased remuneration in connection with its management of trust and other estates. There can be no doubt that the expense of managing and administering estates has increased very materially over the years since the provision for remuneration was made by Act of Parliament, and some relief should be given.

This Bill has been considered by a Select Committee of this House which investigated its provisions and expressed no objection to them. To the majority of the provisions I, too, have no objection. But there is one to which objection is made by the Master of the Court, and I support his objection. I do not propose to go into the provisions of the Bill, which were dealt with by the member for West Perth, who introduced it, except the one to which the Master of the Court and I object.

That provision deals with the payment to be allowed to the company from insurance companies in respect of insurances of trust estate property which are given to the insurance company by the Perpetual Executor Company. The report on this clause by the Master of the Court is as follows:—

This proposal is open to objection. The general law is that—

- (1) A Trustee is not allowed to make profits for himself out of the trust property.
- (2) In dealing with a third person with respect to the trust property he cannot obtain a

personal advantage to himself by a secret agreement with that person.

- (3) When a trustee makes profits by means of dealing with trust property they form part of the capital or income of the property, as the case may be, and are held in trust for the person beneficially interested in such capital or income. (See 33 Hails. 140.)

Under the proposed subsection the company does not have to account for such commissions or rebates, and its arrangements with insurance companies would probably be of a confidential nature. This would tend to give rise to suspicion and adverse criticism. It is doubtful whether it is in the best interests of the companies themselves that they should be granted the exemption for which they are asking, from the law applying to persons in positions of trust.

There appears to be no reason why insurances should not be effected by Trustee Companies as ordinary incidents of their administration of estates without additional remuneration. If a rebate is obtainable the estate should receive the benefit—if not, then the full rate required by the insurance office should be paid.

I agree with the opinion of the Master of the Court. With that exception, I have no objection to the Bill and support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; Mr. Totterdell in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Common trust fund:

The ATTORNEY GENERAL: Subsection (2) of proposed new Section 16 is the subsection to which I object. It provides—

The company shall be entitled to retain—

The CHAIRMAN: Order! From where is the Attorney General reading?

The ATTORNEY GENERAL: From Subsection (2) of Section 16.

The CHAIRMAN: Order! The Attorney General is reading from Clause 4 which has been agreed to.

The ATTORNEY GENERAL: I am sorry. I am reading from the wrong Bill.

Clause put and passed.

Clause 5, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—WEST AUSTRALIAN TRUSTEE, EXECUTOR AND AGENCY COMPANY LIMITED ACT AMENDMENT (PRIVATE).

Second Reading.

Debate resumed from the 15th November.

The ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [4.5]: I do not propose to repeat what I have already stated in respect to the other Bill. The company concerned with this measure is similar to the other one, and the same arguments apply to the Bill. I object to the same provision which is included.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; Mr. Totterdell in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Company to be paid a commission on moneys received by it:

The ATTORNEY GENERAL: I move an amendment—

That Subsection (2) of proposed new Section 16 be struck out.

If my amendment is not agreed to the trustee company will be able to act as an insurance broker for its own trust properties, and be entitled to receive the benefit of any commission paid by an insurance company. I do not approve of this.

Mr. TOTTERDELL: This is rather humorous, because it shows such a lack of intelligence on the part of the Attorney General. We have already approved of one Bill, which is exactly the same as this, but now the Attorney General is moving an amendment. I cannot understand it. He is either not following the business of the Chamber, or does not understand the Bill. I shall test the feeling of the Committee by calling for a division when the vote is taken, because I think it would be too ridiculous to accept the amendment.

Hon. A. R. G. Hawke: Is not the member for West Perth going to justify the provision?

Mr. TOTTERDELL: I justified it on the second reading.

Hon. E. NULSEN: This is a bombshell. I did not hear all of the Attorney General's explanation but I have given a lot of consideration to the Bill, and I think this provision will not affect the beneficiaries in any way. The trustee company, instead of farming out insurances to some broker, will do the work itself. The dividends of the trustee companies have been very small—only a little over 3 per cent.

The Attorney General: It is a bad principle.

Hon. E. NULSEN: I do not think it is. It is one that should be tolerated. If I am a carpenter and can do my work, there is no reason why I should farm it out to another carpenter. I do not think the principle involved is a bad one or will be detrimental to the beneficiaries. The Public Trustee, having given consideration to the Bill, told me he saw nothing in it that would affect the Public Trust Office and nothing that would adversely affect the beneficiaries.

Mr. BOVELL: As explained by witnesses before the Select Committee, the company felt that the farming out of this business was not in the best interests of the beneficiaries. The company is under the fairly strict supervision of the court, and it felt that if it could act as its own broker that would be to the advantage of the beneficiaries.

Mr. May: Would they do the business at the same rate as would the outside brokers?

Mr. BOVELL: If they did not, Parliament would have the right to amend the legislation. I think this provision should be given a fair trial because the witnesses examined by the Select Committee convinced us that it would be better for the company to act as its own broker.

Hon. E. Nulsen: They are subject to the supervision of the court.

The Attorney General: But not in this case.

Hon. J. B. SLEEMAN: A representative of the company who gave evidence before the Select Committee said—

In respect of all these charges we would be quite entitled, as a matter of law and as a matter of common practice, too, to farm out this work to outside bodies. We could have the accounts of a business prepared by a public accountant; we could employ an insurance broker to do the insurance work, and we could employ a land agent to do the inspection of real estate, and the cost to the estates we are administering would be identical, because if they did not pay us they would be paying the outsider.

We also had the Public Trustee before us and in answer to the question "You cannot really see anything objectionable in the Bill?" he said—

No, I cannot, and I have been through it very carefully. I had my senior officers go through it very carefully. Mr. Rushton very kindly phoned me and offered to come round and talk it over, which he did.

I am therefore prepared to support the Bill.

The MINISTER FOR EDUCATION: I am sorry to disagree with both the member for Eyre and the member for West

Perth on this subject, but I think the objection taken by the Attorney General is a wise one. I have no objection to the trustee companies receiving more remuneration than they have been entitled to under the parent Act, because their expenses of management and so on have increased greatly. I would have subscribed to a proposition to increase their remuneration on corpus from 2½ to 3 per cent., or something of that kind, but there is a principle involved here from which I do not think Parliament should lightly depart. A trustee is not entitled to make any profit out of his trust except in certain restricted circumstances which involve an order of the court to allow him remuneration within certain boundaries. These companies have substituted for the order of the court an Act of Parliament and they have been entitled to receive commission on the corpus of the estate at 2½ per cent., and on the income of the estate at 5 per cent.

I would have had no objection if the Bill had provided for either or both of those forms of remuneration to be increased to meet present-day costs, but this is a proposal that these companies, acting as trustees, shall be able to absorb into their own funds the commission which they earn by effecting insurances and the like upon trust estates. Any trustee receiving that or anything else, which involved the payment to him of commission, would be expected to make it available as part of the trust estate, and to be content with the remuneration he might get over-all as the result of any application he might make to the court; and these companies, although fully entitled under present conditions to greater remuneration, are not entitled to get it in this way.

The principle that a trustee should not make any profit out of his trust should be rigidly adhered to. It is unnecessary to employ insurance brokers today to effect ordinary insurance on any real or personal property. There are dozens of insurance companies that are happy to do all that is required and take out the insurance, and all they want is payment of the premium. If these companies are to be entitled to collect commission on any insurances they effect, and place it to their own profit instead of to that of the trust estate, there may, in future, be difficulties arising.

I am given to understand that there are some insurance companies in this State and elsewhere which do not pay commission on insurances effected. Let us imagine a testator who for 20 years or longer has effected his assurances with such a company and then dies. His estate passes into the administration of one of these trustee companies. Is there not then a natural inclination to divert the insurance to some other company which will pay commission, because of this provision? I

may be a little harsh but such things can happen, and I think a better course to adopt in this measure would be to provide for increased remuneration and not to say, even to this degree, that we should abrogate the wise principle that the trustee shall not make a profit out of his trust.

It is true that when the Select Committee met this matter did not arouse opposition from the witnesses called, but, as the Attorney General read out to the House it did arouse strong protest from the Master of the Supreme Court, the man who is trusted with the general supervision of the administration of all deceased estates. He is the person responsible for the management of what is known as the Probate Office.

Hon. E. Nulsen: This will still be subject to his review.

The MINISTER FOR EDUCATION: Not if the statute provides it. I cannot see that he will have any further authority left. I feel that we should not lightly agree to this proposition and I think it more desirable to take out this subclause. If the trustee company feels that it wants more remuneration, then I would be happier to give it by a direct method.

Mr. TOTTERDELL: I cannot agree with the Deputy Premier on this point. He appears to imply that a special remuneration will be paid to the companies from the estates. That is not so.

The Minister for Education: I did not imply anything of the kind.

Mr. TOTTERDELL: If insurance companies charge, say, 4s. per cent. for their insurance, that is the charge made to the company, but the business goes through some agent who gets commission for the work although he does not do anything for it. The trustee companies desire to handle this business themselves and desire payment for it, because every man is worthy of his hire. All they want is the ordinary agent's commission, which every Tom, Dick and Harry seems to be able to get if he is appointed by a company as its agent. Therefore, no greater payment will be made out of the estates for this insurance. I want members to agree to this because we have already agreed to one Bill, and this is exactly the same thing.

Mr. HEARMAN: I was a member of the Select Committee and I listened to the Deputy Premier's objection. Frankly, I do not see eye to eye with him on this point, especially when he suggests that there may be a certain amount of abuse, and that trustee companies might take their business from one insurance company to another. That is possible, but, on the other hand, if a company is carrying on business as a trustee company, then it must observe what can be called the proper ethics of commerce. It is most unlikely that trustee companies would act in the manner suggested by the Deputy Premier.

On the other hand, the objection appears to come from the Master of the Supreme Court. I could understand the insurance companies objecting to this clause if they felt that there was any great fear of what the Deputy Premier suggests. I do not think the insurance companies are concerned about it. After all, if the business is done by a broker, the company has to pay commission; if the business is done through a traveller of the insurance company, his expenses have to be paid. Therefore, this will make little difference to the insurance companies. It will certainly not impose a greater expense on the estates and, as the insurance companies have raised no objection, I cannot see any great danger in the clause. The Deputy Premier suggested that trustees should not make a profit out of their trusts. I am not in a position to argue that point, but it seems to me that as trustee companies make a living out of administering estates, that in itself is making a profit out of trusts.

The Minister for Education: They get a special commission for it.

Mr. HEARMAN: Yes, but if it is good enough for Parliament to give them a special commission—which is small enough and could reasonably be increased—it seems illogical to suggest that they should not effect insurance. The only possible objection I can see is that there might be a possibility of unscrupulous companies over-insuring estates. But if that happens they should not be permitted to continue as trustee companies, and we must give them credit for being reputable firms.

Mr. BOVELL: The Deputy Premier agreed in principle that the trustee companies were getting a very small return, and he thought the better way to deal with this matter would be to permit them to increase their charges. The main concern of the Select Committee was to see that the beneficiaries got the full benefit of the estates. If the trustee companies' charges are increased, that will reduce the return to the beneficiaries. In this case, brokerage will not affect the estates because it will not come out of the estates, but from legitimate trading in which the insurance company is involved. I hope members will see that the Deputy Premier is on very false ground. Many of these beneficiaries are not wealthy people, and every penny might affect them; so any move to increase the charges would receive my opposition unless there was strong evidence that those charges should be increased. Members of the Select Committee thought this was a way to assist the companies to get a fair return without affecting the beneficiaries.

Hon. E. NULSEN: I do not agree with the Deputy Premier or the Attorney General, and I do not think this subclause affects any great principle. Our greatest worry was to protect the beneficiaries.

Mr. Bovell: That is so.

Hon. E. NULSEN: As a matter of fact, we questioned £25 as a minimum charge. Members of the committee gave every consideration to that aspect, especially after questioning the Public Trustee, who is more or less in opposition to the private trustee companies. This measure will be of assistance to the companies, whose dividends have been very lean up to date, and I cannot see that the subclause will affect any principle. The only principle that will be affected is that it will protect the beneficiaries, because we are not increasing the charges. We are helping the private trustees to do something for themselves without farming the work out.

Hon. J. B. SLEEMAN: Before the vote is taken I would like to point out that I asked a witness what Subclause (2) of Clause 4 meant and he replied—

That refers to insurance brokerage, which I mentioned earlier. If an insurance company repaid an amount to a trustee company, the trustee company as a matter of law would have to account to the particular estate the amount of brokerage or commission and we ask for the right to retain any such amount for the company's own remuneration. The alternative is to say that the company will appoint someone as its insurance broker and he will get the brokerage from the insurance company. It would have nothing to do with us and we would be saved the expense of handling the business. We think it better that the insurance business should be handled in our own offices with our own staffs and that the brokerage will be saved to the company. It will not cost the estate anything and from that standpoint the estate will be no worse off.

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

Ayes	26
Noes	18
Majority for	8

Ayes.

Mr. Abbott	Mr. Mann
Mr. Ackland	Mr. Marshall
Mr. Brady	Mr. McLarty
Mr. Brand	Mr. Nalder
Mr. Butcher	Mr. Oldfield
Dame F. Cardell-Oliver	Mr. Panton
Mr. Cornell	Mr. Rodoreda
Mr. Doney	Mr. Styants
Mr. Grayden	Mr. Thorn
Mr. Griffith	Mr. Watts
Mr. J. Hegney	Mr. Wild
Mr. Hutchinson	Mr. Yates
Mr. Lawrence	Mr. Hawke

(Teller.)

Noes.

Mr. Graham	Mr. Needham
Mr. Guthrie	Mr. Nimmo
Mr. Hearman	Mr. Nulsen
Mr. Hill	Mr. Read
Mr. Hoar	Mr. Sewell
Mr. Kelly	Mr. Sleeman
Mr. May	Mr. Tonkin
Mr. McCulloch	Mr. Totterdell
Mr. Moir	Mr. Bovell

(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clause 6, Title—agreed to.

Bill reported with an amendment.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR EDUCATION
(Hon. A. F. Watts—Stirling) [4.36] in moving the second reading said: This Bill is on the file, having come down from another place, and it deals mainly with Section 89 of the principal Act. Section 89 provides—

That any deputation in which a member of Parliament takes part or at which he is present shall interview the Minister and not the Commission.

At times this prohibition has proved to be very inconvenient, and the purpose of the Bill is to provide that a member of Parliament may attend a deputation to the Commission if, firstly, he is in his capacity as member of a municipal council or road board or, secondly, if the Minister has approved of his being on the deputation. Members will recollect that three or four months ago Hon. E. M. Davies and Hon. Sir Frank Gibson sought to attend a deputation to the Commissioner of Railways as members of the Fremantle City Council.

Difficulties arose in that connection and though they were there on purely Fremantle City Council business, and had been entrusted by the council with the presentation of that business, objections were taken to their being present and questions were asked about it in another place. As a result of those questions and some protest that has taken place meanwhile, the Minister for Railways in another place agreed to give the matter of altering the law some consideration, and this Bill is the result. So, the first suggestion in the measure is that if members of Parliament attend as members of a local authority, municipal council or road board, that prohibition shall not apply to them.

The second provision is that a non-member may attend if the Minister has approved of his being on the deputation. In passing, I might say that both these suggestions have been considered by the Commission itself and it agreed that both of them are reasonable. The prohibition in the Act against members attending deputations was inserted in it in 1902 for the express purpose, it was then said, of removing the administration as much as possible from political interference. The then Premier, Hon. Sir Walter James, was the Minister for the Crown, who expressed that opinion at the time.

In the circumstances the Commission has no option but to refuse to accept a member of Parliament as a member of a deputation, but the prohibition in the Act has never been construed by the Commission as intended to prevent a member from personally interviewing the Commission in the course of his Parliamentary business. So, if it were a question of any political interference, it could probably be better exercised in private than in public on a deputation, and it seems to me that the provision in the Act is quite ridiculous. In saying that, I am going a little further than the Minister in another place went, but it is my personal opinion and I think it is one that this House would hold.

The Commissioners have considered this matter and have come to the conclusion that, provided the Minister is aware of the intention of a member of Parliament to be present, there can be no objection. I am content with that. I think it is a reasonable proposition that, to a very great degree, will remove the present somewhat difficult and invidious position in which members may be quite legitimately placed. I move—

That the Bill be now read a second time.

On motion by Mr. Styants, debate adjourned.

BILL—IRON AND STEEL INDUSTRY ACT AMENDMENT.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR INDUSTRIAL DEVELOPMENT (Hon. A. F. Watts—Stirling) [4.42] in moving the second reading said: The Iron and Steel Industry Act of 1947 was passed by Parliament for two purposes—

(1) To authorise the Government to arrange for the development of mining any iron ore and to promote or assist in the promotion of any company having as its objective the development or mining of iron-ore; and the establishment and carrying on of the steel industry, and to enable the Government to take shares in or make advances to any such company; and

This is the aspect that is of concern regarding this Bill—

(2) To ratify an agreement which had been made with H. A. Brassert & Co. Ltd., of Granite House, Cannon-street, London, England, which agreement was set out in the schedule to the Act and was ratified by Section 5.

It will be remembered that H. A. Brassert & Co. had for some years held leases of the whole of the Koolan Island iron-ore resources, and though it was claimed that the company had expended a considerable sum of money upon them, the development that had taken place was not regarded as of a satisfactory nature, and there had been dissatisfaction owing to the relationships between the company and certain Japanese interests just prior to the war.

On the 18th November, 1947, I stated, as reported in "Hansard" at page 1969—

It was necessary for the State to have control of a substantial portion of the Koolan iron deposits, and in view of the fact that H. A. Brassert & Co. Ltd. were not working the leases, it had been decided that no further exemption from working conditions should be granted to them.

Following representations from the company through its secretary (Mr. Thring), who came to Western Australia for the purpose in 1947, a sub-committee of Cabinet was appointed to discuss . . . some arrangement which would enable a fair deal, as it was at that time interpreted, to be given to Brassert & Co. Ltd., while at the same time, serving the interests of the State and ensuring that morally, if not legally, we were carrying out a reasonable part in the scheme of affairs.

Those are the observations I made four years ago when introducing the original legislation in this House. The impression at the time was that an opportunity should be afforded to these people to enter upon preliminary work of development of a nature that would be satisfactory, and that therefore Parliament should be asked to ratify an agreement under which they would be given half of the leases, of which they had previously held the whole, and be given certain terms and conditions upon which they could carry on. The main term and condition was contained in clause 7 of the agreement. If any member wishes to look up the agreement, he will find it in the Statutes of 1947 at the end of the Act. Clause 7 of the agreement provided—

That the Government shall grant to the company complete exemption from work and labour conditions on the said leases for an initial period of four years from the date of the agreement, and the Government shall have the right forthwith at the end of the said period of four years, to forfeit the said leases if it is not satisfied with the progress achieved by the company, and if, in the opinion of the Government, further extension is unlikely to achieve the production of iron ore in substantial quantities within what shall be considered by the Government to be a reasonable period.

It will be noted that the Government was to have "the right forthwith" at the end of the period of four years, to forfeit the leases, and that the right of forfeiture depended on the opinion of the Government as to whether further extension was likely to achieve the results desired. The date of the agreement was the 27th October, 1947, and therefore the four years expired on the 27th October, 1951.

On the 26th May, 1948, the privileges, benefits and liabilities of the agreement passed to the Koolan Iron Mines Limited under the provisions of Clause 10 of the agreement in the Schedule to the Act, and the deed of covenant contemplated by the agreement was entered into by this concern. Mr. H. A. Brassert, of New York, who up to that time had some interest in the English company, retired—we are informed—from his English interests.

Early in 1949, Messrs. H. A. Brassert & Co. New York, Consulting Engineers, offered, after a visit to Western Australia by a representative by name Lenhart, as they stated—

In accordance with the normal procedure followed in the development of any new basic industry of this kind, to take the first step in the preparation of a comprehensive report reviewing the situation, to include a survey of the raw materials and markets available, recommend the types of products to be made, the best production methods, etc., and to outline a definite overall programme for the proposed establishment of an iron and steel works.

After considerable discussion, and on the recommendation of the then Director of Industrial Development, an agreement was entered into providing that the Government should pay £25,000 for such a comprehensive report, and that in the event of a company being successfully formed and operating in Western Australia, the sum paid should be refunded to the Government. I want members to take particular notice of the facts that I am now about to mention. The first is that the interest of H. A. Brassert and Co., of London had been assigned to the Koolan Iron Mines Ltd.; that a different concern from the one contemplated by the agreement might possibly come into existence; and that this agreement in regard to investigation was with H. A. Brassert and Co., Consulting Engineers of New York, and there was, I think, no ascertainable connection between the two. The report is only of interest so far as this Bill is concerned to the extent that in explaining the almost complete lack of activity on the Koolan Island leases covered by the agreement of 1947, Koolan Iron Mines have suggested that it should be taken into consideration as a reason why their leases should not be forfeited under clause 7 of the agreement.

I therefore desire to make it plain that Koolan Iron Mines Ltd., assumed no obligations in respect of the agreement, and paid nothing for it, and the long delay in receiving it, partly due to domestic troubles in the New York company and partly due to the serious illness of Mr. H. A. Brassert himself, of New York, has, in my opinion, been detrimental to the consideration which the Government might otherwise have given to the establishment of an industry here. But, in my view, it was a *sine qua non* that steps should have been taken to work the iron-ore deposits as a preliminary to the possibilities of implementing the report when it was received.

If members will review the agreement they will find there was no reason why iron-ore should not have been developed, because development of the leases did not entail the use of the product in an iron and steel industry. It only gave the Government an option over the product for any purpose it might wish. Therefore, in the opinion of the Government, some time before the expiration of the four years some apparent action anyway, should have been taken to develop the Koolan Island leases. Instead of that, such communications as have been received from Koolan Iron Mines Ltd., and discussions that took place between its representatives and the Premier in London early this year, were much more interested in the export of iron from this country. It was indeed suggested that we should sponsor a proposal for the export of iron-ore to Japan.

The Premier, when he was in England, had discussions with representatives of Koolan Iron Mines Ltd., and he communicated with the Government in Western Australia, pointing out what they had said. What I remarked a moment ago was the essence of their observations at the time. About the middle of 1951, it became clear that no work was being done upon the Koolan Island leases, nor was there any notified intention that any work should start. Accordingly, I formed the opinion that consideration would have to be given immediately on the expiration of the four years to the forfeiture of the leases. The matter was discussed with the Minister, the Director of Works, the Director of Industrial Development, and the Solicitor General. The last mentioned officer recommended that a communication should be sent to the local attorney for the company in Western Australia, and also to the company itself, asking them to show cause why the leases should not be forfeited on the 27th October.

This letter was drafted by the Crown Law Department and despatched by the Director of Industrial Development on the 4th October. The Crown Law Department strongly urged that the use of the word "forthwith" in the agreement involved prompt action immediately after the expiration of the four years; or alternatively that, in its view, failure on our part to do

something at the time could be used as an argument that the Government was satisfied with what had or had not taken place. Therefore, in view of the legal opinion, it was considered necessary, and in view of the wording of the agreement itself—"forthwith" certainly has a definite meaning—to take action at the end of last month. The communication which was sent by the Director of Industrial Development on the 4th October, reads as follows:—

I am directed by the Minister for Industrial Development and Deputy Premier in this State to write to you with reference to the agreement made the 27th October, 1947, between the Minister of the one part and H. A. Brassert & Co. Ltd., of the other part, and ratified by the Iron and Steel Industry Act, 1947, of this State. Under clause 10 of that agreement and pursuant to Deed of Covenant made the 26th May, 1948, your company assumed all the benefits and liabilities of H. A. Brassert & Co. Ltd., under the agreement.

2. I am first to remind you that the initial period of four years referred to in clause 7 of the agreement expires on the 27th instant, and the Minister has therefore recently considered the question of a further extension under that clause.

3. The Minister considers that, so far as the somewhat inadequate information at present in his possession discloses, no sufficient progress under the agreement has been achieved by your company to date, and that there is nothing to suggest that further extension would be likely to achieve the production of iron ore in substantial quantities within what he considers to be a reasonable period.

4. In these circumstances, and in view of the great importance which is attached to the development of the iron ore deposits at Koolan Island, the Minister considers that, as at present advised, he would not be justified in granting any further concessions to your company, but that his proper course would be to forfeit the leases now held by your company under the agreement forthwith at the end of the four year period.

5. If you desire to retain the leases and have any further information in relation to the above matters which may justify a further extension under the agreement, you are requested to advise the Minister accordingly not later than the 27th instant.

The local attorney of the company called upon me and later, under date the 19th October, a letter was received from Koolan Iron Mines Ltd. This communication is a fairly lengthy one, but I think I have some responsibility to read the majority

of it, at any rate, to members. It is addressed to the Director of Industrial Development, and is as follows:—

We have received your letter of the 4th of October, 1951, referring to the agreement made on the 27th of October, 1947, between the Minister for Industrial Development and Deputy Premier of the one part and H. A. Brassert & Co. Ltd., of the other part, in which you remind us that the initial period of four years will expire on the 27th instant. You also say that the Minister considers that, as at present advised, his proper course would be to forfeit the leases now held by us forthwith at the end of the four year period.

It is generally agreed that the Koolan orefield is a valuable asset which ought, primarily, to be developed for use in and for the benefit of Western Australia itself. This means that its development must be considered in close conjunction with plans for the creation of an iron and steel works within the State. We therefore propose to draw your attention to the progress made during the past four years on both these projects.

During the period under review you entrusted to Mr. H. A. Brassert of New York, the task of preparing a comprehensive report on the development of an iron and steel industry. This report involved the investigation of the raw materials in Western Australia, recommendations on the metallurgical processes best suited to those raw materials, and consideration of the market and uses for the finished product.

In the course of carrying out this work Mr. Brassert has sent a number of investigators to Australia to collect the requisite information and to study the problem on the spot. In the first instance Mr. Lenhardt made a general review of the project: he was followed by Mr. Ramseyer and Mr. Miller who made a very detailed examination of the economic factors involved. Then Mr. Woome reported on the nature and extent of the coal resources available, paying particular attention to the Collie coalfield: this involved the shipment of coal samples to the United States so that their coking qualities could be tested. Finally Mr. Brassert sent his mining engineer Mr. Eaton to examine all the raw materials, particularly the Koolan iron ore deposits, and to report on the best methods of mining the ore and their relative costs. In addition to these visits to Australia Mr. Brassert himself and others have visited industrial plants in Germany and elsewhere in connection with the metallurgical processes.

The inherent difficulty in establishing a steel industry in Western Australia has, as you are aware, always been the problem of making good metallurgical coke from the resources available to the State. This has involved intensive research into possible methods both in the United States and in Europe which we believe have now produced a satisfactory solution.

Mr. Brassert has always taken a keen personal interest in solving this problem, and it is due to the fact that he was seriously ill with double pneumonia in the spring of this year that the report is not yet in your hands. He did, however, write a letter to the Minister in January of this year in which he reported in some detail the progress made up to that time. The report itself is now near completion and will be in your hands in a few weeks from now.

The iron ore at Koolan Island forms a very large and valuable deposit which ought to be developed on a large scale if the best economic results are to be obtained. It could of course be mined so as to satisfy Western Australian requirements and nothing more, but the cost of so doing would be uneconomic as compared with the ideal solution of developing it for a combination of use within the State and sale overseas. We have therefore investigated the possibility of finding a market for the ore in the United Kingdom and the United States, which are the only countries apart from Australia in which sales are contemplated under our agreement.

We were informed by the Controller of Raw Materials in the United Kingdom that there were no possibilities of shipments of ore from Australia in view of the heavy freight charge involved, but this situation is now changing rapidly and it may well be that the world shortage of steel will facilitate its use in the United Kingdom if transport and docking difficulties can be overcome. We have also explored the markets for the ore in the United States, especially for use in open hearth furnaces where the ore, on account of its great purity, is of special value. As a result of our inquiries, we have received letters from several of the leading steel companies telling us that they would be interested in contracting for the ore, provided that it could be delivered at competitive cost. We have found that competing ores from South American countries are today commanding such high prices that the long freight rates from Koolan Island to the American Pacific coast could readily be absorbed.

In this connection we have to take into account the fact that the embargo on the export of iron ore which the

Commonwealth Government imposed some years ago is still in force, and acts as a strong deterrent to negotiations for export. We explained this position in some detail to the Premier of Western Australia when we had the privilege of meeting him last May.

We claim that the progress we have made during the past four years in bringing nearer the date on which an iron and steel works will operate in Western Australia, and also in investigating the outlets for the use of Koolan ore is amply sufficient to justify the Minister in granting further concessions.

I discussed the letter with the Director of Industrial Development, to whom it was addressed in response to an earlier communication. Members will be able to peruse this letter in "Hansard," and I do not think they will be able to find in it anything to indicate that something has actually been done to carry out the terms of that agreement. As I have already pointed out, the Government cannot admit that there is any close relationship and definitely must say that it is under no obligation to Koolan Iron Mines Limited, London, under the agreement made with the Brassert Company in New York because, for one thing, the Government of Western Australia has paid for it.

The negotiations were made for the company with the Government of Western Australia, and there was no contractual relationship between the company in London and the Government of Western Australia in regard to that proposal. But perhaps it is better that my opinions on this subject should not be the basis for this point of view and I should read those of the Director of Industrial Development. These are contained in a minute addressed to me by him and dated the 26th October, 1951. The minute reads as follows:—

On file below is a letter from Koolan Iron Mines Limited in reply to ours of 4th instant, in which the company was advised that forfeiture of its leases at Koolan Island was contemplated, and was asked whether it desired to submit any further information which might justify an extension under the agreement between the company and the Government.

2. In its letter the company makes the following points:—

(a) That considerable work has been done by H. A. Brassert & Company of New York, on the preparation of a comprehensive report on the development of an iron and steel industry in W.A.

(b) That, as for economic operation, the Koolan Island ore deposits should be developed on a large scale, involving

export as well as local consumption, the company has investigated the overseas market for ore.

These points, summarised in the ultimate paragraph of the company's letter, are advanced as sufficient reasons "to justify the Minister in granting further concessions."

3. Dealing with these, the Company does not state in what way, if any, it has contributed to the preparation of Brassert's report. There is no doubt in my mind that, although Mr. H. A. Brassert of New York is also Chairman of Directors of Koolan Iron Mines Limited, in the consideration of Brassert's report, and the Koolan Island leases, we are dealing with quite separate concerns. These concerns presumably still have some common interests: H. A. Brassert & Company Limited of Granite House, Cannon Street, London, England, held leases covering all of Koolan Island for a considerable period prior to 1947, and were the party to the Agreement in the schedule to the Iron and Steel Industry Act of 1947. At this time, approximately half the original leases were cancelled (and subsequently leased to Western Steel Enterprises) and the other half were the subject of the Agreement. However, Mr. H. A. Brassert subsequently retired from his English interests, and the privileges, benefits and liabilities of the Agreement passed to Koolan Iron Mines Limited on 26th May, 1948. The contract with H. A. Brassert & Company of New York, covering the submission of a report, was signed by you on 18/8/1949. Therefore, although all parties interested hoped that Brassert's report would lead to the establishment of a steel industry here, and that this would facilitate the working of the Koolan ore deposits, I do not consider that Koolan Iron Mines Limited can claim credit for any work done on this report. The Government is paying £25,000 for the report, which, in any case, is so seriously overdue that much of our confidence in its value has been lost.

4. The other claim by the Company, that it has investigated the outlets for the use of Koolan Island ore, is such a trifling matter that it is no justification for the granting of further concessions.

5. Altogether, I consider that the Company has made no case at all for a continuance of the Agreement. We can justly claim to be dissatisfied with the progress achieved by the Company, and the Company has advanced no information concerning plans for development of the leases so that there

is no justification for extension for the reason that production is likely to commence within a reasonable period.

6. The availability of high grade iron ore is, of course, the main attraction which we can offer to any concern which we might be able to interest in the establishment of a steel industry here. To be attractive, the leases must be free, and available for negotiations. I therefore consider that the leases held by Koolan Iron Mines Limited at Koolan Island should be forfeited.

I had, as I said previously, discussed this matter with the Director and the Minister for Works, because naturally the Department of Public Works would be extremely interested in anything that might result from this business. A copy of the communication from Koolan Iron Mines Limited was sent to the Minister for Works who passed it on to his Director, and the Director of Works reported on the 29th October in the following terms:—

Hon. Minister.

1. The Hon. Minister for Industrial Development referred this file to me for comment, prior to submission to Cabinet.

2. I agree with Mr. Temby that the leases should be forfeited forthwith. Unless immediate action is taken, the leases must continue and there is no provision for their cancellation in the future if the deposit is manned by the Company.

3. If the decks can be cleared by cancellation of the agreement then the way is open for negotiations to proceed with any interest having a definite proposal for establishment of a steel industry in Western Australia.

4. There would be nothing to prevent Koolan Iron Mines Ltd. coming into the picture again if they have any concrete proposal at any time.

5. It is recommended that no agreement be made with anyone in the future which will permit the sale of iron ore outside Australia.

At this stage I felt it was necessary to refer the matter to Cabinet, but before I say what happened in that regard I want to read an extract from a letter written to me by the local attorney, as follows:—

Pending consideration of the report by the State Government, the Company has obtained a further exemption of the leases from work and labour conditions for a term of six months commencing on the 27th instant.

It will be noted that although application was made to the Warden, no decision was given by the Minister as required by the Mining Act, and in consequence it is not strictly correct to say the company had

obtained a further exemption. It had obtained only a recommendation from the Warden. In any event I would suggest it was hardly the proper course to proceed in this way in the face of Clause 7 of the agreement, which, as I have already read out, says that there shall be a complete exemption for four years with the right of the Government to forfeit forthwith, at the end of the period of four years, if it is not satisfied.

Without, so far as I know, consulting the Government, Koolan Iron Mines Limited applied to the Warden at Broome for a further exemption from work and labour conditions for six months, and the Warden made his recommendation. I do not suppose that he knew any of the circumstances which actuated this agreement and which have resulted from it since, and he made his recommendation which the Minister for Mines did not determine to act upon. In a minute to Cabinet on the 29th October, 1951—which was the Monday following the 27th, the 27th being a Saturday—

Hon. A. R. G. Hawke: The members of this Government are very good at dates.

The MINISTER FOR INDUSTRIAL DEVELOPMENT: The hon. member was not too bad when he used to sit on this side of the Chamber. I frequently admired him for it.

Hon. A. R. G. Hawke: My interjection was for the benefit of the Premier.

The MINISTER FOR INDUSTRIAL DEVELOPMENT: This is the memo. I gave the Premier in Cabinet—

I have given careful consideration to the letter from Koolan Iron Mines Ltd. and discussed it with Mr. Temby prior to his writing of the minute hereunder. I feel that the company's use of the work done by Brasserts of New York in regard to the proposed report, as a reason for extending the term or non-forfeiture of the leases is somewhat naive. Koolan Iron Mines Ltd. have had nothing to do with the report and have incurred, so far as we know, no obligation in regard to it. On the contrary, this Government has paid £25,000 for it—although it is not even now available. Summed up, it seems to me this Government has done everything it should have done and Koolan Iron Mines and their predecessors in title have done nothing worth while.

I therefore must agree with the Director I.D. and Mr. Dumas and recommend that immediate steps be taken to forfeit the leases.

After careful consideration, that recommendation was accepted by Cabinet, the company was duly notified in writing, and steps were taken, through the Mines Department, to forfeit the leases. Repeat-

ing what I said earlier, there will be nothing to prevent Koolan Iron Mines Limited, in common with other parties both in England and elsewhere that are now in communication with the department in connection with possible activity in the steel industry in this State, from themselves putting up a concrete proposal which, if it appeared as satisfactory as any others and was properly safeguarded, would naturally be entitled to receive careful consideration. But pending such action, if it takes place, it was in the Government's opinion desirable that the strict letter of the agreement should be carried out in view of the fact that there had been absolutely no activity on the leases, nor any clear indication of the same in the reasonably near future.

The Crown Law Department recommended that in order finally to clear up the matter the agreement should be repealed, and this Bill has been prepared accordingly. It is not proposed to repeal Section 5, which ratified the agreement, because, as the draftsman said to me, that would leave a blank space in the Act. It is proposed to repeal the agreement and by that means ensure that no party to the agreement can make any claim against any other party of it.

As members will note, the agreement was made subject to the laws of this State. Determination of the leases was entirely a matter for the decision of the Government at the time—whichever Government it might be—as to whether or not sufficient progress had been made to warrant an extension of four years. There is no evidence, in my opinion, or in the opinion of anybody else, that there has been any more progress by the lessees under this agreement in regard to this matter, and therefore the forfeiture of the leases was justified and leaves the way open for them to negotiate this concern if they like to produce something of a more definite nature with anybody in England or elsewhere as to which, as I have already mentioned, inquiries are being made at present. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

BILLS (2)—RETURNED.

- 1, Coal Mines Regulation Act Amendment.
 - 2, Natives (Citizenship Rights) Act Amendment.
- Without amendment.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Second Reading.

Debate resumed from the 20th November.

HON. J. T. TONKIN (Melville) [5.19]: Here we are within three weeks of the close of the session faced with the Bill which, as we have been told, is designed to deal with the emergency position that is governing the relationships between landlords and tenants. We should not be in this position. We should not be here, as we find ourselves, sitting until midnight each night with but three weeks left to the end of the session and with numerous Bills being introduced, and with this important one having been delayed so long. We on this side of the House did our best to prevent the Government from getting into this situation.

Very early this year, about February or March, we drew the attention of the Government to the necessity for calling Parliament together early so that steps might be taken to amend the Act which has proved to be unsatisfactory, and to prevent the inevitable eviction of persons at the end of June and those who would be evicted at the end of September. But the Government refused to heed any of the requests made to it for an early session, and its spokesmen kept on saying that the matter would be dealt with in ample time. That is how we were fobbed off. Eventually, instead of starting earlier, this session started later than usual—to make the position worse—and then, after considerable delay, a Bill was introduced to correct the anomalies and incongruities which undoubtedly existed.

Before the amending Bill was introduced and when it was before the House, I suggested that the proper way to deal with the problem was to have an entirely new Act. Reference to "Hansard" will show that I expressed that as my opinion at the time the measure was introduced, but the Government went ahead with a Bill which was subsequently defeated in another place. Then, in an endeavour to remedy the situation which the defeat of that Bill brought about, the Government, without loss of time, closed the previous session and commenced a new one with great expedition. But then nothing seemed to happen. Although we believed that a new Bill would be brought down in reasonably quick time, five weeks have elapsed and it is only now that we are able to discuss the Bill. The Chief Secretary admitted that there had been delay. Very good of him!

Hon. A. H. Panton: Nice chap!

Hon. J. T. TONKIN: He followed that admission by saying that he could not avoid it. Of course he could not! He should have done something more than admit that there was a delay. He should have attempted to justify the long time that had been taken because in the interim quite a number of people have suffered. A question asked by the member for Guildford-Midland indicates what the position is and is likely to be, inasmuch as the Housing Commission is at this moment in a difficult position in its endeavour to

provide homes for the persons against whom warrants are issued, and it is pretty safe to say that quite a number of those persons would not now be under notice of eviction if the Government had taken action at the proper time. This delay is responsible for what has occurred. The Minister must think that we will swallow any reason given.

The reason the Minister gave for the five weeks' delay was that the Crown Law Department had to protect so many strategic points from outside legal attack. The only reason advanced by the Minister for the delay—and he admitted it—was that the Crown Law Department had to protect so many strategic points in the Bill from outside legal attack. The Crown Law had five weeks to prepare less than 35 clauses—less than seven clauses a week—and it took all that time, so the Chief Secretary wants us to believe, to protect the Bill from outside legal attack. I venture to say that that was not the reason for the delay at all.

The Chief Secretary: You did not believe what I told you?

Hon. J. T. TONKIN: No, of course I did not; and the Minister did not believe it, either, but he had to say something. It seems to me that the real difficulty which confronted the Minister and the Government was that of reconciling conflicting interests in the Government. That was the hurdle that had to be surmounted. It would be pretty clear, I think, to anybody giving consideration to this matter, and having regard to the components that make up the Government Parties, that there would be a very real difficulty confronting anyone who sought to reconcile the conflicting interests. By the very nature of things, we would expect the majority of the members of the Government to be extremely concerned about the interests of landlords. That is perfectly natural because, from the time of the genesis of the Tory Party, it has been the landlords' party.

History shows that in the initial stages the big landowners provided the funds for the Tory Party, and they still do. So it is not to be wondered at that members of the Liberal Party would feel that they owed very strong allegiance to landlords as a class, and anybody who cares to do so can find ample evidence of that throughout the years, simply by reading the pages of history with reference to Great Britain and Australia, and watching the progress of events and the types of Governments that were returned as the landlords were strong or weak. If we wanted any further evidence that it was this conflict of opinion in the Government parties that was responsible for the delay, the Chief Secretary supplied it himself, not directly by way of reason but in his comments, because he said that it was necessary to do something regarding the most unsatisfac-

tory and improper attitude which recognised the necessity for looking after one side only.

What would cause the Chief Secretary's mind to work in that direction? It suggests to me that in the Cabinet and in the party room the Chief Secretary had had to combat the arguments which were put to him from one side only. Inconsiderate and improper arguments, he called them, because some persons apparently could see only one side of this question and were pushing very hard to have recognition given to that particular side or interest. The Chief Secretary also referred to the—

strong and calculated tendency to focus attention upon the troubles of the landlord and at the same time to push the woes and worries of the tenants into the background.

I do not know. Mr. Speaker, whether or not you realise the fact, but that statement was made by the Chief Secretary in this House when he was moving the second reading of the Bill. In giving expression to that idea, the Minister must have felt very strongly that he had to do something to combat the attitude of those persons who sought to focus attention upon the troubles of one side only. Such a statement made from the Opposition side of the House would be quite understandable but, when it came from the ministerial side and from the Minister in charge of the Bill, one can be absolutely certain that the pressure which has been on the Minister for Works must have been very severe indeed. Otherwise his caution would not have deserted him and prompted him to make a statement such as that, which completely gives the show away. There we have it!

The Minister, for some time apparently, has been subjected to arguments from one side, arguments which were designed to prove to him that the only ones who experienced troubles in this matter were the landlords, and that the interests of tenants could be completely disregarded. I will say this for the Minister, that it left him with the impression that too much strength was being devoted to focussing attention on the troubles of landlords, and too much pressure being exerted to push the woes and worries of the tenants into the background. That, Sir, is precisely what the position really is. It is no exaggeration to refer to the position of tenants as one of woe and worry—no exaggeration at all—because very often there must be a much stronger feeling than worry with which the tenants are beset.

Take the position of a man, his wife and children, who have been living in a house for some time as good tenants. They have paid the rent regularly, looked after the property and have every reason to believe that so long as they continued paying the rent and looking after the

premises, the landlord would not desire to get rid of them. Then comes the attraction of good money to be made by selling, and so the landlord puts the place up for sale, makes a substantial profit and succeeds in getting an eviction order—or someone else does—against the tenant. Then the man and his wife have to endeavour to find somewhere else for themselves and their children, in the knowledge that the number of places that can be found are daily becoming less and also in the knowledge that thousands of other people were in the same position looking for empty houses.

Try to imagine the state of mind of such people who have been endeavouring for some weeks, without any luck, to discover some place where they can go! Thus it is certainly no exaggeration to talk about the woes and worries of tenants. It seems to me, therefore, that when the Chief Secretary made use of the statement that I have quoted, he did so after having been subjected for a long time to barrages from those who wanted to focus attention on the troubles of landlords, and his subconscious brain was responsible for finally getting him into a state of mind where he gave utterance to that statement. It proves to me, as I have already said, that the real reason for the delay associated with the introduction of this Bill was not that the Crown Law officers were finding difficulty in protecting the strategic points from outside legal attack, but that the Minister and the Government were finding difficulty in reconciling conflicting interests.

The Premier: Would not any Government find difficulty regarding a Bill like this one?

Hon. J. T. TONKIN: I do not think it should.

The Premier: In trying to do justice to both sides?

Hon. J. T. TONKIN: I agree that was necessary, but when it is a question of considering money on one side and the well-being of flesh and blood on the other, there is not much doubt as to the side on which justice lies.

The Premier: The matter of well-being is not all on one side, you know.

Hon. J. T. TONKIN: There are very few landlords today who seek possession of their houses to live in them themselves, other than the persons who have comparatively recently come to this country.

The Premier: I do not think that is right.

Hon. J. T. TONKIN: Of course it is right. The operations of the Act this year would be sufficient to enable all owners of properties, who wanted to regain possession for themselves, to obtain

them. Those who have not been able to gain possession of their properties are, in the main, those who have not owned them for six months, and therefore have not had them for the requisite period to enable notice to be given to their tenants. Those who have owned their properties for more than six months and have been able to serve six months notice on their tenants have, in many instances, been able to regain possession of their properties. There are very few examples such as those quoted by the Government, of working men paying heavy rents to someone else and being unable to get into their own homes. There may have been a few such cases last year, but I do not think there are any now.

Most of the pressure for evictions is coming now from persons who want to make money, not from those who want to get their own houses to live in. I think I shall be able to show that later on, when I deal with certain provisions of the Bill. It is my view that had it not been for the very real fear which the Government has about what would happen if rents were not controlled, there would not be any Bill before us at all. On the other hand, the Government would have been prepared to allow evictions to take their course. Several things have happened that force me to that conclusion. The Premier has more than once stated that the number of persons who might be affected in this way amounted to less than 1 per cent. In giving expression to an idea like that, the Premier, must have been thinking about the relatively small proportion of people who would be affected.

That idea gives me cause to believe that the Premier was weighing up in his mind the effect, in a number of ways, of allowing that less than 1 per cent. to put up with the position or of doing something to protect them. With regard to rents, the Premier could not view the matter so easily, because he and his Government fully appreciate that if controls were removed from rents, they would rise tremendously in a very short time, and that that would bring about all sorts of difficulties for the Government, difficulties that might well prove far too great for it to handle. Despite the pressure of those who wanted to focus the attention on the troubles of landlords, the Government has had to bring this Bill before Parliament to hold rents under control, because of the fear of what would happen if it did not do so.

To show just how much the Government appreciated that position, I shall quote the Chief Secretary's own words. Dealing with the suggestion that rents should be left to find their own level—a suggestion more than once put up to the Chief Secretary, no doubt, in Cabinet and in the Caucus room—

The Chief Secretary: In the Press, in the streets and everywhere.

Hon. J. T. TONKIN: It was that bad, was it?

The Chief Secretary: Yes.

Hon. J. T. TONKIN: No wonder the Minister had to bring in the Bill.

The Chief Secretary: Do not you think it is justified?

Hon. J. T. TONKIN: I would say it is justified, and that has been explained. The Government had to do something. The Chief Secretary spoke about the frightening and sky-high level. His reference was to—

the frightening sky-high level of heavily-inflated rentals charged by those who have been in the habit for a long while now of outwitting the law.

That is the opinion of the Government! It is not something the member for Melville has told this House. It is the opinion of the Government—"The frightening sky-high level of heavily-inflated rentals charged by those who have been in the habit for a long while now of outwitting the law." One can understand that the Chief Secretary has been besieged in the Cabinet, in the party room, and in the street.

The Chief Secretary: I did not say in the Cabinet, or in the party room; I told you what it was.

Hon. J. T. TONKIN: No! I said in the party room. The Minister said in the street. He completed the picture. We may be certain that if the Chief Secretary had to put up with this continual onslaught in the streets, he had it in the Cabinet and in the party room too. I was not born yesterday. Does the Minister think his party is any different from what ours would be in regard to legislation to be carried out? If the people in the street were vocal, the members would be vocal. We can be sure that the greater the pressure outside, the greater the likelihood of the point of view being expressed inside. The Chief Secretary can deny it if he likes, but there will be his denial and my belief.

There can be no doubt that the Government would have yielded to the pressure to do nothing. That is what the Liberal Party wanted the Government to do about this—to leave things where they were and let the legislation lapse at the end of the year. That was published in "The West Australian" as Liberal policy. We can be sure that would have been the policy of the Government if it had dared, but the thought of uncontrolled rents scared it stiff—as well it might.

So the Chief Secretary spoke about the "frightening sky-high level." I would not have used any more adjectives than that myself. The tragedy of the whole thing is that it reflects the true position, because the pressure is increasing instead of reducing. Each day that goes past there are fewer houses available for tenants to rent.

More and more houses, which over the years have been available to tenants are being bought; and when the time comes the new owners are taking action to get possession, and a comparable number of houses is not being erected to make good the loss. Yet we are getting more and more tenants. We still keep bringing people in from overseas and in many cases guarantee them houses almost as soon as they get here. They go straight into the houses while our people go out in the street.

The Premier: I do not think a great number of them are.

Hon. J. T. TONKIN: Getting houses or going in the streets?

The Premier: I do not think a great number of new people are coming in and getting houses—only those who can assist building or some essential industry connected with building!

Hon. J. T. TONKIN: Surely the Premier knows there is an agreement between the Commonwealth, the British Government, and the States that all migrants will get houses within three months. Does not the Premier know that?

The Premier: I know they are not all getting them within three months.

Hon. J. T. TONKIN: That is the guarantee, and numbers are getting them within three months or shortly after. Only recently, when I asked the Housing Commission why it did not make good its promise to a certain person that keys would be available within three weeks, the answer was that the necessity to provide homes for migrants who had just arrived meant that the house was not available for the local tenant. Does the Premier want any other explanation than that? There is a concrete case. I can give the name and the date if the Premier wants them. The Housing Commission admitted that this person was due to be housed as quickly as possible, and a promise was made that keys would be available.

The Minister for Lands: Was he a specialist of some kind?

Hon. J. T. TONKIN: No.

The Minister for Lands: I know I have never heard of it.

Hon. J. T. TONKIN: This was a case where hardship was great, and the people were told that the next house would be available in three weeks.

The Chief Secretary: What was the man's trade?

Hon. J. T. TONKIN: He was not a tradesman at all. He was an ordinary tenant. When the three weeks had elapsed, there were no keys. When five weeks had gone by I asked the reason for the delay, and was told it was the necessity to provide homes for migrants.

The Minister for Lands: Was he a nominated migrant?

Hon. J. T. TONKIN: This man was not a migrant. The man I am talking about, who had to wait, is a Fremantle citizen.

The Minister for Lands: You said there was an agreement to house migrants.

Hon. J. T. TONKIN: So there is.

The Minister for Lands: How can there be when there is a nominee system and those who nominate have to provide accommodation?

Hon. J. T. TONKIN: Are they all nominated?

The Minister for Lands: If they come of their own accord they have to find accommodation; no-one is responsible.

Hon. J. T. TONKIN: Is the Minister telling me there is no arrangement by which the Housing Commission has to provide homes for migrants?

The Minister for Lands: Yes.

Hon. J. T. TONKIN: I am telling the Minister he knows nothing about it!

The Minister for Lands: You produce it.

Hon. J. T. TONKIN: No wonder we are in this mess if that is what the Minister and the Government think!

The Minister for Lands: That is what I am telling you. You produce it. I ought to know.

Hon. J. T. TONKIN: The Minister ought to know, but unfortunately he does not.

The Minister for Lands: All right. I will live and learn.

Hon. J. T. TONKIN: I will agree that the Minister ought to know, but he does not know. If the Minister for Housing were here he could soon put the Minister for Lands right.

The Minister for Lands: Get him to put me right if that is the case!

Hon. J. T. TONKIN: This has been going on not merely for months, but for years. I have complained in the papers that insufficient houses were being erected in the Fremantle district, and that a large number of those that were being erected were being given to migrants.

The Minister for Lands: Under an agreement?

Hon. J. T. TONKIN: Yes, definitely. The Housing Commission said it had no option but to provide those homes, and migrants have come to me complaining that they have been here for the promised period and have not yet obtained homes.

The Minister for Lands: The tradesmen who were brought out were put at Point Walter.

Hon. J. T. TONKIN: Yes, and migrants are still going there and are still getting homes after a period.

Mr. Griffith: Would you tell me when this agreement was entered into?

Hon. J. T. TONKIN: I suppose that what the hon. member is endeavouring to show is that this agreement was entered into when the Labour Government was in office.

Mr. Griffith: That is your suspicious mind.

Hon. J. T. TONKIN: What is the point in the question?

Mr. Griffith: I merely wanted to know when the agreement was entered into.

Mr. Graham: Does it matter when?

Hon. J. T. TONKIN: Of course not!

Mr. Yates: It might if we knew how many had gone into those homes.

Hon. J. T. TONKIN: I assure the member for Canning that a very considerable number have gone into homes in the Fremantle district. An area known as Mulberry Farm or Mulberry Park has provided accommodation for a large number of them. They are put in what are called flats. I personally have inquired at the Housing Commission regarding arrangements supposed to have been made for these migrants, and the replies I received proved to me that there was an arrangement which had to be lived up to. On one occasion a man complained to me that the Commission had said he had forfeited his right to obtain a house, because he took a job he was not supposed to take.

The Minister for Lands: That is right. He came to do a certain job and did not do it.

Hon. J. T. TONKIN: That is so. He came out to work for the railways; but men were needed so urgently at the South Fremantle Power Station, which was being pushed ahead, that he was induced to work there. Immediately he did so he was told by the Commission that it was no longer under an obligation to find him a house. But that was soon rectified when I took the matter up, because it was acknowledged that the job he was doing was of more importance than the one he was brought out to do. So he got his house—a further proof that there is an arrangement under which migrants are guaranteed houses.

The Minister for Lands: Those who have come out under special contract to work for the Government! You may as well give the full story.

Hon. J. T. TONKIN: And for no others?

The Minister for Lands: That is so.

Hon. J. T. TONKIN: Could the Minister say approximately how many migrants have come out under special contract?

The Minister for Lands: That is only drawing a red herring across the trail.

Hon. J. T. TONKIN: No, it is not.

The Minister for Lands: Yes, it is. I am sticking to policy.

Hon. J. T. TONKIN: The Minister suggests that comparatively few people would be concerned because they would only be those who came out as tradesmen.

The Minister for Lands: The ones who have come out under special contract to work for the Government!

Hon. J. T. TONKIN: Which would run into some hundreds.

The Minister for Lands: Of course!

Hon. J. T. TONKIN: All right. We get some hundreds who come out and obtain houses within three months, or not much longer; whereas, slowly but surely, a number of our citizens are being emptied out of houses and piling in wherever they can go, splitting up their families, with children living in one place, the father in another, and the mother in another. That is occurring almost daily. In that set of circumstances, the Government proposes to make further evictions possible. It seems to me that it is not very much concerned about the eviction side of the matter, but it has a real concern for the rental side because of the repercussions that would occur. In Wednesday's issue of "The West Australian" the Minister for Housing was reported as having said—

Huts will accommodate evicted tenants.

The report continued—

Plans for housing evicted tenants were well in hand and nobody would be out in the street, the Minister for Housing (Mr. Wild) said yesterday.

That is clear enough. Only this week it was stated that plans for housing evicted tenants were well in hand and nobody would be out in the street. Yet today the Minister stood up in his place and said a hiatus had occurred, and that there was a difficulty present. This he declared when he was answering the member for Guildford-Midland, who said he had a case where a tenant was evicted and the Commission had no house to which the tenant could go. Further, the figure of 500 evictions was mentioned.

Mr. Hutchinson: I believe there are special circumstances surrounding that case.

Hon. J. J. TONKIN: The hon. member should be able to understand plain English, if anyone should. This statement is "Nobody would be out in the street." Nobody! Special circumstances can therefore be disregarded.

The Minister for Lands: You did not let the member for Cottesloe finish what he was going to say. He was going to add that she had been offered other accommodation.

Mr. Hutchinson: Yes, I believe she had been offered a house.

Hon. J. T. TONKIN: I do not think that is right. I believe the Commission has a story that the tenant was not a suitable tenant.

Mr. Hutchinson: I was only offering my suggestion.

Hon. J. T. TONKIN: It is no use guessing about these things. We want to know. I venture to say that the statement of the Minister will not be borne out. In fact the Minister would already be in serious difficulties if he had not the close co-operation of the court and of the bailiff.

Mr. Yates: So far they have been able to house them.

Hon. J. T. TONKIN: Yes, because they have had the close co-operation of the court and the bailiff.

Mr. Yates: I admit they could not do it without that.

Hon. J. T. TONKIN: To begin with, the courts have decided that they will set aside only one day per week on which to deal with these cases, and obviously that slows up the process.

Mr. Hutchinson: Do you criticise that decision?

Hon. J. T. TONKIN: No, but it is fortuitous for the Government.

The Chief Secretary: It is an arrangement which has had a good effect.

Hon. J. T. TONKIN: Of course, and a better one would be to decide that there would be no days on which to hear such cases.

The Minister for Lands: There would be something in that.

The Minister for Education: Why not make it Sundays?

Hon. J. T. TONKIN: The decision to hear those cases on one day only each week sets a limit and a tempo to dealing with evictions. In addition there is the co-operation of the bailiff. I have never before known bailiffs to be so co-operative. A very good thing, too; a most admirable improvement.

Mr. Marshall: It would be better still to have no bailiff at all.

Hon. J. T. TONKIN: The bailiff is not now in any great hurry to execute the warrant and the tenant is given reasonable time. When I have occasion to talk to the bailiff about any of these cases and I request a little time, I find him most co-operative. Whereas a few years ago it would have been difficult to get 24 hours grace, one can now get a week's grace without any trouble. All to the good, but nevertheless most fortuitous for the Government, because if these evictions could proceed under the law, as it was intended they should, there would be treble or quadruple the number of people requiring houses at present and the Housing Commission would not be able to cope with them. That is why, up to the present, the Commission has found it possible to provide houses for the people who have been evicted.

Throughout his speech the Chief Secretary gave indications that it was the rent angle that worried him most. He did not say much about the eviction side, but quite a lot about the rent aspect. He mentioned the frightening sky-high level to which rents might go, and then said something about house-owners who charged £3 or more per week for a single room and who had consciences so callous as no longer to operate. That is the opinion of the Government about certain landlords, and quite true, too, but it is well to know that the opinion comes from the Government side of the House, because it can be taken that there are good grounds for that expression of opinion. Here is a situation which the Government has allowed to continue without applying any corrective—cases where home owners charge £3 or more for a single room. I know of instances—I daresay the Minister does also—where the charge is even more than that.

Mr. Yates: They often charge more than that for a caravan.

Hon. J. T. TONKIN: This has been going on for weeks and months.

The Minister for Lands: Did it not go on all through the war?

Hon. J. T. TONKIN: No, because we had not the pressure on housing then and were not bringing in all these migrants. In addition a lot of our own people were away at that stage. These are circumstances which it is somebody's job to correct. No wonder the Minister spoke about the frightening sky-high level to which rents would go when, despite the supposed existence of some controls, rents are already as high as £3 for a single room. That is why I asked that power be included in the legislation to enable the rent inspector to go round, of his own volition, and check rents.

I pointed out that the unfortunate tenants are often afraid to say anything lest they find themselves in the street, and so they continue paying these exorbitant rents. I have no wish to misrepresent in the slightest degree what the Minister said. He made the statements to which I have referred, and then qualified them by saying that they applied only to a small and greedy group. Then he said that, in his opinion, that group would amount to about five per cent. of the whole. That could be only a guess.

The Chief Secretary: Obviously it could be nothing else in the circumstances.

Hon. J. T. TONKIN: The Minister admits it is only a guess.

The Chief Secretary: It is a reasoned guess.

Hon. J. T. TONKIN: If it is no better than some of the guesses the Treasurer has made it is of little value.

Mr. Griffith: It should be as good as your expression, "It is safe to say."

Hon. J. T. TONKIN: What is wrong with that? It is safe to say the member for Canning is a twerp. It is perfectly safe to say that.

Mr. Griffith: That is what one would expect from a person such as you.

Hon. J. T. TONKIN: I say things which are safe to say.

Mr. Griffith: Can you give me an interpretation of the words "a twerp"?

Hon. J. T. TONKIN: Yes, if the hon. member wants it, privately.

Mr. SPEAKER: The member for Melville must return to the Bill.

Hon. J. T. TONKIN: It is just a little pleasantry between the member for Canning and myself.

Mr. Griffith: It was no pleasantry to me.

Hon. J. T. TONKIN: I did not want the hon. member to like it. I am here to say what I think, whether it pleases or hurts.

Mr. Griffith: And even if it is abusive, at times.

Hon. J. T. TONKIN: If the hon. member wants to come in with the type of interjection that is usual from him he must take what is coming to him. I always take what is coming to me, and I do not squeal. Through you, Mr. Speaker, I wish to tell the hon. member that he is welcome to have a shot at me whenever he likes, because I can look after myself. The Chief Secretary said that no other State was contemplating discontinuing controls. Again, very true! Therefore why should Western Australia want to take the lead? That is a question that should be answered.

What peculiar circumstances are there in this State which place us in a position to take the lead in a matter such as this? It is no use saying that our housing position is better than that elsewhere, because it is not. The housing situation in this State was never worse than it is today. I give the Government all the credit it is entitled to for endeavouring to provide extra houses and for attempting to deal with the migrants, and so on, but, giving all that in, I still say—and figures prove it—that the housing situation in Western Australia was never worse or more acute than it is today.

Mr. Bovell: And never have there been more houses being built at the one time.

Hon. J. T. TONKIN: That is beside the point. It is like the water that has flowed under the bridge; it has gone and is of no use to us. The houses that are built and that have people in them are of no use to those who are without houses. I am dealing with the proposal to put more

and more tenants out of the houses they are now in, with less and less houses available for them to go into.

Mr. Perkins: Could not some of those tenants be doing something to provide houses for themselves?

Hon. J. T. TONKIN: What could they do? The Government will not assist them to get materials with which to build self-help houses, because they are not big builders.

The Chief Secretary: But a number of self-help houses are going up.

Hon. J. T. TONKIN: Self-help builders must get the material somewhere, somehow, some day, if they live long enough, but they want their houses now.

The Chief Secretary: It takes them sometimes a year or even more to build.

Hon. J. T. TONKIN: The average time taken to erect a self-help house is well over 18 months.

The Chief Secretary: I have never worked it out.

Hon. J. T. TONKIN: It is well over 18 months, because registered builders are sometimes taking more than two years to build war service homes, and they have the advantage of regular supplies of building materials. It is no use talking about self-help homes being erected in six months, when there is a five months' wait for tiles after the roof is ready to receive them.

Mr. Hearman: Cement tiles are available.

Hon. J. T. TONKIN: Yes, the wait for them is much less.

The Chief Secretary: You regard it as impossible, but it is still being done.

Hon. J. T. TONKIN: I did not say it was impossible. I said that self-help home builders would have to wait a long time to build their houses.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. T. TONKIN: I was endeavouring to show just what the conditions were which obtain today before proceeding to see how the Bill was going to provide for those conditions. Before the tea suspension I said that the position regarding housing in Western Australia was never worse than it is today; it is a position which is daily worsening so far as tenants are concerned because there are fewer and fewer houses available for tenants, as more people are buying up houses which previously were let to tenants and more and more people are coming in and making a demand on the existing houses. Despite an acceleration in the building rate, and the fact that more houses are being built each year than in the preceding year, the situation is still a desperate one and it can be said, I think, without fear of successful contradiction, that it is more dif-

difficult for a person to obtain a house today, relatively speaking, than it was in the first year after the war, when it was felt so very necessary that this protective legislation should continue.

Because of the desire of the Commonwealth Government to take some anti-inflationary steps, it is now very difficult for prospective home-owners to obtain the necessary financial accommodation to enable them to build homes. I have had examples quoted to me in recent days, showing that now it is almost impossible to obtain finance from the banks for home-building. As there is such a wide disparity in the final cost of building and the amount of loans which are ordinarily made available, it becomes almost an impossibility for the average person who is trying to provide himself with a home to get the necessary finance to do so.

As the Government has announced a new policy which involves a reduction in the number of rental homes, and an increase in the number of homes to be erected under the workers' homes scheme, to my way of thinking the inevitable result of that policy will be fewer homes available to those who really need them. The Minister said that the applicants for houses numbered 15,000, and he went on to say something about the terrific competition which exists for available houses. That is the Government's view; 15,000 applicants for homes, and the terrific competition which exists for available houses.

The Minister also said that a new standard of rents would quickly come into being and would probably be pushed up two or three times what they are at present. He said some rents will be below what they are worth; many would be termed fair and many more would probably be up two or three times the actual value. Now that is the picture which the Minister in charge of the Bill has in mind—15,000 applicants, terrific competition for available houses, for those which are available to tenants, some rents being below what they are entitled to charge, more being fair rents but many more probably being three or four times the actual value.

He went on to say that serious consequences would ensue because of the lack of effective legislation. It would be impossible to paint a picture more difficult for the tenant than the one which the Minister in charge of the Bill has painted—15,000 applicants looking for houses, a situation of terrific competition, and a position where most of the rents would be forced up until they were three or four times their actual value. That is the situation which the Minister knows exists at present.

The Premier: I doubt very much if there are 15,000 people waiting for houses.

Hon. J. T. TONKIN: The Minister said so.

The Premier: I know he did.

The Chief Secretary: At the same time I asked the Minister for Housing to correct me if it was wrong.

Hon. J. T. TONKIN: The Minister should have taken the necessary steps in the first instance to ensure that he was right. From answers which have been given in this House from time to time, I think the Minister is right. I believe that is the actual figure. So we get the position where there is such terrific pressure on houses; where the Government proposes to build less rental houses than it did before; where it is becoming increasingly difficult to get finance for the average home-builder to erect a home for himself; and where landlords are no longer building houses for letting purposes—this last has completely ceased. I do not know of a single instance where a landlord today is building a house for the purpose of letting it to a tenant.

Mr. Marshall: You cannot blame him either, in the circumstances.

Hon. J. T. TONKIN: So everything points to fewer and fewer houses for persons who will never be in a position to own their houses. Fewer houses for them; more and more people coming into the State and making a demand on our housing; displaced persons getting through their period to which they are tied by employment and then coming on the market for the available housing! All these aspects of the matter are tending toward one direction—that of increasing the pressure on available houses, with circumstances on the other hand operating in the reverse direction to reduce the number of houses which will be available to them.

Those are the conditions under which we have got to contemplate this protective legislation, and to my way of thinking those conditions are far worse than they were when the protective legislation was first introduced. So, are we justified in the circumstances in taking the lid off? I think we are not. The Bill provides in the first instance for an increase in rent of 10 per cent. over and above the rent which was authorised by the measure passed at the end of 1950. The amending Bill permitted an increase in rents on dwellings of 20 per cent. and on business premises 30 per cent. To allow a 10 per cent. blanket increase on those amounts means that with regard to dwelling-houses the new rent will be 32 per cent. above what it was in December, 1950, and for business premises the new rent will be 43 per cent. above what it was in December, 1950.

Under the prevailing conditions, are we justified in allowing this increase to all landlords irrespective of whether the return they are getting at the present time is a fair or an unfair return? It may be that there are some places which with this extra 10 per cent. will still be very cheap houses. On the other hand there

will be quite a number which with this extra 10 per cent. will be very expensive houses for tenants. So it is not good legislation to provide for two successive blanket increases in this way. The Government is being forced into this situation. Less than three months ago it did not believe that a further increase in rent was justified, because it introduced a Bill here to amend the Building Operations and Building Materials Control Act without making any provision for such an increase in rent.

The Government did that after months of consideration and after months of resisting pressure from landlords who were clamouring and, since the passage of the Bill the previous year, had been clamouring for more rent increases. The Government successfully resisted that pressure and introduced a Bill which made no provision for an increase in rent; I am referring to the Bill which was defeated in another place a few months ago. How comes it then that in such a short space of time the Government's mind has changed from believing that no further increase in rent was justified to believing that a blanket increase of 10 per cent. is justified?

The Chief Secretary: Do you consider 10 per cent. is justified under today's conditions?

Hon. J. T. TONKIN: I am saying it is not justified.

The Chief Secretary: I just wanted a statement from you.

Hon. J. T. TONKIN: I will lose no time in giving the Chief Secretary that. With regard to dwelling-houses, a 10 per cent. increase today will mean an increase of 32 per cent. on the rent that was payable in December, 1950; business premises are going to be allowed an increase in rent which will amount to 43 per cent. of the rent in December, 1950. I know of quite a number of places that are not entitled to such an increase in rent because they were already rented at too high a figure, and there may be others—I think I know of a few—where even with this 10 per cent., the rent will not be a reasonable one in prevailing circumstances; but the court is there, and if any landlord feels that he is entitled to more rent, he may go to the court and have a fair rent determined. From what I have seen of the decisions of the court, especially in Fremantle, the landlords cannot complain about the rents that have been given, but to allot a blanket increase to everybody, irrespective of the condition of the dwelling or the return being obtained at present is, to my way of thinking, wrong and unfair.

The Chief Secretary: Are you implying that certain magistrates have been over-generous?

Hon. J. T. TONKIN: I am not implying it; I have said it. Last session, or the session before, I asked that a return be tabled showing the applications which had been made to the Fremantle court for

increases of rent, and the decisions given. The return showed that in many cases the increase granted was 100 per cent., and in very few instances was it less than 60 per cent. I consider that a number of those decisions were more than over-generous.

The Chief Secretary: Would it have met the position if the chairman of a road board or a member of a municipality had been sitting with the magistrate?

Hon. J. T. TONKIN: I think the position would be improved if we had one man to deal with all these cases. Then we would get some uniformity and would have a certain basis laid down on which he would work, and the same treatment would be meted out in various parts of the State.

Hon. A. R. G. Hawke: Hear, hear!

Hon. J. T. TONKIN: This brings me back to the point where, in my view, it is very unfair to tenants and over-generous to landlords as a class to give them a further 10 per cent. increase, although the Government three months ago considered they were not entitled to it.

The Attorney General: We do not give it to them. It has to be done by agreement.

Hon. J. T. TONKIN: But how does it work in practice?

The Attorney General: Oh, practice! If they do not want to pay it, they do not pay it.

Hon. J. T. TONKIN: Is that so? Surely the Attorney General does not think that that stuff will be accepted in this House!

The Attorney General: Of course!

Hon. J. T. TONKIN: Well, it cuts no ice with me.

The Attorney General: You are no fool, and you would not expect it.

Hon. J. T. TONKIN: I have the daily experience of tenants coming to me and asking for advice.

The Attorney General: You would not suggest that they are all fools. The Australian people are very intelligent.

Hon. J. T. TONKIN: In practice, our providing for an increase of rent in this way will mean that in more than 90 per cent. of the cases, that rent will be obtained.

Hon. A. R. G. Hawke: Of course, and the Attorney General knows it.

Hon. J. T. TONKIN: Of course he knows it.

The Attorney General: I do not know anything of the sort. You would not pay it if you did not think it was fair.

Hon. A. R. G. Hawke: It would be less costly to pay it.

Hon. J. T. TONKIN: There are very few tenants who would refuse to meet the request of the landlord, because he would represent the position in this way: "The law says I am entitled to get this rent."

The Attorney General: That is not so.

Hon. J. T. TONKIN: But that is the way the landlord would put it to the tenant.

The Attorney General: Then he would be guilty of false pretences.

Hon. J. T. TONKIN: The Attorney General can call it what he likes, but that is the position.

The Attorney General: Do you think that most of the landlords try to deceive?

Hon. J. T. TONKIN: The Attorney General can think what he likes.

The Attorney General: But do you?

Hon. A. R. G. Hawke: The trouble is that he cannot.

Mr. Marshall: Cannot think of anything.

Hon. J. T. TONKIN: If the law provides for an increase up to a certain percentage, in at least 90 per cent. of the cases that rent will be obtained. There are some landlards who would not ask for it. I know of some who believed that the rent they were receiving was a fair one and they have not asked for any increase for years; but there are many more landlords waiting for the proclamation of the Act so that they can then ask for the full amount of the increase. They represent the position in such a way that the tenant feels obliged to agree. We know, of course—that is, all except the Attorney General—that in most cases tenants do agree. If we provide that landlords shall receive an increase up to 10 per cent. on what they were allowed under the legislation of 1950, they will get it.

Mr. Yates: The cost of painting has gone up over 300 per cent.

Hon. J. T. TONKIN: What about the people who do not paint their houses?

Mr. Yates: There are not many.

Hon. J. T. TONKIN: I could take the hon. member to my electorate and show him hundreds of houses that have not been painted for 15 years.

Hon. A. R. G. Hawke: The hon. member should visit Northam and have a look round there.

The Chief Secretary: In 1950, when the Bill left this House, we sent it to another place with provision for a 25 per cent. increase, but later, when the Bill went to a conference of managers, it was reduced to 20 per cent., so this House was prepared to go half-way towards granting the 10 per cent. of which you are speaking now. You recall that you were a party to the 25 per cent.

Hon. J. T. TONKIN: I do.

The Chief Secretary: Then you cannot complain of what is now proposed in the Bill.

Hon. J. T. TONKIN: I was a party to it only insofar as the decision of the House made me a party to it.

The Chief Secretary: You could easily have expressed dissent.

Hon. J. T. TONKIN: Yes, but the Minister knows that, but we frequently dissent from a number of things but do not express our dissent every time.

The Chief Secretary: I admit that, but I am showing you that the 10 per cent. is not as distasteful as you would lead members to believe.

Hon. J. T. TONKIN: I am not overlooking that, but when the Government earlier this year introduced a Bill for the purpose of doing what this Bill is designed to do, it contained no provision for any further increase of rent.

The Chief Secretary: Quite so.

Hon. J. T. TONKIN: Therefore, we are entitled to assume that the Government at that stage considered that a further increase was not justified.

The Chief Secretary: You can ask my colleague about it; I was not here.

Hon. J. T. TONKIN: I do not need to ask the Minister's colleague. I am stating the position and drawing what I consider a fair assumption.

The Chief Secretary: Please yourself.

Hon. J. T. TONKIN: We can assume that what the Government wants to do, and believes should be done, it will attempt to do here, and with its numbers it is able to do as it wishes. If the Government had desired to give landlords a further increase above that provided in 1950, its Bill introduced earlier this year would have provided for an increase. It did not do so, but this Bill does, and that is because of the attitude of certain members of the Legislative Council, who have been demanding further returns for landlords at the expense of tenants. We on this side of the House object to that. We claim that there is no justification for a blanket increase to all landlords, which will mean an increase in the rent of dwellings of 32 per cent. on the 1950 Act and of 43 per cent. in the case of business premises.

The Attorney General: Do not mis-state it by calling it a blanket increase.

Hon. J. T. TONKIN: It is.

The Attorney General: You are quite capable of expressing yourself clearly.

Hon. J. T. TONKIN: The Attorney General can express himself when the opportunity comes. At the moment, I am

expressing my views, and I say that this is a blanket increase covering all rentals, with the possible exception of those which have already been fixed by the court.

The Attorney General: And of tenants who have not agreed.

Hon. J. T. TONKIN: Of those, there are so few that we can afford to ignore the number. With the background I have mentioned about the pressure for housing accommodation, the Government proposes to make it easier than it was under the previous measure to have tenants evicted. It now proposes that a lessor who is a body, whether incorporated or not, if it has owned the premises for six months and requires them for any purpose, for itself, its agents, its servants or for a partner, may give the tenant six months' notice and the tenant is automatically ousted. What justification is there under existing conditions, which are worse than those prevailing when this legislation was first introduced, for going so far as to allow a body, whether incorporated or not, that requires premises for any purpose, for itself, its agents, its servants or a partner, to have the tenant evicted? There are not many reasons omitted from that list.

With regard to a lessor who is a person, if he has owned the premises for six months and lived in the Commonwealth for two years and requires the premises for any purpose, for himself, for either or both parents, for a married child, a partner or a body associated with the lessor in trade, profession or calling, or—and this is a beauty—of whom the lessor is an employee, the tenant can be given six months' notice to leave, and his eviction will be automatic.

Thus, the situation will be that if a landlord happened to be working for a firm and wanted to get his tenant out so that the firm could have the place, no matter for what purpose, that would be a ground for evicting the tenant. What justification can there be for that as against the interests of tenants, who will find it extremely difficult to get houses? The Chief Secretary, in dealing with another provision—and this makes me smile—

The Chief Secretary: Then this is the first time you have smiled tonight!

Hon. J. T. TONKIN: The Chief Secretary said, "A new provision creeps in here." I can well imagine its creeping in on tiptoe and in the dark, because the Minister proposes to allow a trustee to evict a tenant if he wishes to wind up an estate quickly. In other words, if a trustee wants to take advantage of the high prices ruling for houses today, and would like to sell a house with vacant possession, this is sufficient ground for emptying the tenant out even though the tenant might have been there for 20 or 30 years. So, it is bad luck for the tenant if his landlord happens to die, be-

cause the Government will then permit the man's trustee to do what it would not permit the man himself to do while he was alive. Where is the sense in this provision? No wonder the Minister said it "creeps in." It might have crept in, but it ought to be kicked out.

The Chief Secretary: Did I say "crept in"?

Hon. J. T. TONKIN: No, the Minister said it "creeps in."

The Chief Secretary: Do not be foolish.

Hon. J. T. TONKIN: I am never foolish. Is the Minister denying that he said this?

The Chief Secretary: It is strange if I did. If you have a pull from "Hansard" you might read it.

Hon. J. T. TONKIN: Does the Minister deny saying it?

The Chief Secretary: I do not know what is in "Hansard," but I do not remember saying it.

Hon. J. T. TONKIN: Do you say that "Hansard" did not report you correctly?

The Chief Secretary: Never mind that.

Hon. J. T. TONKIN: I take it the Minister had an opportunity of correcting his proof.

The Chief Secretary: I did.

Hon. J. T. TONKIN: Then the Minister did not correct that part of it.

Hon. A. R. G. Hawke: I have a "Hansard" proof of a speech made by the Minister today, and it is a plum.

Hon. J. T. TONKIN: If the Minister does not mind, I shall send this "Hansard" proof to the Minister and he can find it for himself.

The Chief Secretary: You will not have much luck there.

Hon. J. T. TONKIN: Do you say it is not here?

The Chief Secretary: No, I say that I am not going to the trouble of finding it for you.

Hon. J. T. TONKIN: It is here all right. The Minister said—

A new provision creeps in here,—

Those are his words.

The Chief Secretary: You put it rather differently now.

Hon. J. T. TONKIN: The Minister continued—

—namely, if the lessor is a trustee and requires the premises for the purpose of winding up the trust he may make a statutory declaration to that effect and may give to the lessee and all other persons occupying the premises notice to quit.

Mr. Brady: That is a dangerous provision.

The Minister said this all right.

The Chief Secretary: Now that you put it up in a different dress, I can see it.

Hon. A. R. G. Hawke: Now that the hon. member has quoted it.

Hon. J. T. TONKIN: The Minister first of all denied having said it, and said something about my being foolish.

The Chief Secretary: That is quite right.

Hon. J. T. TONKIN: I am not nearly as foolish as is the provision because it has no regard at all for the interests of the tenants, but is inserted purely in the interests of those persons who want to make more money. If they can sell property with vacant possession they can get a lot more money for the estate. Why should the Bill exempt from the provisions regarding rent fixation, dwellings which belong to certain businesses and are used by the proprietors to house their employees?

Why should not these dwellings be subject to control of rents? Surely the Minister can see that to remove them from control makes it possible for the businessman to effect a reduction in wages if he so desires, by charging for premises occupied by an employee, a rental greater than he would be permitted if the rent were controlled by the appropriate authority. I agree with the Minister that there ought to be power to permit a businessman, who no longer wants to use the services of an employee, to put the employee out of the place so as to allow someone else to go in, but I cannot agree that he is entitled to charge what rent he likes.

The Chief Secretary: He suffers from the customary restrictions, of course—10 per cent., and the verdict of the court.

Hon. J. T. TONKIN: There is no restriction at all because this clause removes it from the operation of the legislation.

The Chief Secretary: To what clause are you referring?

Hon. J. T. TONKIN: I am not allowed to quote the number of a clause.

The Chief Secretary: Well, tell me privately. Come on!

Hon. J. T. TONKIN: The Bill says—

The provisions of this Act shall apply to all premises, including a part of premises, where the part is separately leased, except . . . a dwelling-house ordinarily used for the occupation of persons employed by the lessor while so used.

This removes from the provision of the legislation, both as regards rent fixation and eviction, houses in that category. I will not agree that these houses should not be subject to rent fixation the same as other houses are. If we allow them to be excepted it will allow an employer

who is so minded to effect a reduction in the wages of his employee by that means. If the reply to my proposition is that the employee can give his employer notice and seek another job, my answer is that that is not so easy because if he leaves the house he is living in the Housing Commission will not give him another, and he would have no priority at all in those circumstances. As a result, a worker, even though he knew he was paying two or three times the rent he should pay, would have to stay where he was, and grin and bear it. I think this position needs fixing up. Why should the Minister want to take a blanket power like this—

This Act shall not apply to any premises or the premises included in any class of premises declared by Proclamation to be those to which this Act does not apply.

That would permit the Government to nullify completely the Act, and it would not apply to any premises whatever.

The Chief Secretary: No.

Hon. J. T. TONKIN: Yes, it would.

The Chief Secretary: Just those rare cases that you cannot foresee, but which creep in.

Hon. J. T. TONKIN: This power would permit the Government to nullify the operation of the legislation completely, behind the back of Parliament.

The Chief Secretary: You know it would not do that.

Hon. J. T. TONKIN: I am not saying that it would but that it could under this power. Seeing what the Government does when it has not power, I hesitate to think what it will do if it is given power. I am definitely against the provision that the Government shall have the right to exempt by proclamation. What good is legislation of this kind?

Hon. A. R. G. Hawke: No good.

Hon. J. T. TONKIN: Let us apply the provisions to business premises. We will assume the Act is passed and a man in business examines it and ascertains his position and says, "I am protected for 12 months. Even if these premises are sold within six months I have to be given six months' notice, so I am protected for at least 12 months." So he puts in more stock and proceeds to go ahead and, after he has spent his money, the Government makes a proclamation excluding the premises from the operation of the Act, and the man finds he is no longer protected but is left with absolutely no redress. I cannot see any commonsense in that. The provision is most unfair, and its only effect will be to leave all tenants in a state of the jitters.

I am pleased to see that the Government has recognised, as it did previously, the need to do something about shared accommodation by affording limited protection, but I point out that the protection will not last long because of provisions elsewhere in the Bill. Tenants in big apartment houses will believe that under this legislation they are protected because though the accommodation is shared accommodation, there is no longer the weakness that existed previously. But if some incorporated body buys the premises it could, after owning them for six months, evict all the tenants—there might be 50 of them—for the purpose of turning the building into showrooms or offices. Is that a desirable state of affairs having regard to the fact that there are 15,000 applications for homes? That is what can and will happen, because it has happened before.

The Minister knows of cases not far from here where notices were served on tenants—20 or 30 of them in each place—in apartment houses because the owners wanted to turn the premises into offices. The Bill will permit of that being done. Large numbers of people are living in apartment houses and blocks of flats, but under the Bill if some incorporated or unincorporated body purchases such a building the tenants can be put out within six months of the date of purchase, irrespective of the purpose for which the building is to be used. I know of one instance where a landlord had his tenant evicted so that he could use the dwelling to store craypots. He had a number of cane craypots which are quite large in structure and take up a lot of room. This fisherman had difficulty in finding a place to store them during the winter months, so he got the tenants out and put the craypots in.

That is using the building "for any purpose" and will be permitted under the Bill. We can disregard entirely the interests and welfare of flesh and blood. If a person wants premises for himself or his father or mother or married son or married daughter or servant or partner, he can serve notice on the tenant and tell him to get out, and then he can do what he likes with the place. If he did that he could put what he liked in it, luggage, furniture or anything else, or even let portion of it and live on a back verandah. But that meets the requirements of the Bill.

I am pleased to see a provision that will afford some control over the rents of shared accommodation. The weakness before was that those tenants who occupied shared accommodation had no protection. They were too scared to ask for a fixation of rent because they knew, in many cases, that as soon as the rent inspector came around the landlord would know who made the complaint and would take immediate action to get the tenant out. Under this provision the tenant need not be afraid because the landlord will

have to take the steps provided for in the Bill in order to get possession; those steps I have already outlined. So there is a limited protection for tenants in shared accommodation; not less protection than is available to the tenants of ordinary dwelling-houses.

I believe it would be preferable and much fairer to provide that, instead of lessors being able to get premises if they require them for any purpose, they cannot get them unless they "reasonably need them." Let us delete "requires for any purpose" and substitute "reasonably needs." So if a landlord "reasonably needs" the house or business premises, that would be sufficient grounds for giving a notice to quit to the tenant. That would be fair enough. We should put the responsibility on the landlord to show that he reasonably needs the place and not just say to him, "if you require it for any purpose," or in other words, "If you want to do anything with it you can have it." That is what the Bill states now.

The final portion deals with what purports to be a special protection for certain classes of persons. It is our view that the Government has not gone far enough. We have had cases brought under our notice where a man joins the Forces and leaves to go to the scene of operations in Korea. Shortly after he leaves he finds that his wife and family are evicted because there is no protection for them in those circumstances. There are a number of variations of that instance which would readily come to the minds of ex-Servicemen, and I think such men ought to be protected; the Bill does not do that at the moment. The measure affords some protection—not complete protection—to ex-Servicemen who are in receipt of a full pension for permanent and maximum disability—that is full pension under the Repatriation Act. We think that that should be extended to cover other persons because it is conceivable that, although an ex-Serviceman might not be in receipt of a full pension, he might be in receipt of 85 per cent. 90 per cent. or even 75 per cent. and so be, for all practical purposes, just as incapable of fending for himself as would a man on a full pension.

As it is intended that such protected persons should not be put out on the street, and shall not be obliged to give up possession of premises until the Housing Commission provides for them, we believe that there would be no great hardship on the Housing Commission to provide for a number of others whose plight would be almost as bad, if not exactly the same. So when the opportunity arises we propose to see if we can do something about that and so afford the greater protection. I cannot conceive that there would be any justification, under any circumstances, for putting any person on to the street in this enlightened age, irrespective of how much the landlord wants the dwelling-

house or business premises. Surely we are beyond the stage where we are prepared to stand by and see woman and children out on the footpath with nowhere to go. As we have a Housing Commission which has demonstrated that it is capable of putting up emergency housing, why should it not put up emergency housing for everybody who is evicted? We should not evict people until such houses are ready for them.

It is all very well for people who are comfortably housed to sit by and take an academic interest in what is happening, but it would be an entirely different matter if oneself was concerned in it; if we individually were in a hurry to find somewhere to take our wives and families and our belongings. While that might have been tolerated years ago, when people could be put out on the street, I do not think it should be tolerated in these days: I believe that every family is entitled to a roof over its head. It is of no use saying that there should not be any tenants and that we should all be home-owners. I have had letters from landlords who say that they have no sympathy for tenants because those tenants should have bought homes of their own years ago. There are some people who hold that view and consider that everybody should be a home-owner. I would like to know how that can be brought about. There will always be a number of people who, for various reasons, can never have a home of their own and must live in somebody else's. In my opinion we should never do anything that will result in such persons having nowhere to go—no shelter! We should use the Housing Commission to see that shelter is provided and that no eviction takes place until it is.

The Chief Secretary: Would you be prepared to admit that during recent months the Housing Commission has been very successful in finding accommodation?

Hon. J. T. TONKIN: I would and I compliment the Commission. I have not had a single case of an eviction under this present legislation—that is where a warrant has been issued—where the Commission has not provided emergency accommodation. In some cases it has been difficult because the families have been large and they have overflowed to a certain extent; nevertheless the Commission has, in every case with which I have been concerned, been able to provide a house when the tenant has had a warrant issued against him. I have had a number of cases where the final order has been made by the court but where the Commission has declined to act until the warrant has been actually issued, but there has always been the assurance that when the warrant was issued such tenants would be provided with accommodation. However, I am very fearful of the position in the immediate future. I listened carefully to what the Minister said

about the hiatus which has occurred. It is evident that the number of eviction cases is mounting.

The Chief Secretary: I do not know.

Hon. J. T. TONKIN: A little simple arithmetic will show the Minister that, because on the average there have been about 15 cases in the Perth Police Court and about eight or 10 in the Fremantle Police Court each week. In a number of those cases, at the request of the magistrate, the landlords have so far refrained from asking for the warrants. But if that process is speeded up, and those who are now entitled to warrants ask for them, we will find that the pressure on the Housing Commission will be considerably heightened.

The Chief Secretary: There is that danger.

Hon. J. T. TONKIN: An officer of the Commission is set aside to give his special attention to these eviction cases and he makes it his practice to interview the persons against whom notices to quit have been issued. There has been such a large accumulation of persons to be interviewed that now this officer is obliged to fix the interview days ahead so that he can give sufficient time for personally seeing the tenants concerned. That fact shows that there is a snowballing effect going on and the number of evicted tenants to be provided for is increasing fairly rapidly; much more rapidly than the speed at which the Housing Commission can build emergency homes. So we are bound to strike, as the Minister calls it, another hiatus and that will be bad luck for the particular tenants who happen to miss out.

We are fortunate that for the next few months the weather will be such that it will be no great hardship if, as a last resource, people are put out without proper cover for a few days and nights; bad enough, but they could get by because of the present weather. But the situation would be particularly bad if we ran on into the winter months, and at the rate at which these evictions are taking place—and this rate will be accelerated if the Bill is agreed to—I am afraid the number will be so large as to be beyond the capacity of the Commission adequately to provide for it.

So I ask the Government not to lift the lid off as it proposes to do in this way. It realises that the situation is desperate, and one could not use stronger terms than the Minister used about the terrific pressure for housing and the tendency to send rents up. He knows that the Government is going to build fewer rental houses, and if he adds up all those facts he should come to the conclusion that it is unwise for Western Australia to take the lead in this way, and go quite beyond what any other State proposes to do. Why should we extend these opportunities for eviction to bodies, incorporated or otherwise, who want

to get premises for any purpose? There is no justification for going that far at this stage. So I trust that sweet reason will prevail and that the Government will permit of some amendments to the Bill which will make it possible for the conditions to be less irksome for the general body of tenants than they will be if it is passed in this form.

I have on the notice paper some amendments which will not be necessary if we can do anything with the Government regarding the proposed increase in the rent but, should the Government remain adamant on that provision, I desire to include these amendments in the Bill so that landlords who are not entitled to the increases will not be able to get them. My desire is that, where a local authority is prepared to give a certificate that a house is not in a reasonable state of repair and is not reasonably fit for human habitation, upon application to the court it will decide to suspend the increase in rent until such time as the landlord puts the premises in order and justifies his getting the increase.

The Chief Secretary: There is, of course, a provision in the Bill for meeting the situation such as you are describing.

Hon. J. T. TONKIN: It may be there, but I could not find it.

The Chief Secretary: I will point it out to you.

Hon. J. T. TONKIN: My desire is that there should be this protection for tenants in that direction which would, to some extent, be calculated to meet my objection that the Government proposes a blanket increase of up to 10 per cent. There are a number of houses—I think the Minister must have seen a few himself—where the landlord retains them merely to get the rent. He never puts a nail in them and refuses all requests made by tenants for repairs in order to bring the place up-to-date, and the result is the tenants have to get along the best way they can in most unsuitable conditions. In some instances the local authorities have refrained from condemning such properties knowing that if they do the tenants would be the ones in difficulties as they would have nowhere else to go. Because of that the tenants are allowed to continue on under conditions which are not satisfactory to the local health authorities.

I propose that some corrective should be provided to cover a situation such as that, and, where the local authority will certify that the premises are not reasonably fit for human habitation or are not in a reasonable state of repair, that the court shall have power to suspend the increase in rent and rule that the suspension will continue for such time as a further certificate has been supplied to the court showing that the necessary repairs have been made.

The Chief Secretary: I think you can secure the results you want under the Bill now.

Hon. J. T. TONKIN: If the Minister can show me where they can be secured I will be content. All I want to do is to make sure that such a provision is there, but so far I have not been able to find it.

MR. BRADY (Guildford-Midland) [8.34]: I admit that the Bill now before us is a little better than the one introduced last session. Nevertheless, I point out that there is nothing in it to protect people who have built up businesses for, say, a period of five or six years and who live on the premises. I know of a woman who rented an establishment five or six years ago and who built up a substantial business, but recently she was told by the owner of the premises that she had to get out. He has now taken over the business himself, and this woman has received no compensation for all the work she has put into the business or for any goodwill that she has built up. I know of a man who has worked up a carrying and wood delivery business, and now the owner of the property he uses for the conduct of his business has told him that he must leave the premises and as a consequence he loses all the goodwill he has built up over a period of years.

I therefore consider that something should be included in the Bill to protect that class of tenant who is evicted by the owner for his own purposes. I also consider that the Bill does not provide sufficient protection for those people whom the Housing Commission has deemed are not entitled to accommodation. Only last Saturday I attended a function in Bassetdean, and a woman approached me and told me that within the last few weeks an eviction order had been issued against her and her son and that the Housing Commission is not prepared to find them another home of any description. Its argument is that the son can find board and lodgings and that the mother can take a room anywhere she likes and that is what she has had to do. I do not think it is just that landlords should be able to evict a family such as that.

In this instance the son had been living with his mother since infancy and now they have been forced to separate. Despite the fact that they have a fond regard for each other the Housing Commission has ruled that they are not entitled to a house, and that they must either board in a hotel or find a room in a lodging-house or any other place they desire. In fact, this woman has had to go to a rest home. I do not know where the son is residing, but he works on the railways in Midland Junction and therefore has to live near his place of work. There is another class of tenant who is

penalised much along the same lines as those I have already mentioned. I refer to the wife with a young family who has become separated from her husband. When a husband gets into trouble and causes concern to the landlord, and as a result he and his family are evicted, it sometimes occurs that the husband and wife are separated, but, unfortunately, when the wife seeks accommodation for herself and her children she is forced to suffer for the misdemeanours of her husband.

The officers of the Housing Commission say, "You cannot get a home because your husband did not pay the rent whilst he was living at such and such a place." Three or four years may have elapsed since the husband committed his misdemeanour, but the wife still has to suffer because of his action. Some remedy should be provided for a situation such as that. Even at this late stage I think the Minister should try to do something for (a) people who have been evicted from businesses by the owner and, (b) those who have been evicted in the circumstances I have outlined.

MR. LAWRENCE (South Fremantle) [8.38]: I consider it is incumbent upon me to speak on the Bill because I consider that I know the seriousness of the housing shortage much better than does the Minister himself. I will correct that by saying that perhaps not the Minister but the Government. As far as I can see the Bill provides practically no protection for tenants—I will prove that later—but greater protection is provided for landlords than was contained in the Bill which was introduced last session.

In comparing this Bill with the one previously introduced, what I want to know is whether the Government fully realises the seriousness of the housing shortage today. I throw that challenge in the teeth of Ministers because I know they cannot answer it—not truthfully, at any rate. When we consider the full facts, we realise that pressure is being exerted by certain groups, and there is no doubt in my mind who the groups are. They consist of people in another place representing men who are purely and simply rapacious landlords. When I look around my electorate and other districts as well, I ask what the Government has done about the housing shortage. I do not hear any comment from the Government side.

I doubt whether Ministers know the true position. If they do know it and have allowed the situation to develop as it has done during their regime, it is time they resigned. The position has deteriorated in the last three months. In Fremantle, and especially in the South Fremantle area, Servicemen whom the Government have been asking to go away and fight for us are being evicted, while

foreigners are coming into the country and walking straight off the ship into homes.

The Chief Secretary: Are you quite sure that that is correct?

Mr. LAWRENCE: Perfectly sure; in fact I am prepared to take the Minister to the waterside and let him see for himself.

The Chief Secretary: You mean walking off the ship and into houses?

Mr. LAWRENCE: Yes.

The Chief Secretary: Has anyone else seen it?

Mr. LAWRENCE: I daresay. What does the Minister imagine our people think—good faithful subjects of this country, some of them who have fought for us—when they find these things going on? I have heard ex-Servicemen express utter disgust at the treatment they have received from the Government, and some have gone so far as to say that they would not be too happy about helping the country if another war occurred. If the Government allows thoughts of that sort to enter men's minds, the outlook for the future will not be at all re-assuring.

The Chief Secretary: Are you sure you are not being party-political?

Mr. LAWRENCE: I shall give some instances to demonstrate that my statements are true and sincere.

The Chief Secretary: I was just asking you.

Mr. LAWRENCE: We have been informed that some 23,000 migrants came here last year, and, as the Minister stated a few nights ago, 15,000 people are short of accommodation. I think the Premier interjected that that was not so, but the member for Melville agrees with the Minister and so do I. I believe there are 15,000 people short of accommodation. In Fremantle, we find foreigners buying, not single homes, but whole blocks of houses, and they are using this legislation to get the tenants evicted. I could cite many instances of that.

Our people are just boiling, and I shall show later on that they are determined to get the position rectified by some manner or means. For my part, I sympathise with them fully. I can quote for the information of the Minister the cases of men who fought for this country and have been waiting for homes for four years, and are still living under canvas. I wonder whether the Minister has inspected the conditions at the Coogee Beach camp.

Mr. Perkins: Could not those people build their own homes?

Mr. LAWRENCE: How are they going to do that? The hon. member should go to the Housing Commission and ask for flooring boards, window frames and bricks.

Mr. Perkins: Some people get them.

Mr. LAWRENCE: No doubt they do, as the member for Melville has explained. I do not know how they manage it.

Mr. Perkins: Did the man you mentioned before put in an application to build a home for himself?

Mr. LAWRENCE: The hon. member means a self-help home.

Mr. Perkins: Surely in four years he would have saved some money!

Mr. LAWRENCE: The man I have in mind happens to be receiving a shade over the basic wage and, if the hon. member thinks that a man on the basic wage is in a position to build a house, he is a long way off the beam.

Mr. Perkins: I did not think anyone in Fremantle was on the basic wage.

Mr. LAWRENCE: I have just overheard a remark that was insulting, and, if I hear any more, I shall have something to say.

Mr. SPEAKER: The hon. member should ignore interjections.

Mr. LAWRENCE: Of the 40 families living at the Coogee Beach camp, practically half are genuine cases and nothing has been done for them. The Commission, or in other words the Government, will not do anything for them.

The Chief Secretary: Is it not a fact that as houses become available, some of those people leave and others go in?

Mr. LAWRENCE: That is not so. In my speech on the Address-in-reply I referred to the case of the man Charles Arthur Grimes, who has made every effort to get accommodation but has been unsuccessful. At the moment his three year old daughter is in the Princess Margaret Hospital dying of pneumonia contracted through living under rotten conditions, and the Commission will do nothing about it.

Mr. Hutchinson: Has he been living in Fremantle all the time?

Mr. LAWRENCE: He has been employed at the Jandakot scouring works for three years. I had a case under notice the other day and, if this does not cry to high Heaven for remedial action by the Government, it is beyond me. A well-developed girl of 14 had to sleep with her brother, a boy of 16, as well as having another brother, aged six, in the one single bed. The mother has recently given birth to another child, and she and the father and a boy of 18 months occupy another single bed.

Their accommodation is a side verandah which, though it is enclosed, is not wide enough to take two single beds side by side; there is room only for the two single beds head on. For privacy, they had a

piece of hessian hanging from the roof between the two beds. I went to the Housing Commission and was told it could do nothing about the matter, though I was shown a file which indicated that the Commission was fully aware of the position. I then had to go to the Premier. That position had existed for many months. If any sin had been committed between that girl and her brother, I would most certainly say it would fall on the head of the Government.

The Chief Secretary: You might just as well cut out that sort of thing.

Mr. LAWRENCE: Cut it out? Why?

The Chief Secretary: You are going too far.

Mr. LAWRENCE: I am not going too far. I can prove those words to the Minister if he likes. I will give him the name in confidence, and he can go to the Commission and look at the file.

The Chief Secretary: I would willingly have a talk with you about the matter as you suggest, but I still think you went a little too far.

Mr. LAWRENCE: In what regard?

The Chief Secretary: You know very well. I do not wish to make it worse by repeating it.

Mr. LAWRENCE: Because those conditions existed that certain thing could have happened; and I say again that the Commission knew that those conditions obtained and did nothing to rectify the position until I had recourse to pressure.

The Chief Secretary: That is a building Commission matter, is it not?

Mr. LAWRENCE: I think it is a matter for the Government; the Government is responsible.

The Chief Secretary: We are dealing with a Bill which has to do with rents.

Mr. LAWRENCE: We will come to that. We have the matter of evictions and the accommodation at the Naval Base flats, where the Minister for Housing admitted in this Chamber that there was no provision even for a bath. He certainly said there was a cold shower—if one could crawl into it; it is so small. We had the position of those people being evicted under this legislation. One man working at the Midland Junction workshops was evicted from Guildford and sent to live at Naval Base.

The Chief Secretary: I cannot understand why they should have deliberately built a bathroom too small for everybody. It has me tricked.

Mr. LAWRENCE: It certainly got me tricked, too!

The Chief Secretary: I can hardly believe it is true. You may have been told that.

Mr. LAWRENCE: When we go to the wharf to see these migrants, if the Minister has the ministerial car, we will shoot through to Naval Base and I will show him the place.

The Chief Secretary: If I happen to go down, I will invite the hon. member and we will go along together.

Mr. LAWRENCE: Thank you! There is another case, that of William Arthur Griffiths. He is not quite as good-looking as the member for Canning. William Arthur Griffiths is a migrant from England who came here two years ago and is a fully-fledged tradesman. In fact, before he left England he used to work for a firm, whose name I forget, putting up pre-fabricated houses. He is a first-class tradesman. He came to me and said, "How can migrant tradesmen come here and get accommodation and I cannot?" He is forced to live away from his wife because he cannot get accommodation.

The Chief Secretary: I presume the migrants purchase their homes from Australians who, therefore, must share the blame—if blame there is—with the migrants.

Mr. LAWRENCE: That is not so. The member for Melville told the Minister where they go. They go to Mulberry Flats, Hilton Park.

The Chief Secretary: I do not know.

Mr. LAWRENCE: I do. When Griffiths approached the Commission, through me, to be put on the house-building scheme in this State, he was refused because the Commission said it had migrant tradesmen to fix up first. I can also show the Minister those facts on the files of the State Housing Commission.

The Chief Secretary: This is not a State Housing Commission matter that we are dealing with.

Mr. LAWRENCE: Admittedly; but it still moves hand in glove with the Bill that is coming down.

The Chief Secretary: It has a relationship, I will admit.

Mr. LAWRENCE: It certainly has, when we consider the shortage of accommodation.

The Chief Secretary: But it is not the same thing.

Mr. LAWRENCE: The situation is made worse by evictions, to which this Bill makes reference.

Mr. Marshall: It provides for them.

Mr. LAWRENCE: There are evictions pending. I know a Mrs. Coombes, who is nursing a baby seven months old, and whose husband is at sea. She is being evicted on to the footpath, and no alternative accommodation will be provided for her by the Commission. I do not wish

to be melodramatic; but only on Friday morning she said that if she could not get accommodation she would feel like committing suicide.

The Chief Secretary: What action did you take then? Did you take any?

Mr. LAWRENCE: Yes. I rang Arthur E. Davies and said that there might be a client in a week or so, if the Government did not do something.

Mr. Brady: It is funny if you are not in a serious position yourself.

The Chief Secretary: I do not see anything funny about it.

Mr. Brady: I am glad you do not.

Mr. LAWRENCE: We have the Naval Base flats which the Government is using for people who are evicted and are given no alternative accommodation. Those flats are slums and an absolute disgrace for any Australian to live in.

The Chief Secretary: How long have they been there?

Hon. J. B. Sleeman: For a hundred years!

Mr. LAWRENCE: They constituted the old migrants' home years ago.

The Chief Secretary: But they have been lived in constantly; not just in the last few years, but prior to that, I take it.

Mr. LAWRENCE: I guess they have.

The Chief Secretary: There is no special blame on this Government, then.

Mr. SPEAKER: Order! There are too many interjections.

Mr. LAWRENCE: There are other instances of people who have been evicted. There is a Mrs Dix of South Fremantle, who is an old pioneer of this State. She has a grandson living with her, aged nine, and has no husband. She will be put out on the street under this Bill, and she will not obtain any accommodation because the Commission has orders from the Government that it is not to treat these cases by giving them alternative accommodation. That poor old lady has reared many true and brave sons for this State, but that is her reward. This Bill will not give her or her little grandson any protection.

I have even had a case from the Premier's electorate of a woman who is living in a tent, and she is being evicted because the block is not hers. If such things occur in the Premier's electorate, how is the member for South Fremantle likely to fare in his electorate? Early last week I had to make tentative arrangements to put five children from three different families into an orphanage, because there was no accommodation for them; and there was another case that I mentioned here one night of a Mr. McRae whose daughter has been living at the Salvation Army Girls' Home at Mosman Park for two years. Yet

he has had a priority to build since 1947. Nothing has been done about it. He was in the Navy for six years during the war, and that is his reward.

I could go on quoting similar instances for hours. But we now find that the Government has deliberately watered down the Bill that was before us last session, and peculiarly enough one of the methods by which it has offered a soporific to the landlords and to members in another place, is by raising the rent 10 per cent. Apparently the Government thinks that a rise of 10 per cent. in rents will sell the Bill; either that, or it is a barefaced attempt to put it over the Opposition and the people. This increase will mean that since the beginning of this year, rents of dwellings will be increased by 32 per cent., and business premises by 43 per cent.

When we line this up with the increase in the basic wage, we find there is a big difference. Is the basic wage to be increased immediately the rents are raised? Even when it is increased—because rents are included in the basic wage regimen—there will be a further inflationary trend. I do not know how we are going to finish up. I believe implicitly that if a man owns a home he should be allowed to have possession of it, but I most certainly do not believe that if a man owns a number of houses he should be allowed to use them to exploit the public, especially in these times when chaotic conditions prevail in regard to housing accommodation.

The Government must have learned to some degree—even from its own supporters—about the terrible conditions existing today, but it has not had the courage to stick to its guns as far as evictions are concerned because it could have used more reasonable language than to say “requires the premises for occupation for any purpose.” This gives an open slather to anyone. The magistrate will not have the slightest discretionary power. If a man wanted a house to use as a two-up den, a sly grog den, or as the member for Melville said, to store crayfish pots, he could kick a family out on to the road, and use it as he desired.

The position is felt so keenly in my electorate that I appeal to the Government at least to be reasonable, and give us something to avert the disaster which I feel sure will befall not only it but the people too, because we will suffer from the fault of the Government if it does not legislate properly. I hope it will take some pains to examine the Bill before a further stage is reached, so that it may be amended. I have been told in no uncertain terms by various unions on the Fremantle waterfront, that at no price are they going to tolerate the wholesale eviction of their members. I have here a cutting from a copy of “The West Australian,” and under the heading, “Warning by Lumpers over Housing” we find this—

Another port union gave warning yesterday that industrial action would be taken unless the State Government introduced legislation to prevent the wholesale eviction of tenants.

It is a delightful state of affairs when, because people are being evicted wholesale, a union has to say, “If you do not legislate properly and do something for us, we shall down tools and have a special industrial action over it.”

Hon. J. B. Sleeman: They will be prosecuted then.

Mr. LAWRENCE: That is an interesting point, and I suggest that the Premier—

The Premier: If they do not like the laws passed by Parliament there will be industrial unrest, is that it?

Mr. LAWRENCE: No. I refer the Premier again to the newspaper extract I just read.

Mr. Grayden: Do you think we should give up having elections and let them run the country?

Mr. LAWRENCE: I think they would do a better job than the Government is doing.

The Minister for Lands: That is very much your opinion.

Mr. LAWRENCE: Naturally it is not the opinion of the Government.

Mr. J. Hegney: Do not forget that much progress has been made in Australia by industrial action.

Mr. SPEAKER: Order!

Mr. LAWRENCE: I am not very interested in that point. I deplore the taking of industrial action because it cannot be any good for the personal economy of the people or the economy of the State, and it does not make for good relations industrially. The Government should consider these matters in the light of the fact that the people are not satisfied with the type of legislation being presented to them today. We have even had the district councils of the Labour Party protesting. I say again that some Ministers do not know the serious position existing in Fremantle and South Fremantle. I am willing to bet that the Premier does not know.

Hon. J. B. Sleeman: He will take no notice of you.

Mr. LAWRENCE: I could take the Premier around tomorrow and show him cases that would shock him. While such cases exist, the people will be restive. If they cannot get satisfaction out of the Government by one means, they will try by another. They are so desperate that they say, “We will harm ourselves to help ourselves.”

Mr. Grayden: That will help in having a lot more houses built.

Mr. LAWRENCE: It might spur the Government to some action. I am not much older in years than is the member for Nedlands, but from what I know, anything the worker has won he has got by battle.

Mr. Marshall: He has never had anything given to him.

Mr. LAWRENCE: Nothing has ever been given to him on a silver platter.

The Minister for Lands: He has gained a lot by negotiation.

Mr. LAWRENCE: If the Minister for Lands entered into a debate on that question he would lose, because I know much more than the Minister does.

The Minister for Lands: No, you do not; you only kid you do.

Mr. LAWRENCE: I only think I do?

The Minister for Lands: Yes.

Mr. LAWRENCE: At least I can think.

The Minister for Lands: That is right.

Mr. LAWRENCE: I know that my statement is correct. The Minister will find that quite a lot of pressure is used in negotiations, too. While some benefits have been gained peaceably, the majority have been gained by battle. When men, members of the Coastal Dock, Rivers and Harbours Union of Workers were prosecuted, the Government would not intervene on their behalf, and that union also is protesting.

Mr. Grayden: Under whom do they come?

Mr. LAWRENCE: Under a man named Troy. They are another union which is an integral part of the working of the waterfront. The seamen also have told me what they intend to do.

Mr. Grayden: And who runs their union?

The Minister for Lands: Troy has gained a lot by negotiation.

Mr. LAWRENCE: That is a silly interjection.

The Minister for Lands: You do not know what is going on.

Mr. LAWRENCE: I think Mr. Troy has gained as much by waving a big stick, as it were, as he has by negotiation. The Minister is probably mixing up increases in the basic wage—the quarterly adjustment, as it is called—with benefits won by negotiation, but that is by edict.

The Minister for Lands: He has gained the margins he has asked for.

Mr. LAWRENCE: That is not so, because at boards of reference one does not get all one asks for.

The Minister for Lands: You do not get the lot.

Hon. A. R. G. Hawke: The Minister and Mr. Troy seem to be on friendly terms.

Mr. May: The Minister for Lands may be a fellow-traveller.

Mr. LAWRENCE: We are in a serious position, at Fremantle, as regards housing and accommodation generally. It is up to the Government to reconsider the provisions of this Bill, and to have an inspection made of these areas in order that the true position may become known to the Premier and the appropriate Ministers. They are nearly 2,000 over-strength in my electorate, and every month one can see new industrial ventures springing up in the Carrington-st. area and along the coast towards Rockingham. Now we read in the Press that Senator McLeay wants to put another 500 men to work on ships in the port. Where are they going to live? They will simply further crowd an already overcrowded area, where one can now find six people living in a single room—living like dogs. The Government must do something about it, and I appeal again to the Premier to try at least to see that the provisions dealing with evictions and rents are thoroughly gone into before the Bill reaches the Committee stage. I hope that he will then give favourable consideration to amendments that will be suggested.

MR. PERKINS (Roe) [9.15]: I do not rise to speak as a result of any political pressure. The electorate I represent is remote from the metropolitan area and, as far as I can recollect, there is only one of my electors who is a landlord having difficulty with his tenants. I do not think any member of the Opposition would suggest that that particular elector, with his difficulties, would be sufficient inducement for me to enter the ring tonight.

Mr. Bovell: Unless that elector was the hon. member himself!

Mr. PERKINS: I can assure the member for Vasse that I am not a landlord, inasmuch as I own no houses that are let. I was interested in the views put forward by members on the Opposition side of the House, and I noticed that they placed emphasis on that portion of the Bill which deals with evictions. Apparently, members of the Opposition have considerable faith in a tightening up of the law to prevent landlords from regaining possession of their premises.

Mr. Hoar: Not all landlords.

Mr. PERKINS: I admit that such a provision would secure some temporary advantage, but I am not sure that it would not make the ultimate position somewhat worse than that which exists at present. Surely we, as a Parliament, should try to follow a course that will eventually overcome the housing shortage. I cannot work up any enthusiasm at all about making the lot of the landlords more difficult than it is at present.

Hon. J. T. Tonkin: You would, if you were a tenant.

Mr. PERKINS: I think members will agree that no investor at present is particularly anxious to become a landlord in order to let houses to tenants. As a matter of fact, the legislation that we have had to enact since the cessation of hostilities, due to the emergency conditions, has had the effect of just about killing the attractiveness of investment in homes to let.

Mr. May: That is the trouble. Many landlords are trying to get out, now.

Mr. PERKINS: I feel that some of the suggestions I am going to put forward will find little support from the Opposition side of the House, but I believe that whatever course we follow we should endeavour to get away from the brick wall against which we seem to be running our heads at present. Members can visualise the unattractive future that will face landlords if we place further obstacles in the way of their keeping control of their own property. Another aspect of the matter is that relating to the return on their investments. The investor who, in 1930, invested in real estate, which for many years had been reckoned to be a sound investment, now finds that it has turned out to be anything but that. Had he invested his money in some other type of security, he would now have been much better off. No-one questions the right of investors to get full value for the increase in price of any other security in which they may have invested but, when it comes to a matter of real estate, it is said that the house-owner's income should be pegged to a figure which represents but a small increase on what he invested in 1939.

Hon. J. B. Sleeman: What about the fair rents Bill?

Mr. PERKINS: Some provision has been made for increases in rents, because the £1 has depreciated so much in value, but my point is that the increase in rents has nowhere near kept pace with the decrease in the value of the £1. The result, of course, is that at present no-one thinks of investing money in real estate with the idea of letting it to tenants to live in, and the responsibility is therefore thrown back on the State to provide for those who have to live in rented homes. Now, as the Minister for Housing has announced, due to difficult financial conditions that have developed and the partial failure of Commonwealth loans, the Commonwealth Government is being forced into a position where it cannot continue building great numbers of homes on behalf of the State for letting to tenants.

As far as I can judge we are running into a very serious position indeed. I think we all realise that there must be some houses available for rental because some

people change their employment, and there are various other considerations which make it impossible for them to own their homes. But if we are going to continue in this way, I wonder how close the day may be when very few homes will be available for people to rent. Would it not be better, rather than to wait for that position to arise, to raise rents sufficiently so that at least the investor of money in housing will be given some sort of reasonable return? In those circumstances some people may be prepared to invest their money in houses and, in some cases, let them. Also there would not be this very strong urge on the part of landlords, who already own property, to get rid of it by one means or another simply because they consider it to be a weight around their neck.

Hon. A. R. G. Hawke: They are more likely to get the high ruling price for houses; that is the reason.

Mr. PERKINS: Dealing now with the question of rents. At this stage I think I should produce some concrete evidence of the level of rents. I am not certain what the level of rents will be when the 10 per cent. contemplated in the Bill is applied, although I have no doubt that some anomalies will crop up. I know of a number of cases where that 10 per cent. increase will not be sufficient to give a fair return for the present-day value of the property. The procedure is that either party, landlord or tenant, may apply to the rent inspector or the court for the determination of a fair rent; in the case of better properties that course has to be followed. The Bill states—

In determining the amount of the rent, the inspector or the court, as the case may be, may take into consideration such factors as the inspector or the court considers relevant.

In view of the action taken by the court on many occasions—I understand from the member for Melville that he thinks it has been unduly generous in some cases, although I consider the decisions to have been rather severe—it might have been wiser to provide some guidance for the court in that particular clause of the Bill. I have with me a table which I understand the court uses in determining a fair rent. I believe that a sworn valuer gives evidence, or two sworn valuers—one for the landlord and one for the tenant—give evidence as to the valuation, and a decision is made as to the present-day value of the property without making any allowance for any added value for vacant possession. All that is taken into account is the replacement value of the property and a certain percentage is used to determine the rent of it. I have the full list which runs from £500 to £5,000.

Hon. J. B. Sleeman: You do not get many properties worth £500 these days.

Mr. PERKINS: I agree. Most of them are far higher than that. I have marked the properties most likely to come before the court and, on the formula used, a property valued at £1,200 would give a net return of 4.4 per cent. Added to that are outgoings such as rates and taxes, insurance and repairs. That percentage is the actual return to the investor. The list reads as follows:—

	Per cent.
£1,200	4.4
£1,500	4.25
£1,800	4.15
£2,000	4.05
£2,400	3.75
£2,700	3.56
£3,000	3.38
£3,500	3.1
£4,000	2.85
£4,500	2.75
£5,000	2.7

All those percentages are plus outgoings, but that does not affect the return to the investor because outgoings are items paid to the local authorities and to keep the property in order. I ask members, do they wonder why landlords are anxious to get rid of their properties as rental propositions? The effect of this is that these properties are sold from time to time to people who have the necessary qualifications to apply to the court for possession. I do not think there is any dispute about that.

Hon. A. R. G. Hawke: Are your figures based on present-day valuations?

Mr. PERKINS: Yes.

Hon. A. R. G. Hawke: You could not tell us the date on which the particular dwellings were built.

Mr. PERKINS: No, I could not give the Leader of the Opposition that information, but I have no doubt that if he had bought some other type of property in 1939—some movable property—and that had appreciated in the meantime he would see nothing wrong in selling it for its present-day value.

Hon. A. R. G. Hawke: I see something right in trying to maintain fair rents.

Mr. PERKINS: It is all very well to take that attitude, but the Leader of the Opposition will not attempt to argue the question as to whether the landlord has been fairly treated.

Hon. A. R. G. Hawke: That is what I want done.

Mr. PERKINS: The Leader of the Opposition wants the landlords to carry the responsibility. This is not the responsibility of the landlords, but of everybody in the community. The effect of it is that we are seriously discouraging the owning of houses for letting as business propositions. That must

ultimately result in the number of houses available for tenants to rent being seriously reduced.

Mr. May: There are plenty of flats still being built; blocks of them.

Mr. PERKINS: That is a different question, and the member for Collie knows that that comes under a different part of the measure.

Mr. Hoar: Let us deal with the point you are trying to make. You are talking not so much from the point of view of the investing of money, but the enhanced value due to the extraordinary times under which we are living.

Mr. PERKINS: I take it that the landlord, as well as the tenant, has to live.

Mr. Hoar: You are talking about present-day values instead of the cost of those houses at the date of erection. There is a big difference.

Mr. PERKINS: I am not particularly interested in the value of the houses at the time of erection.

Mr. Hoar: That is what reduces the percentage.

Mr. PERKINS: Let me put it this way. The value of these houses at present, compared with their value at the time of erection, has not increased any more than any other article—

Mr. Hoar: It does not make any difference.

Mr. PERKINS: —unless we add to present-day values some further payment because of vacant possession. But the figures I quoted exclude any premium on account of vacant possession.

Mr. Hoar: You are confusing the issue between value and cost.

Mr. PERKINS: It might suit the hon. member to say that I am confusing the issue, but if he will reply I will be very interested to hear his remarks on the point I have raised—as to whether it is fair to treat landlords differently from any other type of investor.

Mr. Hoar: That is a fair argument, but you are using the wrong sort of material to prove it.

Hon. A. R. G. Hawke: Does the hon. member favour corresponding increases in tradesmen's margins to increases in the basic wage?

Mr. PERKINS: I do not see what the Leader of the Opposition is driving at.

Hon. A. R. G. Hawke: It is very pertinent.

Mr. PERKINS: The increases in the basic wage since 1939 have been greater than the increases in the value of real estate over the same period.

Hon. A. R. G. Hawke: That is very arguable.

Mr. PERKINS: I will be very interested to hear the Leader of the Opposition dispute it.

Hon. A. R. G. Hawke: In many instances it is the other way round; very much so.

Mr. PERKINS: I will be very pleased to hear the replies of members opposite if they will deal specifically with the points I have raised. There is one other feature I want to discuss.

Hon. A. R. G. Hawke: This bloke is woeful!

Mr. PERKINS: Is it fair to ask the landlords to carry on their backs these artificially low rents?

Mr. Brady: What about the tradesman carrying other people on their backs?

Mr. PERKINS: If we ask the landlords to subsidise to some degree the tenants, there is less and less inducement for people to build homes for themselves. The members on this side of the House believe in the principle of home ownership, as do some members on the other side of the House. On the other hand, some of them do not and one very distinguished member of the Labour Party who does not believe in it, Mr. Dedman, on one famous occasion, said that he disagreed with the principle of too many people owning their homes because it turned them into little capitalists. As far as members on this side of the House are concerned, we do not fear that people will become little capitalists by owning their own homes. I believe it is something which should be encouraged as much as possible.

I listened to the member for South Fremantle and other members telling us about men who had applied for rental homes four or more years ago, and still had not been accommodated. I presume that in these prosperous days an able bodied man would be earning a good wage, and I am amazed that he has been putting up with these bad circumstances and has not made some attempt to provide for himself. It makes me wonder whether a great many of our Australian people are not losing their spirit of adventure. It is so different from what some members of this House can recollect. I have no doubt that the member for Murchison, the member for Pilbara and other Goldfields members have known people who would not have spent four years waiting for a rental home while earning good money. They would have taken the initiative and got over the difficulties by building homes for themselves.

Mr. McCulloch: You can't do that in the metropolitan area.

Mr. PERKINS: There are plenty of places in the metropolitan area where that is being done. I went to the district of the member for Canning the other day,

and what I saw there gave me great encouragement. Those are the people who should be encouraged, not those who are on the doorstep of the State Housing Commission and have been waiting four years for a rental home. I cannot work up any enthusiasm for people of that type, and if the State Housing Commission can manage to provide huts for those people until they can do something better for them I think that is as far as the responsibility of any Government should go.

Mr. W. Hegney: Your Government said it would provide houses for everybody.

Mr. PERKINS: I would not be happy in supporting a Government that wanted to spoonfeed people who will not help themselves. I do not want my remarks to be misinterpreted because I know that there are some people in a most unfortunate position. I realise that, and would not like to be unjust to them because I think we should help them all we can. But there are a great number of people who could help themselves if they had the initiative to do so. It is very hard to sift the grain from the chaff and I know it is not an easy position, but whatever policy we pursue in handling this legislation I do hope that we ultimately get round to the point where these difficulties will be lessened rather than increased.

If we are going to make the owning of houses by landlords for letting even more unattractive than it is at present, I am afraid we are not going to help the position very much. There are some aspects of this Bill I do not particularly like but I am afraid that the amendments I might want to make, if they are opposed by the Government, will have very little chance of getting any support from the Opposition.

Hon. J. T. Tonkin: Then they must be pretty bad.

Mr. PERKINS: I have not had very much encouragement during the course of my speech to make me think that I would receive any support if I submitted these amendments.

Mr. Grayden: Your speech has been a very good one nevertheless.

Mr. PERKINS: There are a couple of aspects of the Bill to which I want to refer. There is one that was brought to my notice and raised by a solicitor who had been dealing quite a lot with rent legislation and that is to the effect that, in the old Bill, there was a provision safeguarding the point that, after notice to quit was given, the landlord could still continue receiving rent for the premises without any danger of his notice to quit being invalid because of the fact that he was still receiving rent. I understand that if a landlord continues to accept rent after he has given notice to a tenant such action constitutes a renewal of the lease. As there appears to be no safeguard in the

Bill to provide for such an eventuality I hope the Minister will have that aspect examined.

Another provision in the Bill sets out the various grounds on which a court will make its decision to evict a tenant. They include the failure to pay rent, the failure to observe the conditions of the lease and the failure to take reasonable care of the premises and so on. I understand that sometimes after notice has been given other conditions may arise. For instance, notice may be given on the ground of failure to pay rent and the tenant, realising he is in a difficult position, will start knocking the premises about.

Sometimes a fault develops in the first condition and the interpretation of the court is that no other ground can be considered other than that mentioned in the actual notice. It seems to me that there is no good and sufficient reason why other grounds could not be added provided that the landlord giving notice, at the time he lodges his application with the court, also provides the tenant with a copy of it in order that he may be in a position to argue his case before court. However, that is something that can be discussed in Committee, but I thought I would mention it now in order to give the Minister an opportunity to have some inquiries made.

MR. MAY (Collie) [9.43]: I think this measure could well be called a Bill of appeasement. I am not suggesting that that title refers to either the tenant or the landlord, but I suggest that it is applicable to some members in another place. The member for Melville, from my point of view has explained the Bill extremely well. The member for Roe stated that most members were concerned with those parts of the Bill dealing with evictions, but they too, have been well covered by the member for Melville. The portion of the Bill that I am concerned about is that dealing with protected persons, and to my mind the Bill does not adequately cover them having regard to the nature of the service they perform. I cannot see any consideration whatsoever granted to men who leave Western Australia and, because they do not actually serve within 100 miles of the scene of operations, cannot claim any protection. That is not mentioned in this measure but it was mentioned in the previous Bill.

I know of wives and families of men who have enlisted for Korea having been evicted before their menfolk have left Australian shores. The records at the Housing Commission can prove that. It is a crying shame that any landlord should be permitted to take advantage of a serviceman's wife and family because he has left his home to serve in Korea or oversea. I want to see that all personnel serving in either the Navy, Army or Air Force, who

enlist for service anywhere out of Australia are completely protected by the Bill. There should be no objection to that proposal, and I am greatly surprised that a Government whose members comprise a majority of ex-servicemen should fail to include a provision such as that.

I now urge upon the Minister in charge of the Bill to take heed of my remarks and endeavour to include a provision in the Bill which will protect all servicemen who have enlisted for service outside Australia. All ex-servicemen who are totally incapacitated should be protected and apparently the Bill proposes to do that. Nevertheless, I still consider that a man suffering an incapacity of 70 per cent. or upwards should also be protected from eviction. There is another class of people for whom no provision has been made in the Bill. I refer to civilians who are totally incapacitated and are receiving a full pension from the Commonwealth Social Services Department. Members can readily visualise what could happen to a totally incapacitated couple in advanced years who are evicted into the street. The Bill provides for no protection whatsoever for such people, and I therefore sincerely trust that before it becomes law some action will be taken to protect those who are so circumstanced.

The Minister will probably tell us that it is impossible to protect this one and that one, but there are sections of the community that should be granted protection. Previous speakers have covered most of the proposals contained in the Bill. I suppose the measure will satisfy the people in another place, because I cannot imagine that the Government would have introduced the Bill without giving some attention to the attitude of another place towards the previous measure. I hope the Minister will take cognisance of the points I have raised, which have not been dwelt upon by other speakers in this debate, and that provision will be made accordingly.

HON. A. R. G. HAWKE (Northam) [9.51]: This Bill deals with the major social problem in Western Australia. On that account I have been extremely disappointed to find some members on the Government side treating the subject with considerable levity.

The Premier: I do not think that is so.

HON. A. R. G. HAWKE: It is so, and you, Mr. Speaker, who have been listening and watching all the time, will know as well as I do that my statement is correct. At times in this Chamber—thank goodness, not very often—we find odd members on the Government side with their tongues around the backs of their necks railing about communists and communism, but I know of no problem that holds within itself the possibility of creating more communists and communism than does the housing problem.

It is easy for us to believe that every person in the State ought to be reasonably well satisfied with existing conditions. We have the famous declaration made by the Premier a year ago that the people of Western Australia were never better off. By and large and taking a short term view, that may be so, but it is no consolation to a man who, with his family, is thrown out of a house into the street, or finds himself evicted from a house where the accommodation was reasonably adequate and shanghaied into some emergency accommodation that is totally inadequate.

Any member on the Government side, if there is such a one, who has studied the impact of these semi-tragic happenings upon the human mind will know it often means that the person suffering it becomes anti-social and frequently to an extreme degree. Therefore, I hope that members on the Government side, even including the member for Vasse, will realise that this problem is one of great seriousness and great significance, and one fully charged with potentially serious results for a considerable number of our people.

The Premier: And one to which the Government has given by far the greatest amount of consideration.

Hon. A. R. G. HAWKE: We need not argue about that at this stage. What we can argue about is what are likely to be the effects of this Bill if it becomes law. That is the supreme consideration we should have before us. I hope that no other member will approach the problem upon the completely illogical and unrealistic basis used by the member for Roe. I have heard the hon. member make some very good and impressive speeches over the years, but the one he made tonight was completely unrelated to the realities of the situation. He brought to bear upon the problem a mind completely capitalistic in outlook. When he was pressed upon several of the points he raised, he grasped at any straw that happened to be within reach.

Mr. Ackland: He must have got under your skins.

Hon. A. R. G. HAWKE: The member for Moore need not flatter himself that the member for Roe got under our skins. The fact that we expose the completely unrealistic approach of any member does not mean that what he has said has got under our skins; it means that, in the interests of logic and truth and a proper approach to the problem, the unrealism should be brushed away. I appreciate that that would mean nothing to the member for Moore, who approaches every problem only with deep-seated and wholesale prejudice. Therefore, what I have to say is not directed to him in any shape or form.

The figures presented by the member for Roe were weird in the extreme. He had worked out a series of percentages, and claimed that they represented the effective returns being received by landlords by way

of rent for dwellings which they were leasing to various tenants. The great weakness and the great unrealism in the figures used by him lay in the fact that he was applying present-day capital valuations to dwelling-houses which could have been built, and most of which would have been built, prior to 1939, and many of them no doubt were built prior to 1919. Therefore, the return of 4 per cent. which he mentioned in one instance could, in reality, have been a return to the landlord of 20 per cent. upon the actual cost.

At Northam I have seen houses sold during the last 12 or 18 months for £3,000 that had cost the sellers to purchase as low as £650.

Mr. Perkins: Had that landlord invested his money in 1939 in machinery instead of in houses at Northam, he could easily be getting 50 per cent.

Hon. A. R. G. HAWKE: He might or he might not. That machinery today could be out of date and worth nothing.

Mr. Perkins: And it could be worth a lot more.

Hon. A. R. G. HAWKE: That would depend upon circumstances. But in regard to houses, the situation is entirely different, as I shall show in respect of one or two other points the hon. member brought before the House. So his attempt to bolster up the argument in favour of increased rents for dwelling-houses on the basis of the figures he presented was an attempt which had no secure foundation, and therefore should have no effect whatever upon members.

Mr. Perkins: You have not said much to knock it out yet.

Hon. A. R. G. HAWKE: I have pointed out—it is a complete refutation of the contention—that the percentage figures he used were based upon present-day selling values of dwelling-houses, which selling values are 400 per cent., 500 per cent. and, in some cases, even higher, above the prices paid by the landlord for the dwelling-houses at the time they were bought some years ago. In trying to bolster up his hopeless case, the member for Roe made the extraordinary statement that the sale value of dwelling-houses had not been increased since 1939 to the present day to the same extent as the basic wage has increased. The member for Roe might know a considerable amount about the increase in the selling value of houses over the last 12 to 14 years. If he does, he does not know much about the increase in the basic wage. His knowledge of one or the other of the two factors is completely astray.

Mr. Perkins: You give us the basic wage figures.

Hon. A. R. G. HAWKE: I think the basic wage has increased from about £4 5s. to its present figure of £10 3s.

Mr. Perkins: Two and a half times.

Hon. A. R. G. HAWKE: It represents an increase of 2½ times, whereas the selling price of dwelling-houses has increased anything up to 600 per cent., as I am sure you, Mr. Speaker, would know from your observations and inquiries in your own electorate.

The Premier: Is that the only way a landlord will obtain justice; by selling his house?

Hon. A. R. G. HAWKE: I am not discussing that point.

The Premier: It is a point, though.

Hon. A. R. G. HAWKE: I will discuss the point later on if it will satisfy the Premier.

Mr. Perkins: I think the Leader of the Opposition is quoting figures with regard to vacant possession.

Hon. A. R. G. HAWKE: Of course I am; and the value of dwelling-houses is based upon vacant possession.

Mr. Perkins: We are talking about tenanted houses.

Hon. A. R. G. HAWKE: I know; but the valuations which are made are based upon the value of each house with vacant possession.

Mr. Perkins: You are definitely wrong there. The statement I have from the Real Estate Association completely refutes that.

Hon. A. R. G. HAWKE: I say quite definitely that the selling value of houses today, even without vacant possession, has some relationship to the values which have been created where vacant possession can be obtained.

Mr. Perkins: They have some relationship.

Hon. A. R. G. HAWKE: Of course; a great relationship. If it were not for the shortage of houses, does the member for Roe think for a second that houses, with or without vacant possession, would be bringing anywhere near the values they are bringing today? Of course he does not think that! He has as much common-sense as most people and he knows from his own observations, and perhaps from personal experience, that it is the acute shortage of houses which has created the present sale value for houses, irrespective of whether vacant possession is guaranteed or not.

The member for Roe was at some pains to try to lead the House to believe that landlordism as a type of investment has lost all its glamour and attractiveness because of rent control and control over tenancies. He gave us to understand that no-one with money to invest today would invest it in dwelling-houses for letting, because of the legislative control which

operates to keep the financial return to the landlord down and the control which operates in regard to protected tenants in those houses which are let by landlords. I think the member for Roe is completely off the beam there. As I understand the law, any dwelling-house built and let since the 31st December, 1950, does not come under the law.

Mr. Perkins: Only in regards to evictions not in regard to rents.

Hon. J. T. Tonkin: Yes, it does.

Hon. A. R. G. HAWKE: I do not think they come under the law in regard to evictions, either.

Mr. Perkins: No, not in regard to evictions. The provisions in the present law do not apply there, but the rent restrictions do.

Hon. J. T. Tonkin: No.

Mr. Perkins: Yes, or my information is all wrong.

Hon. A. R. G. HAWKE: I think the hon. member would be well advised to check that.

Mr. Perkins: I obtained the information only today.

Hon. A. R. G. HAWKE: If evictions and rents are not controlled in respect of such houses, or if one or the other is not controlled, the situation becomes much different from the one which the hon. member tried to describe.

Mr. Perkins: Rents are controlled; not evictions.

Hon. A. R. G. HAWKE: In any event, the reason why people with money to invest are not investing such money in building houses for letting is due almost completely to the fact that it is so extremely costly to build or buy dwelling-houses. I could not imagine even the member for Roe, whose financial resources are almost unlimited, I understand—

Mr. Perkins: You are misinformed.

Hon. A. R. G. HAWKE: —investing his money, or any portion of it, in building dwelling-houses at a cost of £4,000 each in order to let them. I cannot believe for one moment that he would buy existing dwellings at from £4,000 to £6,000 for the purpose of letting them, because it would be impossible to obtain a rental return which would be economic unless he were able to get a tenant who was prepared to pay any old rent at all. There are not many of that type of person around at present.

Mr. Perkins: Yet the Housing Commission charges 5½ per cent. net return on the capital value of the houses it builds to let.

Hon. A. R. G. HAWKE: Yes; and I would like to know what the hon. member has done about that from his favoured position within the Government ranks. We have endeavoured from the Opposition side to have that position eased insofar as tenants paying very high rental returns for State rental homes are concerned.

Mr. Perkins: It was a Labour Government that made the agreement, you know.

Hon. A. R. G. HAWKE: At the time the agreement was made, and under the much lower building costs operating under Labour Governments, the agreement was completely fair, just and equitable, and within the compass of the worker's income. However, since Labour Governments ceased to exist, the cost of building homes in Western Australia has gone up tremendously with the result that the rentals set down in the agreement have automatically gone up severely, thus imposing on all tenants who have been allocated houses in the last two or three years weekly rentals which must be extremely difficult for them to meet.

Mr. Perkins: Yet the Housing Commission tells me that it has only 50 concession rentals out of 5,000 houses—that is where the principle of one-fifth of the family income applies.

Hon. A. R. G. HAWKE: That might be so.

Mr. J. Hegney: How long is it since you got those figures?

Mr. Perkins: Only today.

Hon. J. T. Tonkin: Some rents are 55s. a week.

Mr. Perkins: There are only 50 out of 5,000, according to the information I received today.

Hon. A. R. G. HAWKE: That is possible because it is conceivable that under the terms of the agreement the total income coming into such a home could be high. The member for Roe must not forget that under the agreement practically all income coming into a home is brought into account, and so the income of not only the breadwinner but of all children who are working, and any boarder who might be living in the place, is brought in for the purpose of the calculation.

The Premier: There is nothing about boarders in the part that deals with one-fifth of the family income.

Hon. A. R. G. HAWKE: That is family income.

The Premier: Not a boarder, I would say.

Hon. A. R. G. HAWKE: What is the Premier talking about? Does the Premier claim that if a wife is providing for two or three boarders, none of that income is calculated?

The Premier: That would be part of the family income.

Hon. A. R. G. HAWKE: Of course it would, and I am surprised at the temporary mental aberration from which the Premier was suffering when he interjected as he did.

Mr. Perkins: A Labour Government provided that formula, and it has not been amended since.

Hon. A. R. G. HAWKE: I am not arguing against it. The member for Roe seems anxious to put the boots into the Labour Party or some Labour Government about this matter.

Mr. SPEAKER: Order! There is too much conversation.

Hon. A. R. G. HAWKE: I am pointing out that in regard to the percentage of rentals below the economic rent, or above it, all the income going into the home, irrespective of the source from which it comes, has to be taken into consideration.

Mr. Perkins: Yet the Housing Commission rentals are on a far higher percentage basis than the court allows for fair rents.

Hon. A. R. G. HAWKE: That is understandable, too, because the fair rents allowed by the court are for dwelling-houses which were built 15, 30 and even 70 years ago, whereas the homes being built by the Government through the State Housing Commission are being constructed under extremely high costs.

Mr. Perkins: I thought you were trying to establish that the rentals I suggested were too high for the tenant to pay.

Hon. A. R. G. HAWKE: No. I was not trying to establish that at any stage. We have been told that no crisis has arisen as a result of the operation of the rent and tenancy legislation which Parliament passed towards the end of last year. There has been no general crisis, but there have been plenty of individual crises, because there is no other word we can use to describe adequately the situation than the word crisis when the breadwinner and his family are thrown out of a house into the street. Such an experience is a major crisis in the existence of a family.

The provisions in the Bill in respect of tenancies are wide open, and I was extremely disappointed to hear the member for Roe advocate that they should be opened still wider. I am completely at a loss to know why the Government has somersaulted on the attitude it took up very strongly last session in connection with the Bill it then brought down. In order to compare the attitude of the Government and the Government supporters in this House on that occasion with their attitude on the present Bill I intend to quote portions of the speech delivered at the time by the Minister for Education who explained the Bill at the second reading stage. He delivered his speech in this

House on the 4th September last, and I would like the Chief Secretary to listen very carefully to this—

By various means and by lawful means, so far as the different interpretations are concerned, I think it can be stated that the spirit and intention of the 1950 Act has been departed from. For example, I venture the suggestion that every member of this House had formed the opinion that the word "requires" as used in the Act in relation to the obtaining by an owner of premises for his own use or for the use of his married son or daughter, reasonably acknowledged the need on the part of the owner to obtain that possession.

It has to be remembered that the Minister for Education, when he made that statement, was speaking on behalf of the Government and also on behalf of every member on the Government side of the House. I quote again—

When the first court ruling was given as to the meaning of the word "requires," the Government was approached to ascertain whether it would be prepared to support an appeal to the Full Court for a determination by that superior authority on the meaning of the word, and it will be remembered that we agreed to do so. I think it will be realised that, at that time, in the opinion of the Premier and of the Government, there was justification, as in my opinion there has been all the time, for the belief that the word "requires" meant more than the mere wish to obtain.

As everyone knows, the result of the application to the Full Court was merely to confirm the judgment of the inferior court. So there we have one difficulty with which Parliament must now be prepared to deal—whether the interpretation by the court of the word "requires" carries out what Parliament believed it was doing in 1950, or whether it goes further. Parliament believed that the word, as used in the 1950 Act, implied a considerable measure of need, and the Bill now before us, in my opinion, takes action accordingly.

Later in his speech the Minister said—

I have already referred to the interpretation of the word "requires." The Bill seeks to change this word to "reasonably needs." . . . This will be qualified in one respect, and that is in the case of an owner himself who, at the time of giving notice, did not occupy a house owned by him. . . .

In that case, such owner will be entitled to possession without further inquiry.

Notice to give possession of an owner's dwelling to his married son or married daughter will, however, be

subject to the inquiry by the magistrate as to reasonable need. A similar right is being inserted in the Bill in favour of the father and mother of the owner.

I think all members will agree that it is unfortunate that the word "require" was interpreted as it was.

And so we had from the Minister for Education, speaking on behalf of the Government and of all Government supporters in this House, a declaration, in September of this year, that the Government was anxious to amend the 1950 Act, particularly for the purposes of deleting from it the word "requires" and substituting in lieu the words "reasonably needs." No-one can deny that the Minister for Education put up a strong case in favour of that change as set out in the September Bill, yet we have the Government coming along today—not much more than eight weeks later—and completely reversing the attitude that it adopted in September.

The Chief Secretary: Not "completely reversing."

Hon. A. R. G. HAWKE: I say it and the Bill proves it.

The Chief Secretary: A portion of it, admittedly.

Hon. A. R. G. HAWKE: There is nothing in this Bill about "reasonably needs"; not a word; but there is in it, as there is in the 1950 amendment to the Act, the word "requires." The Chief Secretary knows, as well as I do, how the courts have interpreted the word "requires" as it appears in the Act. I want from the Chief Secretary or the Premier an explanation of why the Government has somersaulted completely on this principle and on this issue in November, 1951, as against its attitude in September, 1951.

Except for the principle to which I have referred there would have been no necessity or justification for introducing the September Bill. The Government introduced that measure almost entirely for the purpose of deleting from the Act the word "requires," because it had been interpreted by the courts in a manner vastly different from what Parliament had expected would be the case. Yet the Bill now before us proposes to confirm the 1950 Act in regard to the use of the word "requires". It proposes to give any owner of a dwelling-house or business premises, who wants to get possession of such premises or dwelling-house for any purpose—for his or their own occupation—the right to obtain such possession merely by signing a declaration that he or they "requires" possession.

That represents the same desperate situation as the 1950 Act set up during this year and the Minister will be hard put to it to justify the drastic change in the outlook of the Government as to what is required. Certainly nothing has happened

between September last and the present time to justify such a change of attitude. Everything that has happened during the intervening period should have confirmed the Government in its determination to substitute for the word "requires" the words "reasonably needs." Just fancy—in the existing situation and with the present acute shortage of houses and business premises—giving the lessor, whether he be an individual or a body of some kind, the right almost automatically to regain possession of a dwelling-house, or business premises, on a declaration that he or it requires the house or premises for any purpose as long as it is associated with the owner's own requirements or desires! A court will have no discretion in connection with such applications.

When the statutory period in regard to notice expires the owner will be able to get possession. The Bill is much more liberal than the 1950 Act in that regard. There is upon the Chief Secretary and the Government a heavy and urgent responsibility to justify to the House the action taken in throwing overboard the principle on this point contained in the September Bill, and the further action of the Government in making this portion of the present Bill much more liberal than the provision of the 1950 Act. The Chief Secretary and the Government will be hard put to it to justify the present move. They certainly cannot do so on any claim that the housing situation has improved in the meantime.

The Chief Secretary: I have never tried to do that.

Hon. A. R. G. HAWKE: Or that it is likely to improve—

The Chief Secretary: You do not recall me trying to do it on those grounds.

Hon. A. R. G. HAWKE: No, I am sure the Chief Secretary made no attempt to do that. In fact, he made no attempt to justify it at all and was wise in refraining from doing so, because the action is completely unjustifiable in the circumstances. I would like to hear the Minister for Education explain why the Government has somersaulted on this particular point from its attitude of two months ago.

The Chief Secretary: Conditions change and the actions of the Government must change also.

Hon. A. R. G. HAWKE: The Chief Secretary cannot get out of this sticky spot by putting up that kind of generalisation. If there was in September last an urgent necessity for the Government to amend the Act in order to delete from it the word "requires" and insert in lieu the words "reasonably needs," there is now even greater urgency and justification because the housing position has worsened and will continue to worsen. There is no doubt about that. It is a pity that more Ministers in this Government did not have to rub shoulders much more often than they do with the people who suffer,

and are likely to suffer, under the 1950 Act, and more so under a proposal such as the one contained in this Bill. If they did I am sure they would never consider for a moment bringing before Parliament the proposals that are set out in this piece of legislation in respect to the evictions of tenants, where the owner requires the premises or the dwelling-house for any purpose for his own occupation.

So I want the Chief Secretary, and the other members of the Government, to give a lot of close consideration to this particular part of the Bill. In my opinion the proposal is a wicked one and will lead to no end of distress, no end of evictions and no end of problems of many-sided character for those who will be compelled to suffer under the measure if by any mischance it becomes the law of the State. I hope when the Bill reaches the Committee stage that the Government will move to delete the word "requires" where it appears in the Bill and substitute the words "reasonably needs." That would put the particular parts of this Bill in line with Government policy as it was expressed in this House in the rent Bill introduced by the Minister for Education in September last. Upon that basis there could not be any very strong objection, if any objection at all, to the portions of this Bill which deal with the recovery of possession of dwelling-houses and business premises.

Before concluding I want to make a few comments about the provision in the Bill for an increase in rentals. I support absolutely what the member for Melville had to say about the matter; there is not any justification to grant another blanket increase in rentals by legislative action. How can we as members of Parliament judge what is a fair and reasonable rent for every house let in Western Australia? I know of some houses in Northam where the tenants ought to be paid by the landlord to live in them. Some of them in question have been condemned by the local authority over a lengthy period, but it has suspended the demolition phase of the order to condemn because housing accommodation is acutely short. Yet this Bill proposes to give the owners of those houses a 10 per cent. increase in rentals, on top of a 20 per cent. increase which was granted by the Bill which Parliament passed towards the end of last year, and which is now operating and has been operating for the greater part of this year. I do not know of a more crude or less scientific method of trying to deal with the problem. I am not suggesting that the problem is not a difficult one. It is. It is a problem too difficult and too complex for members of Parliament to deal with in a Bill such as this or in any other Bill.

The Chief Secretary: How would you deal with it if Parliament is not to deal with it?

Hon. A. R. G. HAWKE: I would deal with it in the manner I suggested to the Premier last year. If he can remember back that far he will know that I advocated very strongly the setting up of a fair rents court in Western Australia under the jurisdiction of one magistrate for the metropolitan area, and perhaps another for the rest of the State, with both of them working in close unison to ensure that the basis for the fixation of fair rent would be uniform throughout the metropolitan area as one part of the State, and throughout the country districts as the other part of the State, and that the rentals fixed by those magistrates in both areas would also be reasonably uniform. I think that is the scientific approach to the problem but, for reasons best known to itself, the Government took no notice of what I suggested on that occasion and certainly took no action to give legislative effect to the suggestion.

The Chief Secretary: Has that method of yours been adopted in other States by any chance?

Hon. A. R. G. HAWKE: Yes, I understand it has been operating in Queensland for many years; even before the war. Whether it is operating in any of the remaining States I am not able to say. That would not matter to me one scrap. If I thought an idea or proposal was a good one, I do not give a curse whether it is operating in any other State or in any other country in the world. We are entitled to be first in some things if we have the commonsense and initiative to be first in some things. I would invite the Chief Secretary to fault the suggestion to establish two fair rents courts in Western Australia, one to operate in the metropolitan area and the other to operate in the country districts, with each court being under the complete control of a magistrate.

The Chief Secretary: Do you think that rents in the main would rise a little or drop a little?

Hon. A. R. G. HAWKE: As I said a few moments ago I do not know. I have no expert knowledge on this matter. That is why I say that we are not justified, as members of Parliament, in providing in a Bill that there shall be a 10 per cent. increase in all rents.

The Chief Secretary: Surely that is as much justified as the appointment of two magistrates would be.

Hon. A. R. G. HAWKE: Of course not! What sort of logic does the Chief Secretary bring to bear on these problems?

The Chief Secretary: You would do away with any parliamentary interference in the question. You said you would hand it over to two magistrates.

Hon. A. R. G. HAWKE: On the basis of the Chief Secretary's contention we ought to take away the right of the Arbitra-

tion Court to fix salaries and wages and do the job ourselves here in this House, together with the members of the Legislative Council. Even the Chief Secretary would not argue in favour of that idea and yet that is exactly what he is arguing now in principle. I am saying that the sensible scientific thing for members of Parliament to do with this problem of fair rents, in this period of acute shortage of houses, is to give the job to experts to handle.

If we appoint a fair rents court along the lines that I have suggested, and allot to those courts special magistrates, they will become trained and expert in the job of deciding and declaring fair rents, but they will make their declarations separately on each application in respect to a dwelling-house or business premises which come before them. This method of ours is slapdash. We are proposing to provide for a 10 per cent. increase on all the rentals in the State, irrespective of whether the present rentals are too high or too low.

The Chief Secretary: Not all the rentals.

Hon. A. R. G. HAWKE: Yes, all of them.

The Chief Secretary: No, there will be many variations.

Hon. A. R. G. HAWKE: How will they come about?

The Chief Secretary: By the decision of the Court there will be some that will be lower.

Hon. A. R. G. HAWKE: That only emphasises the point that I made a while ago, namely, that it is a great pity the Ministers of this Government did not rub shoulders more often with the ordinary people who are likely to be affected detrimentally by this Bill, if it becomes law. Presumably the Chief Secretary has somewhat the same idea on this point as that held by the Attorney General. Presumably the Chief Secretary thinks that the great majority of tenants will refuse to agree with the landlord that there should be and shall be a 10 per cent. increase in existing rentals. Is that what the Chief Secretary thinks? If he does, he must think that the landlord and the tenant will agree.

The Chief Secretary: You said that there will be a general rise of 10 per cent. everywhere.

Hon. A. R. G. HAWKE: Of course there will be, unless the tenant is prepared to go to the court and defend the case.

The Chief Secretary: There you are! You realise that many will have to try to establish a claim for an increase of less than 10 per cent.

Hon. A. R. G. HAWKE: But the Chief Secretary said that they would not do that when I asked him about that point a few moments ago.

The Chief Secretary: No, I did not say that they would not go to the court. I know that some will.

Hon. A. R. G. HAWKE: Let me put it to the Chief Secretary again; if possible, a little more clearly. I am saying that the 10 per cent. increase in rentals will operate in respect to every dwelling-house with the exception—

The Chief Secretary: Oh, yes!

Hon. A. R. G. HAWKE: —of those cases where the tenant goes to the court or the landlord goes to the court.

The Chief Secretary: That is right.

Hon. A. R. G. HAWKE: Yes, but how many tenants does the Chief Secretary think will go to the court?

The Chief Secretary: I do not know.

Hon. A. R. G. HAWKE: Of course the Chief Secretary does not know.

The Attorney General: It is the landlord who would have to go to the court.

Hon. A. R. G. HAWKE: Either party could go to the court.

The Attorney General: If the tenant does not agree, the landlord has to go to the court.

Hon. A. R. G. HAWKE: If the landlord has to go there the tenant has to go there also to defend his side of the case.

The Attorney General: Quite correct.

Hon. A. R. G. HAWKE: And this is just what the majority of tenants will not face up to, as the Chief Secretary and the Attorney General know. The average person, whether a man or a woman, has a mortal fear of going to the court even to give evidence as a witness in a case in which he or she is not primarily concerned. Surely the Attorney General, with his legal experience, knows that only too well! I know what happened when the previous Bill became law providing for a 20 per cent. increase in all rents. How many tenants went to the court to defend their position and try to save themselves from a 20 per cent. or a higher increase?

The Attorney General: How many landlords did not increase their rent? Quite a number!

Hon. A. R. G. HAWKE: Some may not have increased their rents, but I know that many of them did not go to the court because they were satisfied with the 20 per cent. increase.

The Attorney General: Quite a number did not worry about the increase.

Hon. A. R. G. HAWKE: I would like to have the figures of those who did not increase their rents; I think most of them did. What I am afraid of is that this 10 per cent. increase will become general; indeed I am sure it will.

Mr. Totterdell: Is not the landlord entitled to it?

Hon. A. R. G. HAWKE: Some are and many are not. Surely the member for West Perth knows of hundreds of houses

within the Perth City Council boundary where there is no justification for raising the existing rentals by even a penny a week.

Mr. Totterdell: No, I do not.

Hon. A. R. G. HAWKE: If we pass this Bill we are going to increase the rentals of those places by 10 per cent. over and above what they are at present. There was no justification for increasing the rentals of those houses by 20 per cent. when the previous Bill became law. As I said earlier, landlords ought to pay tenants to live in such houses.

The Chief Secretary: But did you not acquiesce in the Bill for an increase of 20 per cent. when it left this Chamber?

Hon. A. R. G. HAWKE: I did not acquiesce.

The Chief Secretary: Did you dissent from it?

Hon. A. R. G. HAWKE: Yes, I did and if the Chief Secretary read the arguments that I put up in regard to the Bill last year, he would know that I dissented from it; that I attacked him very strongly as Minister on that very point; and that I then advocated extremely strongly, as I did this evening less strongly, the idea of setting up special fair rents courts so that the rentals of dwelling-houses could be decided on a scientific basis and that the landlord who is really entitled to get an increase—whether it is 5 per cent. or 30 per cent.—would get it, but so that the tenants who were already paying as much as they were called upon to pay would not have any further increase imposed upon them.

What right have we, as members of Parliament, to pass a law the effect of which will be to give landlords—those who are avaricious and unjust enough—a stick to wave over tenants in sub-standard houses, and to say that they shall pay another 10 per cent. increase in their rents on top of the 20 per cent. increase which the Bill of last year imposed? The Chief Secretary could not justify that and no-one could possibly justify the blanket increase of 10 per cent. proposed in this Bill. As a matter of fact, to do justice to families who are compelled to live in sub-standard houses we ought to pass a Bill to reduce their rents by 10 per cent. or even more.

Not only do those people who live in sub-standard houses have to suffer all the inconveniences of inadequate and dangerous accommodation, but they also have to suffer all the hazards to the health of everyone who lives in them, because most of them are damp in winter and devilishly hot in summer. So I say that Parliament would be doing a most reprehensible thing if it were, on top of the 20 per cent. increase in rentals which last year's Bill gave to landlords, to approve of a blanket increase of 10 per cent. as contained in

this Bill. It would be a most outrageous thing to do. If the Government is anxious to do the right thing by landlords, then for goodness sake let it in Committee put into this Bill a provision which would do it properly.

The Chief Secretary: How would you do it fairly?

Hon. A. R. G. HAWKE: By trying to establish a fair rents court on the basis I have already explained about two hundred times to the Chief Secretary.

The Chief Secretary: How would you do what you suggest within the provisions of the Bill?

Hon. A. R. G. HAWKE: By leaving entirely to the discretion of the court any increases in rentals where they are allowable under the law. It is a very simple thing to do. It could be done in this Bill ever so easily if the Chief Secretary had the will to do it, and had the initiative to break away from the crude system contained in it. We on this side of the House have no objection to a landlord receiving a fair rental for any dwelling-house which he has let, or to any lessor of business premises receiving a fair rental for any business premises which he has leased. But we are not prepared, in doing justice to those persons, to do a very deplorable injustice to thousands, or many hundreds of tenants in Western Australia who live in sub-standard houses and are paying more rent today—more rent by far—than they should be called upon to pay; nor will we do it to the detriment of many hundreds of tenants who today are paying a fair rental and should not be called upon to pay any more.

The contention that if the tenant does not care to agree with the landlord on the 10 per cent. increase, the increase will not apply and that the landlord will have to go to the court, which will then decide the case, is a very weak contention indeed. In theory and on paper it seems very attractive. As I said earlier, the average person in the community keeps out of the courts; he hates to go to court in somebody else's arguments, and he would hate even more going to court in regard to his own arguments. Then there is the financial side of it.

Take a tenant who already occupies a sub-standard house and is paying more than he should be compelled to pay under any law! His landlord comes to him and says, "A new law has been passed by Parliament, and under that law I am entitled to ask you to pay an increase of 10 per cent. each week." The landlord brings along the agreement about the 10 per cent. increase and says, "You sign on that line," and nine times out of ten tenants, especially those occupying sub-standard houses, will sign on the dotted line. They think that is the law. Even when they know it is not the law, and they refuse to sign and subsequently are

taken to court by the landlord, they work it out that to be represented in court effectively they would have to brief a lawyer to appear for them; they might have to pay for a valuator, and their costs build up to £20 or £30. They say to themselves, "Well, a 10 per cent. increase in the rental would not work out to £20 or £30 over two or three years, so we will sign on the dotted line."

That is a most deplorable position to place tenants in, particularly those who are living in sub-standard shacks, and I consider that members of Parliament would be recreant to their duty if they pass this Bill and place those people in that position. I shall be more than disappointed in the Government if it insists on this provision. So I appeal to it particularly on the two vital points I have raised, in the hope that it will reconsider them. The first point is to substitute for the word "requires" in the Bill the two words "reasonably needs;" the second point is to cut completely out of the measure any reference to increases in rent except to allow the courts to hear applications from landlords for such increases, and for those courts, on the evidence placed before them in respect of any particular dwelling or business premises, to decide whether in all the circumstances an increase in the existing rental is justified.

MR. STYANTS (Kalgoorlie) [10.55]: There are one or two small matters in this Bill with which I wish to deal. The first is the aspect which was discussed by the member for Roe. He would have us believe that the property owner has been a financial martyr for a considerable time and has had to carry the whole responsibility, or a great share of it, of keeping the inflationary process down to a reasonable level. I am afraid I cannot agree with that contention, and I have made a comparison between two people who in 1940 had a capital of £1,000. From patriotic motives, one of these people decided to invest his £1,000 in the war loans to which the authorities in Australia are exhorting all the people to subscribe, in order to provide the necessary finance for the defence of Australia. The other man, who was more selfish, decided to build a home—and in those days quite a nice house could be built for £1,000.

I have worked out the financial return and the relative financial position of those two people as they would stand today. The man who decided to invest his £1,000 in one of the defence loans would get 3½ per cent. interest on his money—that is the ruling rate of interest for these loans. Over a period of ten years, he would receive £312 10s. on his investment. Now we turn to the man who was not so patriotic but decided he would invest his money in real estate. A house which cost £1,000 in 1940 would fetch at least 35s. a

week in rental, which would return £91 per annum on his £1,000 investment. I have allowed £21 for rates and taxes and for renovations each year, so that he would have a return of £700 as interest, in the shape of rent, on his £1,000 as against the patriotic citizen who would have interest amounting to £312 10s. In addition to that, the man who invested in a house would get a purchaser to pay him £5,000 for that home which cost him £1,000 in 1940.

So we find that the landlord, the property-owner, who the member for Roe would have us believe has been called upon and was being forced to carry the greater percentage of the inflationary process in this State, would receive for his £1,000, and would be in possession of, a sum of £5,700 if he disposed of his property. On the other hand, we find that the patriotic citizen who put his money into war loans for ten years would have only £1,312. So when we come to consider the increment which the property-owner has, through no act of his own, we find that he is not so badly treated, even if he does not get a weekly increase on a rental basis.

The Premier: The unearned increment does not give him any more income.

Mr. STYANTS: He can invest that £5,000 in bonds now, which would return him not $3\frac{1}{2}$ per cent. but $3\frac{3}{4}$ per cent. Whilst the patriotic citizen has £1,312, as a result of his investment, to put into a loan the property-owner has £5,700 to invest at $3\frac{3}{4}$ per cent. The latter therefore, is considerably better off than the patriotic man who assisted his country by investing in the war loan.

The Premier: It would be pretty difficult to sell his property if he wanted the £5,000.

Mr. STYANTS: There would be no difficulty.

The Premier: There would be if it were subject to a tenancy.

Mr. Perkins: There would have been plenty of other opportunities to invest his money.

Mr. STYANTS: Yes, but I am speaking of the patriotic citizen who subscribed to war loans. The hon. member said the responsibility was thrown on the State to provide rental homes. The reason is that the cost of building became so prohibitive and it was impossible for a worker, even one with a margin of, say, £2 10s. a week above the basic wage, to finance the provision of a home. The only possibility for a worker—even if he has a margin of £2 10s. or £3 above the basic wage—to secure a home is to take a Commonwealth-State rental home, which is let on weekly repayments which would have to be continued for something like 40 years before the home became his own. Admittedly, however, that man would have the great advantage of security of tenure.

We have to consider what would be the effect on the economy of this State if rent control were abolished, as so many people are advocating. It is almost certain that rentals would increase to a great extent. If a person now builds a home that pre-war would have cost £850, he would have to pay in the vicinity of £4,000 for it, and a man building for speculative purposes, to secure a return of $4\frac{1}{2}$ per cent. on his money, would have to charge a rent in the vicinity of £4 a week.

What would be the position of the State if we abolished rent control and rentals rose to the vicinity of £3 10s. a week? I believe that the amount now allowed for the item of rent in the compilation of the basic wage is 26s. or 27s. a week. This, of course, is quite inadequate; it is a false figure, but it is the figure that is adopted. Until the rent control restrictions were eased last year, the amount allowed for a four- or five-roomed brick house in the metropolitan area was 30s. 10d. If we abolished rent control and allowed rents to soar to £3 10s. a week, we would have a basic wage 35s. or 40s. a week higher than that in the Eastern States, and the result would be that industry in this State would quickly suffer strangulation. If advocates of the abolition of rent control wish to strangle industry and put the State into the doldrums, this is the shortest cut they can take.

I have always maintained that it is wrong to have a law on the statute book to prevent the owner of one home from obtaining repossession of it if he so desires. What I do object to—and it would be permissible under the Bill—is that a person who has resided in Australia for a period of years should be able to buy a home over the head of a man who has been a reputable and satisfactory tenant for 15 or 20 years. I know of cases where this has happened. A person has lived in a home for 21 years and reared a family of five and has been in every way a satisfactory tenant. The owner was offered what he considered to be a fabulous price and it was purchased over the head of the tenant who, after the expiration of six months was evicted. That should not be permitted. It is the chief objection I have to this measure.

I read in the paper last week of a case of this sort that happened at Mt. Lawley or Highgate, although the occupant was not evicted, but it shows the injustice of the provision for increasing the rent. A person had lived in the home for many years, had been a good tenant, had paid the rent regularly and had looked after the property. A person with a considerable amount of money offered the owner an attractive price, the property was sold, and the new owner immediately applied to the magistrate for an increase in rent. The tenant had been paying 25s. a week and

the magistrate increased the amount to 50s.—an increase of 100 per cent. That case, however, was not so objectionable as the previous one.

Cases in an entirely different category are those of people who, during the last 10 years, have had to move in order to follow their avocations in the country. This applies particularly to railwaymen, who are required by the department to transfer from one depot to another. After serving a term of five, seven or 10 years in the country, they have returned to the metropolitan area, only to find that they were unable to obtain possession of their homes on the ground that the tenants would suffer great hardship. My sympathy goes out to those people. I have always advocated that where a person owns only one home, there should be no law to prevent his obtaining possession of it if he so desires. But I would like to see expunged from the Bill that provision which would enable people with plenty of money to buy homes occupied by those who have been very good tenants, for the express purpose of having them evicted within a period of six months, or of making application after a period of six months' ownership with a view to their eviction.

MR. HEARMAN (Blackwood) [11.11]: A good deal has been said on the other side about the question of evictions, and various cases have been cited. In considering a Bill of this kind it must be borne in mind that individual cases in themselves may prove very little. One could probably quote dozens of instances of bad tenants and dozens of others of equally bad landlords, but it is a matter of viewing the thing as a whole. Everybody seems to be quite well aware that there is a shortage of houses. It has also been fairly clearly established by quite a number of people that a great many men on the basic wage or small margins over it are not in a position to build houses. Obviously, unless houses are built this shortage will not be overcome.

Recently we have heard from the Minister that the amount of money available to the State for expenditure, not only on Commonwealth-State rental homes but on various other essential State works, has been reduced; and it looks, from the financial point of view, as though the State is not going to be able to build as many homes in the future as in the past. If the State cannot do that, and people who have not homes cannot build them, who is going to do so? It seems to me as though it must be the spec builder and the investor. But neither the investor nor the spec builder is going to be interested if there are unreasonable restrictions on the eviction of tenants, and they cannot be assured of getting good tenants and obtaining reasonable rents.

Hon. J. T. Tonkin: The spec builder builds for sale and not rental.

Mr. HEARMAN: I realise that, but I think that he might sell to an investor. There is not going to be a sale other than to people who can afford to buy; but I am considering the case of the person who cannot afford to do that, and somebody must build for him. I instanced last year the fact that employers would not be very interested in building houses for their employees unless they could retain control of them; unless they could be sure that if, for any reason, men ceased to work for them they would not be able to remain in the houses they were occupying.

Reference was made by the member for South Fremantle to specific cases of hardship in his electorate. I am not questioning the accuracy of his statements, but if a man has no house at all, it is still not impossible for him to get a roof over his head. One of my electors lives very close to me on a farm, and has erected quite a reasonable house for a married couple; but he has been unable to get anybody to occupy it, although it has been completed nine months. I will admit that the occupancy would involve work on a farm and the long hours associated with dairy farming, orchard work and potato growing.

Mr. Styants: Six hours a day.

Mr. HEARMAN: I wish the hon. member was right; but conceding that he is, I find it difficult to understand why a man should prefer to live in a tent at Coogee or be thrown out on the street, rather than take a job where a house is provided and where, according to the hon. member, he would have to work only six hours a day instead of eight, and would obtain certain other perquisites. For instance, he would not pay for any fruit, yet he would get more than he receives now, and he would obtain milk, eggs and firewood and there would be certain other attractions. If the hon. member's suggestion of a six-hour day is correct, that only adds point to my argument.

There are not fewer than four farmers in my electorate that I know of who are looking for married couples, though I have not checked the figure recently, and those men have accommodation for employees. The people in the case I first mentioned have children of their own, and there is a school bus route quite close to them. The bus turns within 100 yards of the cottage, and the conditions under which the people would be asked to live there would be no worse than those under which thousands of others are living in the country.

I know it is hard for a man who has a job in the city to have to give it up and go to the country to get accommodation, but it could easily be preferable to having no house. This evening I checked

the "Situations Vacant" column in "The West Australian," and observed there are no fewer than eight jobs offering in the country for married couples, with accommodation provided. One advertisement sought several married couples. Where the wage was specified, it was £12 a week. The member for South Fremantle issued challenges to the Government. If he likes to get in touch with me, and can interest any of the people he spoke of in taking a job in the country, I will use my best endeavours to see that some of the people he complained about get quite reasonable accommodation, though I admit they will have to go to the country to get it, for I cannot undertake to have the houses removed from their present site.

There is no need for people to have children living under the conditions the hon. member described. It is a matter for the individual to choose between his job and his family. If he thinks his job is more important than his family he will tolerate the conditions mentioned; but if he thinks his family is worth more than his job, I might be able to help him. I make that offer in all sincerity.

MR. HUTCHINSON (Cottesloe) [11.18]: The very nature of this Bill unavoidably, and perhaps unfortunately, occasions violent controversies, not only inside this Chamber but also outside. Because of that very fact, I feel it behoves us all to approach the problem as tolerantly as possible. We should realise that both landlords and tenants have grievances. Not all landlords may be called rapacious, and not all tenants may be termed unsatisfactory. I would like to commend the approach of the member for Blackwood in this matter. It appears that he would be prepared to do his utmost with regard to several cases mentioned tonight by the member for South Fremantle. If there were a little more give and take in this Chamber, as well as in the outside world, we would get on a great deal better. I might be voicing what members would call platitudes, but there is a good deal of truth in them.

I want to comment on one or two remarks of the Leader of the Opposition. I was a little surprised to find him accusing the Government of levity with regard to its approach to this Bill. For my part, I would like to deny—and I think I can voice a denial on behalf of the back benches—any levity with regard to this matter. I do not know what occasioned the hon. member's remark but it was unjustified. I can remember, not long ago, making comments on what I felt to be a matter of State-wide importance and, looking across at the front bench, I saw the Leader of the Opposition and two other members laughing quite a deal over something. Of course, no-one raised the slightest objection to what they were doing, so I am rather at a loss to know

why the Leader of the Opposition accused us of levity with regard to this Bill. He said that the measure concerned the greatest social problem of the day. I feel he is only partly right, because the Bill is concerned with merely a phase of what I consider to be the greatest social problem of the day.

The phase with which the Bill is particularly concerned is that of adjusting the many anomalous positions that have arisen with respect to rents and tenancies in the State. The Bill endeavours to even them out, but it does not deal with the solution of our greatest social problem, which is that of providing houses for all. There is a great distinction between adjusting the present rental set-up and providing houses for all. Everything possible should be done to provide houses for those who find themselves without accommodation, but the Bill will do very little towards solving that problem.

The question of providing accommodation requires for its ultimate solution the whole-hearted co-operation of all sections of the community—particularly the Opposition—because unless we have that co-operation our efforts will be largely stymied. As I said before, I believe that particular phase is outside the scope of the Bill, which appears to have a number of virtues. Generally speaking I consider it will receive fairly wide acclaim although, because of its very nature, it cannot help but be subject to violent controversy.

Hon. J. T. Tonkin: What about enumerating some of its virtues?

Mr. HUTCHINSON: One is that it deals with the subject afresh. It is an entirely new Bill and appears to be much more easily understood than the existing legislation. That, in itself, is no little recommendation. It retains the provisions which give protection to many classes of people who receive protection under the legislation today. I think there are but few who will deny the justice of these provisions. The Bill also should enable landlords to deal satisfactorily with tenants who abuse their rights as occupiers of another person's home. The 10 per cent. increase by consent appears to be an attempt to be just to both sides. I cannot believe that any justifiable criticism can be levelled at that increase when we consider all the factors that have caused an all-round increase in prices.

Mr. Lawrence: Have you considered the increase in the basic wage?

Mr. HUTCHINSON: I have.

Mr. Lawrence: Your figures are well out.

Mr. HUTCHINSON: As such legislation as this seems to be necessary, I feel that the Bill deals with the position as satisfactorily as such a contentious problem can be tackled. Generally speaking I consider the Bill to be sound although, of course, much good work can be done with regard to it in the Committee stage.

MR. McCULLOCH (Hannans) [11.26]: The member for South Fremantle seemed to cross swords with the Chief Secretary with respect to people getting homes when they arrive in this country or in the metropolitan area. I can assure the Minister that that is quite so. I can go further than did the member for South Fremantle because I have been told that some people who are on a boat at the present time have been allocated a house in Maylands. This is relevant to the Bill insofar as it means that building materials are being taken away from people who are already here and have been waiting for a home for a considerable time. I have one or two objections to the measure. Personally I think it is a Bill of appeasement, and I do not believe in appeasement.

We had a Bill before us in 1950 that we sent to another place, and it finished up at a conference of managers. We had another Bill here in September of this year which went to another place, where it was killed. Now we are trying to appease those people by this Bill. Insofar as the 10 per cent. increase in rentals is concerned, I say that some people—this applies particularly to the Goldfields—should be paid for living in the houses they occupy. I can remember quite well that in 1928, when people were leaving the Goldfields because there was no work to be done, they left their homes standing, and the house agents were buying them for next to nothing.

Some of these homes were dismantled and sent to the marginal areas near Southern Cross. It was eventually found that no agricultural work could be done there and the houses eventually came back to Kalgoorlie. I know that the land agents are receiving £2 a week rent for some of these houses, which they bought in 1928 for £20 or £30 each. Instead of increasing those rentals by 10 per cent. the tenants should get something for living in the houses. There was a case in Kalgoorlie not long ago when certain landlords were appealing against the ratable value of their property. In one instance the figure was £35, which worked out at a rental of 13s. per week. When the landlord was asked what he thought would be a reasonable rent for his house, he said it should be about 25s. per week, which would have meant that, instead of being rated at £35, he should have been rated at £70. Today tenants are paying £2 10s. per week in Kalgoorlie for homes that were built long before I went there 26 years ago.

I know tenants who have complained about the condition of the homes they are renting, but of course the cry of the landlords is that they cannot get water piping or corrugated iron, and therefore such homes are not repaired. I feel sure that some of the houses on the Goldfields today have had no renovations done to them in the last 20 or 30 years. It is hard to understand how the owners expect to get increased rents from some of the older

homes. I would not object to a higher rent for some of the modern places, but it certainly is not justified in the case of those very old houses. The Chief Secretary said that if tenants thought they were paying too much rent they could go to the court, but that is the last thing many people want to do. It is almost impossible to get some of them to go into the witness box and give evidence.

When the war scare was at its worst in 1942 and our boys were being taken away to defend the country, many of their wives went to live with their mothers in the metropolitan area or elsewhere, and a large number of homes in Kalgoorlie and Boulder were vacant. Rather than see those houses standing empty, many landlords offered to accept a reduced rent. I know positively of one case where the rent was £2 10s. per week, but the landlord offered the tenant the premises at 25s. a week if she would stay in the house. That girl had said she would go to another home where the rent would be much cheaper, but, when the landlord offered the home she was in for 25s. per week, she remained there. When her husband returned in 1945—notwithstanding the fact that the standard rent had been set by the landlord at 25s., though it had been £2 10s. in 1939—up went the rent to the original figure of £2 10s., which of course was unlawful under the Act.

I tried to get that tenant to go to court. I told those people that I thought the landlord was overcharging them in rent, and that if they went to court they could get a refund of the amount of overcharge they had paid above the standard rent, but I could not persuade them to go into the witness box. The Bill now before us makes no provision for any refund of overcharges of rent, whereas that brought down last session did contain such a provision. Under the present measure, the landlord may overcharge without fear of having to make any refund. The member for Roe made reference to self-help builders, home ownership and capitalists.

I think I could drive a nail as well as could the member for Roe, but if I tried to build a house I would only waste the material. I did build a one-roomed place in Kalgoorlie, but if I attempted to build a house in the metropolitan area the authorities would simply tell me to pull it down again. People can build hessian humpies in the country, but are not allowed to do so in the metropolis. I have owned my home for 27 years and believe in home-ownership. I do not believe in paying rent, but I am not a capitalist.

Mr. Perkins: Dedman said that if you owned your home you would be a little capitalist.

MR. McCULLOCH: I am neither a little capitalist nor a big one. Good luck to the man who can build his own home, but at the present day he cannot get the material and, unless he is a tradesman who already

has the necessary gear, it will cost him a small fortune to do so. I feel positive that the member for Roe would not be able to build a home in the metropolitan area.

There is another feature of the Bill in regard to which I would like the Minister to give consideration in the form of a slight amendment. Members will recall that prior to the 1950 legislation a protected person was given quite a big coverage. The provision covered Servicemen of all wars as far back as the Crimean war, if necessary. The definition of "protected person" did not mention any particular war. Under the present measure "protected person" means a person receiving a pension pursuant to the provisions of the Australian Soldiers Repatriation Act, 1920, for total and permanent incapacity. That means that a man would have to be on a 100 per cent. pension under that Act before he would be a protected person. An individual incapacitated to the extent of even 95 per cent. would not be protected under the Bill, and therefore a man who had lost an arm or a leg, or who had received some other quite serious injury, could easily be without protection. If the wording was altered to read "totally or permanently incapacitated" the provision would be improved. That would be a reasonable suggestion and I think that other ex-Servicemen in this Chamber would support that contention.

The provision now existing is not all-embracing and, if my suggestion is adopted, very few other individuals will be involved. In the previous legislation, all returned soldiers were covered, but this Bill provides only for those men who served in the 1939-1945 war. If the old provisions are continued, it will not impose any great hardship on landlords. After all, these soldiers joined up and did their duty in keeping the enemy from our shores. If it had not been for these boys going away to do their bit, many of these houses would not be standing and earning rents for landlords. So I hope the Chief Secretary will give some consideration to the points I have raised.

I would say that on the Goldfields probably 60 per cent. of the people own their homes and the other 40 per cent. rent them. We are not affected to the same extent as the people in the metropolitan area, but rents on the Goldfields are fairly high when one considers the type of accommodation available. There are one or two other matters that have been omitted from this Bill but were included in the September Bill. My opinion is that this measure is one of appeasement, but I shall be reluctantly compelled, by force of circumstances, to support it. It will at least protect some people and will provide a certain coverage for members of the general public.

MR. READ (Victoria Park) [11.42]: My views are somewhat along the lines of those expressed by the member for

Cottesloe. This Bill, if it becomes an Act, will not solve the problem; the problem can be solved only by giving more attention to the building of small homes. The Bill, in some measure, is to try to solve the difficulties of those who are in danger of being turned out of the homes they are occupying. It is also designed to try to do justice to those landlords who desire possession of their homes for their own use. I suppose a number of those landlords have purchased their homes under the time payment system, over a long period.

At the moment, there is little speculation in the building of rental homes. Because of the high costs of building, the returns are insufficient to attract speculators. Therefore, we must get on with the job of building small homes for our people. The Minister for Housing, when introducing another Bill, informed us that the Government was concentrating on the building of small homes, and that is a step in the right direction. To solve this problem we must issue a larger proportion of building materials for the use of the small home-builder, and not concentrate so much on large undertakings. The shifting of families from house to house, from back verandah to back verandah or from one suburb to another will not solve our troubles.

One way to relieve the building materials supply position is to cease the building of flats. These large undertakings are taking a considerable quantity of building material, and the finished flats are not being occupied by the type of person whom we should assist. The materials thus released would make available sufficient bricks, cement, mortar, tiles and joinery for the building of many hundreds of homes. After all, the Housing Commission was set up to relieve these cases, and the housing of these people should be our first consideration. The building of flats will not relieve the housing position because the ultimate occupants of those flats are persons who can afford to pay a high rent. These people would be executives or persons in business in Perth who are already suitably accommodated in Cottesloe, Fremantle, Kalamunda or some of our other suburbs. But, because these people have businesses in Perth, and the flats being built are close to the city, they would rather take flats than remain in their present accommodation.

People who apply for permits to build flats are required to furnish the Housing Commission with certain information, and the Commission nominates the future occupants of the proposed flats. The nomination by the Housing Commission of those people who have applications lodged with it and who are in great need of accommodation, is the first condition. The second condition is that before a permit can be obtained the rent to be

charged must be fixed by the Commission. When the flat is completed the control passes from the Commission to a rent control authority. In one case I recall this was the position. The Housing Commission nominated a tenant and set down in writing the rent for a flat of that size at £2 2s. which is well within the scope of the tenant we are trying to assist. When the tenant moved in he was charged £3 12s. 6d. and he was told that the charging of additional rates was to be considered.

The rent control authority gave no protection whatever to the original nominated tenant, because if he did not agree to the increase in rent someone else would get the flat and he would have no redress. So in this direction we are encouraging the use of material on the wrong type of accommodation. The high prices that are being obtained for old houses is another aspect of this problem that should be considered, even though it is a very unpopular subject. It will be remembered that, during the war, in order that people should not spend their money lavishly on the purchase of second-hand motorcars control was effected on their sale, and penalties were laid down to be imposed against those who charged above the recognised price.

We would not have so many tenants evicted if we imposed control over the sale of these old houses. The average price for a house that was built 30 years ago, and which cost £800 to erect, is now £3,000. If we set down a formula whereby the price of that house would be £800, plus any increased land value because of the inflation existing today, there would not be so much inducement for house-owners to sell their property and as a result have the tenants occupying them evicted. To my knowledge three such cases have occurred during the last 12 months.

I know of one elderly lady who is comfortably accommodated with her relatives at Cannington. She owned a house which cost her £800 many years ago. On being offered £3,000 for it she gave notice to the tenants over the recognised period and ultimately had evicted from that house a man, his wife and three children. Fortunately, through the Housing Commission, I was able to find them other accommodation. If that woman had not been offered such an attractive price she would never have been induced to sell and evict her tenants. Because she received such a handsome price for her house she was able to contemplate a trip to England, which thought had never entered her head until this opportunity was presented to her. In many instances such as that, if a price fixation was made on these old second-hand houses, the Housing Commission would not have to find accommodation for the people who are evicted from them.

Another matter that should be given consideration is that of allowing self-help builders to secure their material, up to a certain figure, without any control or permit. Small houses are permitted to be built without restriction from the Housing Commission, but on permit from the local authority. If we were to concentrate the use of materials on the building of a smaller type of house in addition to what we are trying to do by this Bill, I think that in a few years all the housing difficulties would disappear. Instead, building materials are being used on the building of large houses in the metropolitan area.

In a State such as ours, where blocks can be purchased by the people at a reasonable figure in the outer metropolitan area, it would be more advisable if the materials were used on the building of small unit homes on those blocks. In these modern times we must remember that there is fast transport available from all points outside the metropolitan area to bring people to their places of business in the city.

MR. GRIFFITH (Canning) [11.56]: Members would be well advised to consider the reason for the introduction of this Bill. It has been brought down because of a set of circumstances which have been in existence for many years. For some time past there has been a certain section of the community which has been desirous of purchasing property as a means of investment, and letting it to tenants who have been even more desirous of renting it in order that they may have somewhere to live. I have risen to speak on the Bill mainly on behalf of ex-Servicemen. To the member for Collie who said it was apparent that the Government had not paid much attention to the protection of the ex-Serviceman, I would like to say that, on the contrary, it has given a great deal of attention to that phase of the problem. I feel sure I can prove that contention without any difficulty.

To the member for Hannans I say that if he tries to tell this House that no protection is provided for returned soldiers other than those who were engaged in the 1939-1945 war, he has not read the Bill. I have here a copy of the November issue of "The Listening Post" which is the official organ, as members know, of the R.S.L. On the front page of this issue is a letter written by the State President, Mr. Sten, in which he sets out the views of the League on any proposal which may be brought down relating to this matter.

Mr. McCulloch: Will you give a definition of "war service"?

Mr. GRIFFITH: I will continue and the hon. member can perhaps contradict my statements later when the Bill is in the Committee stage. The President's letter reads:—

As State President of the R.S.L. I desire to bring before your notice the views of the League on the matter of the rent controls, also protection to Servicemen, ex-Servicemen and their dependants. The position, from the League's point of view, may be summarised as follows:—

1. The R.S.L., of necessity, is sympathetic towards its returned men, both in the capacity of tenancy and ownership.

2. The League is most anxious that a formula shall be found which will give the fairest measure of justice to both sides, and by leaving it to a magistrate to decide on the merits of each case those equities were preserved.

3. The League is particularly anxious that most protection be given to those who have suffered most, e.g., the war widow and the totally disabled.

Let me repeat that—

The war widow and the totally disabled.

The article continues—

The League is most anxious that our Korean men be given the protection they lack, and that protection be continued on the expiration of the Act in December next. This is fundamental to all forms of recruiting. Furthermore, are they not protecting our homes here in Australia?

I think the Returned Soldiers' League is wisely of the opinion that it cannot go too far with its demands on this Bill, because if it bargains too much, and gains too much protection, the protection it might derive from such bargaining must have an ultra effect upon the ex-Serviceman himself.

Mr. J. Hegney: Which way?

Mr. GRIFFITH: I am about to tell the hon. member. I know of the case of a man who wanted to let a home. He put an advertisement in the papers calling for applications to be sent to a box number. Among the applicants was one particular ex-Serviceman who appeared to the owner as if he might be a good tenant, but on the owner's finding out he was a returned soldier he did not gain the tenancy of the house. I believe the R.S.L. is aware of this particular case and, although that landlord did not know it, there was no reason why he should not have allowed that particular returned soldier to have the tenancy. The league is aware that too much protection for the returned soldier might be a bad thing for him. I would like to refer to Part V of the Bill which deals with protected persons. It reads as follows:—

(1) In this section, unless the context requires otherwise—

"protected person" means—

(a) a person receiving a pension pursuant to the provisions of the Australian Soldiers Repatriation Act, 1920, for total and permanent incapacity.

Mr. McCulloch: Read the definition of "war service."

Mr. GRIFFITH: I suggest to the member for Hannans that the Soldiers Repatriation Act surely refers to the war prior to 1939-45. Under "protected person" paragraphs (b) and (c) of subclause (1) Clause 22 reads as follows:—

The widow of a person whose death occurred during or as a result of his war service if and while she has any child of his under the age 21 years dependent upon and residing with her while she remains his widow.

A person engaged on war service within any prescribed area outside the Commonwealth whilst so serving, and for such further or other period as may be prescribed.

In the same subclause the definition of "war service" is given and it is as follows:—

"war service" means service as a member of the armed forces of the Commonwealth under the Defence Act, 1903, the Naval Defence Act, 1910, or the Air Force Act, 1923, during any war, or during any operation prescribed by regulation to be an operation of the nature of war, in which war or operation His Majesty became or becomes engaged on or after the third day of September, one thousand nine hundred and thirty-nine.

I suggest it affects the war prior to that of 1939-45 as well. Subclause (2) of Clause 22 is as follows:—

(a) On hearing of any proceedings for an order for the recovery of possession of premises from a protected person or the ejectment of a protected person from premises the court shall notify the State Housing Commission.

(b) The State Housing Commission, on being so notified, shall make available to the protected person, a worker's home or a dwelling-house which is owned or controlled by the State Housing Commission for rental purposes.

Mr. McCulloch: It does not say when.

Mr. GRIFFITH: I would like the hon. member to listen to what follows:—

(c) Until a house has been so made available to the protected person, the court shall not make an order against the protected person unless the court is satisfied that refusal to make the order would cause substantially greater hardship to the lessor and his interests than to the protected person and his

interests, or that the acts or omissions of the protected person are such as to render him undeserving of relief pursuant to the provisions of this section.

I suggest that that gives the magistrate discretionary power when the matter comes before the court. I support the second reading of the Bill. As I said when I rose to speak, I was particularly interested in the question of the protected person so far as the R.S.L. is concerned.

Hon. A. R. G. Hawke: Does the hon. member propose to try to amend that part of the Bill in Committee?

MR. GRIFFITH: I think that part of the Bill is all right. Before I sit down I would draw the attention of the House to a little cross argument which occurred this evening between myself and the member for Melville. I refer to something which he said in the House last night, which I am sure will be remembered by all those who were here, when he was criticising most strongly the Minister for Housing for entering into personalities. The member for Melville said that at no time did he enter into personalities. I would like to draw your attention to the fact, Mr. Speaker, that he seems to have changed his coat very quickly, because he indulged in personalities with me this evening.

MR. J. HEGNEY (Middle Swan) [12.7]: I feel I cannot let this Bill go through without making some observations on it because it affects many people in the district I represent. There is no doubt that the whittling down of the provisions of the Bill just before the end of last year had a pretty serious effect on the people in my district. The unfortunate part is that most of these people have very large families. Only recently a man came to interview me, and subsequently telephoned me to indicate that he was about to be evicted from his home in Belmont. I took details and made representations on his behalf to the Housing Commission to see whether, in the event of his being put out on the street, a house would be made available for him. This man was finally evicted; he was an ex-Serviceman who had fought for 2½ years in the Middle East; he was working in Belmont and his family was beginning to grow up. One of his sons was a farmer and two other children were working in North Perth and Inglewood.

The only house that could be offered to him and his wife was one down at the Naval Base, and, as I say, I had been in close contact with the Housing Commission and had made representations to Mr. Irvine on his behalf. The offer of a home at the Naval Base was useless so far as this man was concerned because of the fact that his employment, and the employment of his three children, was on the other side of Perth. I drew the attention of the officer of the State Housing Commission to this fact and he said that, while

he realised the difficulty, that was all that could be offered to him. I subsequently raised the matter with the Minister, and also brought it to the notice of the secretary of the Housing Commission when he was here the other evening, and I am glad to say that the Commission has now found him a place in South Guildford.

The difficulty is that the emergency homes are totally inadequate for large families. In one instance at South Guildford, the family was so large that two of these homes had to be provided. Another case is that of a man who had occupied a house at Rivervale for more than ten years and the owner, an elderly woman, sought possession. The man had served for years in the Armed Forces and has a large family, but he had to accept accommodation at South Guildford and the chances are that he may be there for years. One of the serious aspects of the problem is that large families are being evicted from the homes they have occupied for a long time.

The other evening I had a ring from a woman, the mother of six children, a very fine woman whose husband had left her some years ago. There was an eviction order against her and she had to leave her home at Belmont and she is now occupying one room. These happenings are occurring under the law as it stands, and no doubt the proposals in the Bill, if adopted, will weaken the position of tenants still further.

The member for Roe told us that landlords are not getting a square deal because current values are far in excess of those that ruled in pre-war days. When the war broke out, rents were low on account of the economic conditions prevailing at that time, whereas at present rents are high owing to the scarcity of houses and the tremendous demand for them.

Any Government, Labour or Liberal, would be compelled by circumstances to afford some protection to tenants and ensure that the balance was held as equitably as possible between landlord and tenant. Unfortunately, however, we seem to have gone a little too far in the wrong direction. I think we make take it for granted that most of the people who desired repossession of their own homes have obtained them by now. Many people wanted to dispose of their homes in order to take advantage of the high prices offering, and possibly the measure of last year will not have so great an effect in that direction.

The member for Roe claimed that the landlords were not getting a fair return for their investment, but the same argument applies to investors in other avenues, such as war loans and savings bank and other deposits. As a result of Commonwealth policy, interest on bank deposits is kept low, and consequently landlords are

in no worse position than are people who have invested in bank deposits and Commonwealth loans.

The problem is certainly a difficult one and I doubt whether it would be possible to do the right thing by all parties. However, as the member for South Fremantle pointed out, if workers are to be evicted from their homes, trouble is likely to ensue, because nothing is calculated to cause greater discontent than the disturbing of family life. I believe that this problem has much greater ramifications than some members realise. One has only to make a round of the metropolitan area to realise that overcrowded conditions exist, and that excessive rentals are being charged, even for accommodation on back verandahs.

When people have not been in a position to build homes for themselves, they have to seek tenancy homes. The Chifley Government negotiated the Commonwealth-State Rental Scheme which has been a boon to this State as well as to the rest of Australia. But for that, the difficulty would have been intensified, especially in view of the influx of migrants into the State. The demand for homes is tremendous, and it is unfortunate that we are not in the position to meet the needs of newly-married couples.

The question has been asked why some of the people in need of homes have not done something for themselves. We know what happened during the depression, and I am afraid that some of those who have built homes at exceedingly high cost may later find themselves in serious financial difficulty, and that would have a serious repercussion on the social life of the State. The Bill is a very important one and will affect many people in my district, particularly those with large families, who will be compelled to find other accommodation.

I understand that some of the emergency houses being provided have cost £1,000 each, and they are very poor houses indeed; in fact it cannot fairly be claimed that they are houses in the real sense of the word. The local authority at Bayswater is greatly concerned at the building of these homes in that district because, in the not distant future, they will become slums. At Ashfield, between Bassendean and Bayswater, the Workers' Homes Board has bought a number of blocks, on which it is proposed to build a number of these homes. While the provision of such accommodation might ease existing difficulties temporarily, they will certainly not provide a permanent solution of the problem. As members are anxious to get to their beds, I shall not detain the House longer.

MR. YATES (South Perth) [12.19]: However anxious members may be to get to their beds, they will have to wait until

I have offered a few words on this very important subject of rent control. I have listened with interest to the many speakers who have contributed to the debate. I wish to make a stand on behalf of returned Servicemen whose case has been placed before the league. Portion of it has already been discussed by the member for Canning. As a member of the Housing Committee of the Returned Soldiers' League, I have taken a prominent part in the last couple of years in the housing problems that have been before it. I have also been present at the discussions regarding proposals put before the Premier to give adequate protection to various classes of ex-Servicemen who have suffered disabilities, and members of the Forces overseas.

Mr. May: I do not see much of it in this Bill.

Mr. YATES: Unfortunately, the hon. member was absent from the House when the member for Canning detailed from today's issue of the "Listening Post" a communication from the State President.

Mr. May: I have read it, but it is not in this Bill.

Mr. YATES: Most of it has been included in the Bill. It is all very well for the league, or any other organisation, to write letters to the Premier or to any controlling body of Parliament asking for something. It is a different matter to receive exactly what is requested. It is also the case in the Arbitration Court where awards are made. Applicants ask for a lot more than they get as a rule. A compromise is reached and a satisfactory solution is found in regard to the adjustment of wages over a period.

So, although it put a number of proposals to the Government, the league was not successful in getting all it required. The main items listed in the State President's letter, however, were dealt with sympathetically by the Premier and have been included in the Bill. One provision that was asked for, but was not included, concerned business premises. It was suggested that at least 12 months' notice should be required after the proclamation of the Act before any eviction could take place. Unfortunately there is no protection for business premises now, and to reintroduce protection for them would not be fair to many people, including ex-Servicemen who may have received eviction notices and left the premises. It would give protection only to those in occupation prior to the 31st December, 1950. The Government thought that would not be a wise step, so that provision was not included.

Protection is given to T.P.I.s and affects those from World Wars 1 and 2 and any who may return from overseas, from Korea or Malaya. I believe there are 400 such pensioners in this State at present. Protection is also given to a widow who has a dependent child, and whose husband lost

his life as the result of war-caused injuries. It is quite possible for one who served in World War 1 to have married later in life, and for his wife to have a child under 21 who is dependent on her. Accordingly, protection is afforded to her. It would also affect those from World War 2, if they are still in the same premises and have not been evicted by the landlord in the meantime. So a certain amount of the protection for which the league asked has been afforded.

Mr. May: What about the men going to Korea?

Mr. YATES: They will be taken care of under the clause which gives protection to those going to fight in the prescribed area.

Mr. May: How much protection?

Mr. YATES: Complete protection while they are away!

Mr. May: That is the point.

Mr. YATES: Protection is provided for their families. The provisions of the Bill were read out dealing with the powers the magistrate shall have in deciding whether a protected person has the greater hardship, or whether he has not been playing the game with the landlord. If the magistrate decides that the landlord has the greater need for the home, the onus is placed on the Commission to provide a dwelling for the protected person, and rightly so. The protected person remains in the landlord's home until the Commission provides accommodation; so the person who receives protection will be living in one home or the other, and will not be thrown out on the street. Like the member for Collie, I would like to see more protection for the ex-Serviceman, and I might have more to say on that at the Committee stage.

Mr. May: Not ex-Servicemen.

Mr. YATES: Servicemen and ex-Servicemen. The hon. member has represented ex-Servicemen in his district for many years and will go on fighting for them.

Mr. May: I think they are pretty well covered.

Mr. YATES: Yes; but the league asked for a number of privileges for ex-Servicemen and that was discussed by the Housing Committee at great length. The committee decided that it would not like to ask for protection for all ex-Servicemen because it would affect too many in the community. It was suggested that those that had 50 per cent. or more war disability should be protected.

Mr. May: Ex-Servicemen are doing very well.

Mr. YATES: That brought in a greater field. I think the present protection is just. It protects those who need protection; and also, with that protection, the

T.P.I.'s. and the war widows are looked after by other organisations. Legacy takes a great interest in war widows, and has from time to time looked after their interests and provided education for their children.

Mr. May: Do you not think that any man who enlists for service outside the Commonwealth should be protected, irrespective of where he goes?

Mr. YATES: I believe that the moment they leave Western Australia they should receive protection because, while they reside here, or even if they are in camp, in the city limits, they are able to look after their families. But the moment they leave the State their families cannot get that protection.

Mr. May: That is the point.

Mr. YATES: I would like to move an amendment to that clause to provide for protection to be given to these men the moment they leave Western Australia, and I think the House would agree to that.

Mr. May: I hope it does, because I am going to move one.

Mr. YATES: Whether they are in South Australia or the Eastern States, or whether they are in Japan, the moment they leave the State they are unable to be close to their families or look after them in time of trouble. Frequently these men go to the Eastern States for six months' training prior to going oversea. They are 3,000 miles from home, and protection should be given to their families. I would be all for an amendment of that kind to give more adequate protection.

Hon. A. R. G. Hawke: Why not while they are in the State?

Mr. YATES: While they are here they can look after their families.

Hon. A. R. G. Hawke: Not if the law is against them.

Mr. YATES: They might not leave the State and go away to fight. They might don uniform and go into camp, and might not even go to the Eastern States.

Hon. A. R. G. Hawke: But they have enlisted to go out of Australia.

Mr. YATES: Personally I have no objection to their getting protection the moment they enlist to fight. I was thinking it would be too much to ask for that protection.

Mr. May: Why?

Hon. A. R. G. Hawke: Too much to ask for a man who has offered to go oversea to fight?

Mr. YATES: We asked for that protection before and did not get it. There is a similar clause in this Bill to what appeared in the previous one—the same prescribed area and so on—but they have to fight outside the Commonwealth. If protection were given to them when they were

outside the boundaries of this State, it would be a big step towards giving them what is wanted. I have no objection, however, to asking for protection for them from the moment they are drafted into the Forces. I want to say a little about evictions.

Mr. May: Make it a little!

Mr. YATES: Quite a large number of families have received notice to quit. What of the large number who have applied for homes and have been making desperate efforts to secure them through other channels than the State Housing Commission, and have been unsuccessful? Today they are being entirely ignored by the State Housing Commission in preference to those who are being evicted. I will quote one such case and briefly touch on another. Nearly four years ago, a young married couple approached me asking whether I could secure them accommodation. They were newly-married and were living on the back verandah of a rental home on the Hurlingham Estate. I called at the house and looked at their living quarters. They were very cramped for space. Anyone who knows the rental homes will appreciate that the verandahs are not very wide. Later on, their first infant was born and they had to fit a bassinet into the small space, which was entirely inadequate for the purpose.

The Hurlingham Estate is very low-lying and damp. The State Housing Commission, in conjunction with the South Perth Road Board, has spent thousands of pounds in attempting to drain it. In winter, the water creeps up the walls of the dwellings and keeps them damp for a long period. The couple I mention were ideal in every way and well worthy of being assisted by the State. They are a good-living couple. The husband is a good worker and they are both clean and tidy. In fact, the State Housing Commission sent its lady inspector, Miss Eichorn, to inspect the premises, and I should say that her report is one of the best ever submitted to the Commission. I made many approaches to that body on behalf of the couple, and the authorities must have known from Miss Eichorn's report what the position was. Besides my own approaches, others were made by Dame Florence Cardell-Oliver, the member for Nedlands and others.

I think the members of the Legislative Council who represent the district were also approached, and all made representations to the State Housing Commission. I paid at least 12 visits to the Commission and had an interview with the tenancy officer. Some 14 months ago, I was assured that the couple would be furnished with a home within six or eight weeks. I went out to see the young people, who at that stage were expecting a second child, and informed them that they could be pretty well assured of a reasonable home within six or eight weeks. That was 14 months

ago. Two weeks ago I was rung up by the lady in question, and I went to the Hurlingham Estate where I saw her furniture and effects on the lawn ready to be shifted. They had found it impossible to live any longer on the premises, and for various reasons they had to leave.

By the grace of a lady living at Mt. Hawthorn, they were provided with accommodation of a similar nature to that which they had had at South Perth. They were there for some weeks. I interviewed Mr. Irvine, of the State Housing Commission, and explained the urgency of the case. He said he would instruct an inspector to look into the matter and would let me know the result. I have not received any further information regarding that case. It is one of the worst I have known during the years I have been in this House. From the approaches I made to the Commission direct, the letters I have written and the support rendered by members of this House and another place, it should be perfectly plain that the young couple are well worthy of assistance.

The facts of the situation were made plain by the Commission's own inspectors and indicated that the case was one of a serious nature.

All the answer that the couple have received is that their application was submitted early in 1948 and the Commission was still fixing up people who had applied in 1947. That has always been the answer. They were promised some 14 months ago—it was verbal and not in writing, and I shall not name the officer concerned because he is not now in the section—in all sincerity, that they would be in a comfortable home within six or eight weeks. These young people, who now have two children, have been handied from pillar to post for nearly four years. Both are just over 20 years of age.

Despite their experience, the position is that other people who have been living in comfort, in some cases for 20 years, and paying rent all that time, have received notice to quit. Those people stay on in their homes until the Housing Commission finds reasonable accommodation for them. They make sure of getting that accommodation when they are evicted. On the other hand, the young people I have mentioned are denied the same right. Is that fair? Why should evicted people enjoy priority over others who have lived in the circumstances I have described for over four years?

Mr. May: Ask the Minister!

Mr. YATES: I shall briefly refer to another case. A young naval officer at "Leeuwin", his wife and one child, have been living in a small garage alongside a house at South Perth. The local health inspector served an eviction order upon them because they were not complying with the provisions of the Health Act.

There was no bathroom and no water was laid on; in fact, they really should not have been living in such quarters. I got in touch with the health inspector and asked him to withhold the eviction order for a while. I approached the Housing Commission and gave the facts of the case.

Later, I received a letter saying nothing could be done in the matter because of the large number of people in a similar position, in consequence of which they would have to take their ordinary priority on the list. Here was an eviction case, for it was such irrespective of whether the eviction order was issued by a magistrate or a health inspector. It should not make any difference. If people who are living in a comfortable house are to be treated as I have indicated, surely others who have been forced to live in a garage, where they have suffered real hardship, could be given temporary accommodation by the Commission.

Why should evicted people receive preferential treatment compared with others who have suffered such hardship in desperate circumstances for many years? I would like the Minister to give me an assurance that cases such as those I have mentioned will enjoy priority over others affecting people living in comfortable circumstances, and waiting for eviction so that they can be provided with accommodation. They are perfectly happy. The young couple I have referred to would also be perfectly happy if they could be provided with a flat. After their experience on the Hurlingham Estate, even a 12 x 10 tent would be a palace compared with what they have had to put up with.

Hon. A. R. G. Hawke: What does the Minister for Housing say about it?

Mr. YATES: Nothing has been done. If something is not done very soon about these two cases, I intend to take further action. My patience has gone to the limit. I have done everything possible to get houses for these people without going over the head of anyone in particular. I have tried to find them accommodation apart from going to the State Housing Commission.

If nothing is done in the next few days I intend to approach the Minister, to force the issue. If temporary shelters are built for evicted people, a few should be put aside for urgent cases of the types I have mentioned. I intend to say a few words on the Bill when we are in Committee. The Housing Committee of the Returned Servicemen's League will hold a special meeting on Monday to discuss the Bill, and I hope that anything it suggests that will be of assistance to ex-Servicemen or those serving overseas, or who intend to join the Services to go overseas, will receive adequate attention.

MR. GRAYDEN (Nedlands) [12.41]: I congratulate the member for Roe on his excellent speech. I feel he put the other side of the case very well and lucidly. He pointed out that on the basis of the replacement value of a house today, the landlord is getting a poor return for his money. The Leader of the Opposition and his followers have said that because a house before the war cost £600 or £700 the rent the landlord receives should be based on that amount and, if he gets a reasonable return on that sum, it is sufficient.

Hon. A. R. G. Hawke: I did not hear anyone say that.

Mr. GRAYDEN: Actually I think the truth lies somewhere between these two points of view.

Hon. A. R. G. Hawke: No-one said that.

Mr. GRAYDEN: The Leader of the Opposition inferred that it was fair, if a person paid only £650 for a house, that he should receive rent based on that amount and not on about £2,000. I point out that that assumption rests on a money basis, and that because something cost so many pounds in 1939 it is assumed that the pound has the same value today, but it has not.

We should try to ensure that the landlord gets the same return on his investment in terms of real goods as he got in 1939. After all, I think he is just as much entitled as anyone else to maintain his standard of living and, as the standard of living of other people in the community has not dropped, I do not see why we should force his standard down. If he had an income from houses of £1,000 a year before the war, he will have received an increase of only £200 since, and in that time almost every other person on the same income would have received at least another £1,000, and perhaps £2,000.

We should bring rents more into line with the real decrease in the value of the pound. It is an admitted fact that since 1939 the value of the pound has decreased well over 100 per cent. So, if we were to give the landlord the same standard of living as he had in 1939, we would have to increase rents by over 100 per cent. In actual fact, we are increasing them by only 32 per cent. on the pre-war figure. I do not suggest we should increase them by 100 per cent. I feel that the problem would be overcome if we adopted, in part, the suggestion of the member for Roe and gave a more substantial increase in regard to rent.

Hon. A. R. G. Hawke: What is the value of the pound compared with what it was in 1939?

Mr. GRAYDEN: According to the "C" series index it has decreased by over 100 per cent.

Hon. J. T. Tonkin: There cannot be any of it left.

Mr. GRAYDEN: I mean, by over 50 per cent. The root cause and motivating factor for the legislation is the shortage of homes. If houses were in plentiful supply there would be no need for the legislation because the demand would meet the supply, and so the problem would be overcome. If we continue with our present standards of housing we will not, within the next few years, be able to take up this surplus demand.

The only way we can possibly meet the demand on our housing is to build a lower standard house. We just have not the resources in the State to build the terrific number of homes required by the people, both native born and immigrants. So we should cut our coat according to our cloth, and build a more modest type of home in an attempt to catch up the housing shortage.

THE CHIEF SECRETARY (Hon. V. Doney—Narrogin—in reply) [12.47]: I am obliged to the member for South Perth for clarifying the position relating to protected Servicemen. The remarks of the Leader of the Opposition and the Deputy Leader of the Opposition suggest that they find the Bill reasonably tolerable except, I think, with regard to the 10 per cent. increase in rent. They and I, must, I am afraid, agree to differ. I think the 10 per cent. increase is in every sense fair and warranted, but they do not. I regret that I cannot move towards them.

The Leader of the Opposition has shown that the Bill is, in parts, different from the one which was submitted in September last by the Deputy Premier, which Bill was rejected, as members know, in another place. The Leader of the Opposition is quite right and there are those differences which he mentions, but the point is that the Bill before us is required to stand up to entirely different and more dangerous conditions than was its predecessor. I do not want to send to another place a Bill that is so provocative as to invite rejection once more. I cannot see any sense in that at all.

Mr. W. Hegney: Have you got the wind up?

THE CHIEF SECRETARY: It is a long time since I had the wind up, either here or anywhere else that I can think of. I cannot help thinking that it is stupid to invite another dead-lock.

Mr. Lawrence: Does that mean the Minister has not the courage of his convictions?

THE CHIEF SECRETARY: The hon. member can hold what opinion he likes about that. To me it seems a waste of time, and utter stupidity to send something to another place knowing full well, from past experience, that it will not be accepted. I want the Bill 100 per cent. as it stands, though I know I may have to be satisfied with perhaps 90 per cent. of it.

Mr. Graham: Do you think it is a perfect Bill?

THE CHIEF SECRETARY: We cannot have a perfect Bill in the circumstances with which we are dealing.

Mr. Marshall: Just look at me.

THE CHIEF SECRETARY: I did not hear the interjection and so cannot join in the laughter. Strange as it may seem to the Leader and Deputy Leader of the Opposition, a number of members on their side of the House, most of whom have not spoken, hold views similar to those that I have expressed. I do not wish to jeopardise the servicemen and their dependants who are now protected. I claim the Bill is a fair measure having regard to the circumstances surrounding it.

Hon. A. R. G. Hawke: It is a sell-out.

THE CHIEF SECRETARY: It is of no use to be foolish. The Bill is no sell-out. I gave the Leader of the Opposition the reasons why the present Bill differs from the one he quoted a little while ago.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair: the Chief Secretary in charge of the Bill.

Clauses 1 to 4—agreed to.

Progress reported.

House adjourned at 12.55 a.m.