more severe measures should be taken against them. I sincerely hope that when the enforcement system of the department becomes stronger and the five per cent. are prosecuted time and time again, as no doubt they will be, the magistrates and others concerned with the deciding of the cases and the imposition of penalties will see to it that the frequent offenders are punished, to an extent sufficient to prove to them that continual breaking of the laws and regulations will not be countenanced.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Progress reported.

House adjourned at 10.8 p.m.

Legislative Council.

Thursday, 12th September, 1946.

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

QUESTION.

TYPHOID FEVER.

As to Admissions to Hospitals at Perth and Fremantle.

Hon. J. G. HISLOP asked the Chief Secretary: Will the Minister state the number of cases of typhoid fever admitted to the Fremantle, Children's and Perth Hospitals in each of the last five years?

The CHIEF SECRETARY replied: Yes. I hope to be able to lay the figures on the Table of the House at the next sitting.

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

Second Reading.

Debate resumed from the previous day.

HON. H. S. W. PARKER (Metropolitan-Suburban) [4.34]: The Bill is really one of great importance and I am sorry that the legislation has not been re-cast entirely instead of a measure being submitted seeking its extension for a further period. It is difficult to amend the measure and in the circumstances I am compelled to vote for the second reading. On the other hand, I trust that before next session the Government will go fully into the question of rents and deal with the matter comprehensively. There are a number of anomalies and a great many difficulties. At present there is no machinery with which to smooth out those difficulties.

The rents as at August, 1939, are taken as the standard rents and in certain circumstances applications may be made to secure increases. There are many cases where the time has expired within which people could approach the court to have their rents fixed. In my opinion the machinery dealing with that phase is not of the best. It is left to the local magistrate to deal with and, with all due respect to magistrates and judges, I do not think they are the people best qualified to determine what are fair and proper rents. In my opinion it would be much better if a board were established that could deal with appeals, the members of which body would have a far greater knowledge of the rental values of properties and of the general business as between landlords and tenants than a lawyer could possibly possess.

Then again, when a person goes before the court to secure the adjustment of his rent the magistrate is very prone, perhaps correctly so, to rely too much upon the rules of law and evidence instead of getting down to the real bedrock facts as to what constitutes a reasonable rental. Quite obviously, there must be control; otherwise with the shortage of houses and shops the highest bidders would claim the best and the greedy landlords would certainly accept

the largest amounts offered by way of rent or ingoing. In the circumstances, people must be protected. It is not so much the tenant who is concerned when a shop is let as the people who patronise the place. I have known of instances of shops being let by kindly landlords at a little above nominal rentals mainly to keep their premises occupied, realising that it was far better to have them let than remain vacant during wartime. Now that conditions are much improved the landlords are unable to secure fair and reasonable rentals owing to the restrictions imposed by this legislation. Because of that, I trust that the problem regarding rentals charged and the position generally under this legislation will receive the full attention of the Government before the next session of Parliament.

HON. A. THOMSON (South-East) [4.38]: Year after year Mr. Parker and others have made exactly the same type of speeches and the same excuse has been advanced for the passing of legislation enabling the Act to function for a further period. I intend to vote against the Bill on this occasion and propose to give my reasons for so doing. If it affected the whole of the people I would be perfectly satisfied to agree to this further extension of the legislation, but what do we find? Under the Act, as it operates at present, a person may pay a rental of £1 a week for premises and then subdivide it so that he has, practically speaking, a tenant for every room. Such people are profiteering at the expense of the original owners of the premises they occupy.

In my opinion the Government should frame legislation with the definite object of controlling the letting of premises. It is quite common for a house owner to find that in the middle of the night his tenants have changed. One who had been occupying the premises had decided to vacate them and someone else had taken possession. There has been some suggestion that in these circumstances the incoming tenant has paid a premium to the former occupant in order to secure the dwelling.

Hon. F. E. Gibson: And paid an increased rent.

Hon. A. THOMSON: It is time that this black marketing was done away with. All of us know what is going on. We find returned soldiers, with their wives and families, are occasionally paying as much as 30s. a week for one room and the doubtful use of a kitchen, the children sleeping on the back verandah. It is time that the exploiters were dealt with by the Crown Law Department. I am not opposed to the fixation of rent, and the Government will have ample time before the close of the session to bring in a measure which will provide for better control. I am sure the Minister will agree with me that there are many things that are an absolute disgrace, but which cannot be altered under the existing legislation.

I can quote the case of a woman whose husband died and who was not too financial. She let her property furnished at a certain rental. The tenants, being Smart Alecs, said, "Oh yes, we will pay that rent," and so they secured possession of the premises. They then approached the court and secured a reduction of 10s. a week in the rent. Today three families are living in those premises. I am sure the Government know there are many similar cases. Two or three days ago I was told of a man who is receiving 15s. a week for his premises and to his knowledge the tenants are receiving over £3 a week for the premises by subletting various portions. He is helpless to do anything in the matter. Surely the Government can bring in a measure to prevent the exploitation of citizens in this way. On those grounds, and on those grounds alone, I oppose the Bill. It is up to the Government to do its job, and I am sure it will do so.

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

BILL—MARKETING OF BARLEY (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.44] in moving the second reading said: The object of this Bill is to provide for the stabilisation and control of the barley industry. Its introduction has been sought by the barley section of the Primary Producers' Association, a deputation from that body having waited on the Minister for Agriculture in December last.

In 1939 an Australian Barley Board was constituted under the National Security Regulations, but its activities did not meet with the approval of Western Australian

growers. Because of this dissatisfaction, this State, in the latter part of 1942, was exempted from the operations of the Australian Board and a Western Australian Barley Board was constituted, also under the National Security Regulations. This board has met with considerable success. When it first commenced activities in 1943 the production of barley for malting purposes was only one-third of the local requirements. The following year the output was doubled, and in 1945 steps had to be taken to prevent the possibility of over-production. The board will cease to function when the National Security Regulations lapse on the 30th December next, and I am reliably informed that growers are practically unanimous in desiring that action be taken for its continuance. The maltsters and brewers also have intimated that they have no objection to this proposal.

I might add that the Commonwealth Government is also giving consideration to its policy in regard to barley control when the National Security Regulations cease. The Standing Committee of the Agricultural Council—which consists of the Ministers for Agriculture of all the States—has recommended some stabilisation of the industry. Investigations into the method of bringing this about are being made by the Commonwealth, which has prepared draft legislation for consideration as to whether it is satisfactory for submission in the Commonwealth and State Parliaments.

I have referred to the fact that previous Commonwealth control did not meet with success in this State and that Western Australia was eventually permitted to form its own controlling body. It is quite possible that the proposed Commonwealth legislation will also be regarded as unsuitable, and it is for this reason that the State Government has prepared the measure now under consideration. If there are matters in which the Commonwealth legislation may prove to be superior, then it should be possible to incorporate such improvements in our own Act by means of amendments in the usual way.

An examination of the Bill will disclose that it proposes to make provision for the marketing, sale and disposal of barley; to control the production for sale; to constitute a Western Australian barley marketing board, and for other relative purposes. It provides that the board shall consist of six members, three of whom shall be producers, one representative of the maltsters, one of the brewers, and a chairman who shall not be engaged or financially interested in the growing or production of barley. With the exception of two producers' representatives, these members shall be nominated by the Minister. With the exception of the elective members, the members of the board shall remain in office during the pleasure of the Governor. The elective members shall hold office for two years with the exception of one of the foundation representatives, whose appointment shall be for one year only. This will ensure a continuity of producer representation on the board.

Any person wishing to produce barley for sale will be required to obtain a license from the board, which will decide the maximum quantity of barley that he may produce for sale each season. I would point out that the procedure is different from that of the Wheat Board. A wheat license is granted for a particular property, and prescribes that the farmer may cultivate a certain number of acres for the purpose of producing wheat for sale. The proposal here is to grant a license to the grower of barley, and that license will state the quantity of barley which he will be allowed to produce for grain. Producers may please themselves how much they grow for feed, but they will be restricted insofar as grain is concerned.

Hon. J. A. Dimmitt: Is there any reason for the difference between the two licenses?

The CHIEF SECRETARY: Yes. One reason is that no-one can estimate the production from a given area of land. As it is quite easy to over-produce the quantity of barley required, it is necessary, according to the experts in this industry, to prescribe the amount that shall be provided by each grower. Therefore the grower is given a license to produce a certain quantity of grain. All licensees shall abide by the terms of their licenses unless the board in writing directs otherwise. All barley grown under license shall be sold to the board, which may appoint suitable persons, firms or State instrumentalities to act as its receiving agents. These agents may also carry out other duties at the direction of the board.

The Bill provides that the board must take delivery of all barley forwarded to it under license, provided that the barley is of merchantable quality and otherwise com-

plies with the terms of the license. Once barley has been delivered, it becomes the property of the board, and any person who possesses a mortgage, lien or right in the barley will be given a certificate entitling him to compensation from the board to the extent of his interest. The rate of compensation will be based on the net proceeds from the sale of the barley, and on its quantity and quality. It is proposed by the Bill that the different grades of each type of barley shall be dealt with separately by the board.

Authority is given to the board to make advance payments to producers on account of deliveries. This was one direction in which the Commonwealth authority proved unsatisfactory, as considerable delay was experienced by producers in obtaining payment for their barley. The board is given the authority not only to make sales within the State but also, if possible, to arrange for exports to other States or oversea. An important provision is that giving the board power, with the approval of the Governor, to join with other States for the purpose of co-ordinating and regulating marketing within or without the Commonwealth. This will enable the State to be represented in any Australia-wide control, provided that it is considered that to do so would be to this State's advantage.

It is proposed that the provisions of the Bill shall be effective for three years. This term should be satisfactory to growers and will give the board ample opportunity to continue the good work it has achieved. The Bill has the backing of the producers and is approved by the maltsters and brewers, and I have no hesitation in commending it to the House. I move—

That the Bill be now read a second time.

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

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Received from the Assembly and, on motion by Hon. V. Hamersley, read a first time.

As to Second Reading.

HON. V. HAMERSLEY (East) [4.56]: I move—

That the second reading be made an Order of the Day for the next sitting of the House.

The PRESIDENT: Before I put the motion I would like to remark that this is the second private Bill that has come from the other House this session, with no arrangement made for a member of this Chamber to take charge of it. As a result it devolves upon the President to see that someone takes charge of it, or that the Chief Secretary does so. I hope this will not occur again.

Question put and passed.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.57] in moving the second reading said: We are living in an age where social reform is being given its due importance in the scale of human endeavour, and bound up with this progressive outlook is the knowledge that all persons, no matter what their employment, are entitled to the best conditions with which it is possible to provide them. There are few dissentients, I think, to the opinion that the hours that people work should be no longer than is compatible with the nature of their employment, and that no section of the working community should be more favoured in this regard than another, it being realised, of course, that it is difficult to set a hard and fast rule to cover each and every working person.

The tendency today is for the hours of work to shorten and for the employee to be provided with the utmost possible leisure and recreative time. The employee not only gains in health and mental outlook by his extra leisure, but his employer usually reaps the benefit of the employee's improved application to work. In this State quite a large number of citizens enjoy a five-day working week, and I have no doubt that their numbers will steadily increase. Action has been taken through the Arbitration Court for all classes of workers to obtain an annual holiday period, a decision which, too, will be beneficial to both employer and workman. This Bill, which proposes to amend the Factories and Shops Act, 1920-1939, is a step in the direction I have outlined. It provides that all shops in the State, with certain exceptions, shall close at 5.30 p.m. on week days and 1 p.m. on Saturdays.

Hon C. B. Williams: That is overdue, particularly in the country.

The HONORARY MINISTER: This will bring about the abolition of the late shopping night. The Saturday half holiday and the abolishment of the late shopping night have been in vogue in the metropolitan area for over 30 years, and representations received and inquiries made by the Government indicate that the time is now opportune for the extension of these amenities to country areas. Of the 119 shop districts in the State that have been created under the Act, only 45, or 38 per cent., do not observe the Saturday half holiday, 39 of these closing on Wednesdays, five on Thursdays, and one on Tuesdays. I understand that a number of districts have in recent years made a voluntary change from Wednesday to Saturday.

The shops that will not be affected by the Bill are those that are mentioned in the Fourth Schedule to the Act, and are permitted to close at varying times. Those selling perishables, such as confectionery, vegetables, fruit and milk, may remain open until 11 p.m., every day, whilst newsagents, stationers, booksellers, florists and tobacconists need not close until 8 p.m. each day except Sunday. In March, 1942, the National Security Regulations made it incumbent on shops to close at 5.30 p.m. instead of 6 p.m., and abolished the late shopping night. Those particular regulations have now lapsed, but I understand that the majority of shops in country areas have not reverted to the later closing. The experience they have obtained has convinced these shopkeepers that their customers can be as well catered for within the shortened hours as they previously were.

The Government has taken no hasty step in submitting this legislation. A similar Bill was introduced in the Legislative Assembly towards the end of last session, but was allowed to stand over until this year in order that country members might have the opportunity to sound opinion in their electorates. In addition, the Government has also made considerable inquiries in country districts. A large amount of correspondence has been received favouring the proposals in the Bill, and some of the many centres which have intimated that the Bill has their support include Katanning, Donnybrook, Narrogin, Wagin, Collie, Albany, Bunbury, Kulin, Northam, Meckering, York, Pingelly and Three Springs.

The first amendment provides that all shops, with the exception of those in the Fourth Schedule and registered small shops, shall close at 5.30 p.m. on week days and 1 p.m. on Saturdays. I feel that no justifiable opposition can be expressed to metropolitan shops closing at 5.30 p.m. instead of 6 p.m. and thereby providing their employees and employers too with the opportunity of enjoying an extra half hour of daylight leisure. During the war period this was in vogue. Owing to the present lack of transport arrangements, this will be of great advantage to shop assistants, particularly in the metropolitan area, and will give them a decent opportunity to get home in time for tea. I think all will agree that the 5.30 closing in the metropolitan area during the war was a great success; that is conceded by both employers and employees. As I have explained, a similar feeling prevails in country districts.

The amendment goes on to state that the Minister may, by notice in the "Government Gazette," and for the purpose only of permitting the delivery of goods ordered before closing time, extend the closing time within any district or part thereof—other than the metropolitan shop district—by a half hour on one specified day in each week, and may limit this extension to any class or classes of shops as he may think fit. This proviso has been included to give people in towns, where stock sales are held regularly, an extra half-hour in which to collect their shopping orders. The request which actuated the proviso came from Katanning, where markets are held on Fridays and where people might be handicapped in obtaining their shopping orders should the markets be at all delayed. At this stage I might point out that the Act provides that anyone who is in a shop when it closes is allowed to remain there up to another half-hour in order to complete purchases.

The second amendment renders it necessary for registered small shops to observe their weekly half holiday on Saturdays. At present they are permitted to close either on Saturday afternoons or on the afternoon on which the other shopkeepers of the district observe the half holiday. The small shops are businesses in which only one assistant is employed, and include those of which

the proprietress is a widow, is old or physically disabled, or is suffering great hardship. The shop is required to be registered under the Act, as is the shopkeeper and the assistant who must be a relative of the shopkeeper. Small shops are permitted to remain open until 8 p.m. on week days and 1 p.m. on Saturdays.

One beneficial aspect of the Saturday half holiday is that employers and employees will have the benefit of one and a half days of leisure without any break. This should be of far greater value to their health than having half a day off through the week and one day at the close of the week. The position in the country in regard to shops that have voluntarily adopted the Saturday afternoon closing has been giving great satisfaction. There are some persons who will always oppose anything of this kind, but I feel that the majority of people, as well as the majority of shopkeepers, would not think of going back to the old method of the midweek half holiday. In the circumstances, I hope the House will give the measure favourable consideration. I move—

That the Bill be now read a second time.

On motion by Hon. J. A. Dimmitt, debate adjourned.

BILL—ROAD DISTRICTS ACT, 1919-42, AMENDMENT.

Second Reading.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.7] in moving the second reading said: This is a short Bill which aims to permit of road boards providing certain amenities out of their ordinary revenues. The section of the Act that it proposes to amend reads as follows:—

> The board may from time to time appropriate out of its ordinary revenue such sums as it may think proper for maintaining or improving agricultural halls, libraries or reading rooms vested in or under the control of the board or for acquiring or building agricultural halls, libraries or reading rooms or for acquiring sites for such buildings.

This Bill merely asks that road boards may have permission also to expend such moneys upon infant health centres, civic centres, and kindergarten schools or playgrounds. It is not that these local authorities shall do that, but that if it is so desired they may be permitted to expend some of their revenues for these purposes. I think members will agree that the Act should be amended to that extent. I move—

That the Bill be now read a second time.

On motion by Hon. A. Thomson, debate adjourned.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.13] in moving the second reading said: This Bill contains two amendments to the Friendly Societies Act, 1894-1939, one to Section 7 of the Act and the other to Section 2. The first amendment is the result of a deputation from the Friendly Societies' Council which urged that the maximum of funeral insurance benefit be increased from £300 to £500. The late Mr. S. Bennett, when Registrar of Friendly Societies, intimated that he could see no objection to the increase, which the deputation stated would enhance the attractiveness of friendly societies to new members for whom incentive to join a society was being reduced by virtue of the Commonwealth Government's social service programme. The present Registrar General also endorses this proposal. I understand, further, that the consulting Government Actuary, Mr. Gawler, who is the Victorian Government Actuary, is in accord with it.

The second amendment has been included in the Bill as the result of a dispute with a leading friendly society regarding the procedure to be applied in calculating the amount of interest to be retained in the society's benefit fund. The Act provides for the payment of death and sickness benefits which are financed from contributions by members and interest accruing from the investment of such moneys. For the purposes of the Act it is necessary that interest up to and including 4½ per cent. earned by any benefit fund be retained in that fund. The aggregation to the fund of this interest, plus the contribution of members, makes possible the payment of the benefits. Any interest in excess of 4½ per cent. may be diverted to other purposes, such as management expenses, etc.

The main reason for these provisions is to protect members and to ensure that sufficient funds will be available to provide the

benefits laid down in the rules of the various societies, the relevant provisions being set out in Section 12 of the Act and Regulation 70, the latter being intended to implement the provisions of the section. For many years there has been no difficulty in regard to compliance with the provisions of this section, which sets out in Subsection (4) the following:—

"Societies and branches which have been reported to possess a surplus at the last valuation made under this Act, and whose scales of contributions for new members have been certified to as adequate by—

(a) the Registrar; or

(b) any public valuer under this Act; or

(c) any actuary approved by the Registrar,

may apply all interest over and above four and a half per centum per annum accruing from capital funds invested to such purposes as may be approved by the society or branch, as the case may be, and the Registrar. When any funds are invested in Government securities of the State of Western Australia, or in debentures or other securities of the corporation of any municipality in Western Australia, and the interest accruing from such investment is less than four and a half, but not less than four per centum per annum, then for the purposes of this paragraph the investment shall be deemed to be and treated as producing interest at four and a half per centum per annum."

Regulation 70 goes on to say that the interest at 4½ per cent. per annum referred to shall be calculated on the total amount of any particular fund at the beginning of the year. This regulation, with the section, has been interpreted by the Deputy Registrar of Friendly Societies to mean that the 4½ per cent. interest shall be calculated on the balance of the fund at the beginning of the year, such investment to include moneys in the Savings Bank, funds derived thereby to be applied to the benefit fund, any surplus to be used for other purposes, including management.

Recently, however, a prominent friendly society refused to comply with the requirements, and joined issue with the Deputy Registrar on the interpretation by stating that investment does not cover moneys in the Savings Bank and by challenging the legality of Regulation 70 which, it alleges, is inconsistent with the provisions of the Act. In 1945 the society calculated the 4½ per cent. to be applied to the benefit fund on its investments excluding moneys in the Savings Bank and, as result, the benefit fund is deficient by an amount of approximately £900.

The action of the society is supported by its legal adviser and, on the matter being referred to the Crown Law Department, some doubt arose as to the success of a prosecution if one were launched and also as to the legality of Regulation 70. The Solicitor General therefore recommends that the provisions of the regulation be inserted in the Act so that there will be no further doubt. Such insertion would mean that it would be mandatory for the 4½ per cent. interest to be calculated on the opening balance of the benefit funds, including bank deposits, at the beginning of the year. That is an explanation of the proposed amendment. We wish to ensure that these benefit funds shall be solvent, and it is therefore in the interests of members of friendly societies that there should be no mistake as to what is meant. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 5.20 p.m.

Legislative Assembly.

Thursday, 12th September, 1946.

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