develop a coal mine within 30 miles of Geraldton. In the boring operations I believe a strata of coal was touched, but there is necessity for further development. If coal were obtained within 30 miles of Geraldton, there would be no necessity to cart it from Collie and other places. I suppose it is only a matter of time when some company will be formed to develop the mines up there. I understand that the bore at the mine to which I refer went through indications of coal and also of opals. I believe opals can be obtained in that district. Not many, but a few have been secured. I assure Mr. Holmes and Mr. Drew that if any proposition is brought forward with regard to mining development up there, I will do my best to support it. I am rather pleased that we are progressing so well at the beginning of the session. Last session we were rushed in the closing days. The Legislative Council has been blamed for this, that and the other, and accused of not doing this, that and the other, and we have been warned of what will happen to us if we do not alter our ways. However, we are all old enough to look after ourselves now, and we are not likely to worry about that. We are prepared to assist the Government in any acceptable proposition for the advancement and progress of the State. I support the motion.

On motion by Hon. H. Tuckey, debate adjourned.

House adjourned at 6.4 p.m.

Legislative Assembly.

Thursday, 26th August, 1937.

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

QUESTION—DAIRYING STATISTICS.

Mr. WATTS asked the Minister for Agriculture: 1, Are statistics available—(a) of the quantity of choice first-grade and second-grade cream respectively purchased by butter factories during the last two years; (b) of the quantities of choice and other grades of butter produced by such factories? 2, If available, what are the figures? 3, Can they be given for individual factories?

The MINISTER FOR LANDS (for the Minister for Agriculture) replied: 1, (a) Yes. (b) No statistics are available as to the quantity of choice butter, as this is included in the first grade. (See reply to question 2.) 2, Total butter manufactured 1935-36 and 1936-37:—Year ended 30th June, 1936: Total 10,770,699 lbs.; 10,339,570 lbs. choice and first-grade butter; 431,129 lbs. second-grade butter. Year ended 30th June, 1937: Total 10,908,502 lbs. butter manufactured; 10,562,232 lbs. choice and first-grade butter; 346,270 lbs. second-grade butter. Total cream received 1935-36 and 1936-37:—Year ended 30th June, 1936: Total 8,730,416 lbs.; 4,969,622 lbs. choice cream; 3,517,809, lbs. first-grade; 242,985 lbs. second-grade. Year ended 30th June, 1937: Total 8,921,315 lbs.; 5,036,719 lbs. choice cream; 3,678,587 lbs. first-grade; 206,009 lbs. second-grade. 3, No.

QUESTION—WORKERS' HOMES.

Mr. McLARTY asked the Premier: 1, What was the number of applicants for workers' homes for the last financial year?

2, What number of homes was built during the same period? 3, What is the number of applications pending at the present time?

The MINISTER FOR LANDS (for the Premier) replied: 1, 240. 2, 137. 3, 236.

QUESTIONS (2)—LANDS.

Repurchased Estates.

Mr. BROCKMAN asked the Minister for Lands: 1, How many soldier settlers are now on repurchased estates? 2, What revaluations of repurchased estates have been made in the past five years, and when were they made?

The MINISTER FOR LANDS replied: This question will necessitate the preparation of a return for which the hon. member must move.

Group Settlements.

Mr. BROCKMAN asked the Minister for Lands: 1, How many group settlements in the Sussex electorate are still vacant? 2, How many have been settled by new settlers? 3, Is it the policy of the Government to link up holdings? 4, If so, how many have been linked up with other holdings?

The MINISTER FOR LANDS replied: 1, 323 group holdings at 31st July, 1937. 2, 155 new settlers. 3, Linking is in the discretion of the Commissioners of the Agricultural Bank, who examine the necessities and decide on the merits of each proposal. 4, Seven holdings increased by linking additional land.

QUESTION—RAILWAYS.

Truck Capacity and Locomotives.

Mr. STYANTS asked the Minister for Railways: 1, What is the average carrying capacity of all goods vehicles (excluding brake-vans) in use on the Western Australian Government Railways? 2, What is the average weight of locomotives in use? 3, What is the average tractive force of all locomotives in use? 4, What is the horse power (not tractive force) and weight respectively of the steam coach now in use on suburban lines?

The MINISTER FOR RAILWAYS replied: 1, 11.03 tons. 2, 68 tons 8 cwt. 3, 18,374 lbs. 4, 100 horse power, 36 tons 19 cwt.

QUESTION—EAST PERTH POWER HOUSE.

Mr. NORTH asked the Minister for Railways: 1, Will the new plant at the East Perth Power House reduce the cost of generating current? 2, Will he, when the plant is in operation, reduce the cost of lighting in and around Cottesloe from 5d. a unit to a rate more in conformity with that charged by other districts that purchase their current in bulk?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, This will be considered when the combined costs of operating the new and existing stations are known.

QUESTION—COAL MINES ACCIDENT RELIEF FUND.

Mr. WILSON asked the Minister for Mines: Will he consider the advisability of subsidising at an early date the Coal Mines Accident Relief Fund under the provisions at present operating in the Mine Workers' Relief Fund?

The MINISTER FOR MINES replied: Yes, consideration will be given to this matter.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

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

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR EMPLOYMENT (Hon. A. R. G. Hawke—Northam) [4.36] in moving the second reading said: It is now 12 years since the Workers' Compensation Act received any substantial amendment. Although none of the amendments contained in the present Bill proposes any radical alteration, each amendment is considered to be essential in the interests of injured workers and their dependants. In 1934 Parliament amended the Act by providing that miners prohibited under regulations made under the Mines Regulation Act, 1906, from being employed in or about a mine should not be entitled to claim workers' compensation under the Third Schedule of the

Act. At the time it was considered that the position of such miners was fully met by the amendment, but we have since found that miners employed under the authority of a special certificate issued under the provisions of the second proviso to Regulation 7, Clause 4, of the regulations made under the Mines Regulation Act, 1906, are not covered by that amendment. A clause in this Bill will cover that type of miner in the same way as certain other miners were covered by the amendment passed by Parliament in 1934. The type of miner covered by the 1934 amendment, and also the type covered by the present Bill, is generally suffering from early silicosis or some other industrial disease. Silicosis is a progressive disease and a considerable number of miners diagnosed as suffering from early silicosis progress to a condition of advanced silicosis or develop tuberculosis, even if they are removed from the mines. Therefore it is not considered reasonable that miners of this description should be covered by the Third Schedule when they are employed on or about mines because of holding a class of certificate to which I have referred. When a miner obtains one of the certificates, he is allowed to obtain work on the surface of a mine; otherwise he would be entirely excluded from employment in the mining industry. Although this type of miner will not be entitled to compensation under the Third Schedule of the Act, he will continue to be completely protected under the First and Second Schedules. At present the Act allows employers to pay premiums upon the basis of the aggregate amount of wages paid during a specified period by the employers concerned. We consider that the insurance companies should have the right to ask for a statutory declaration in support of the statement setting out the aggregate amount of wages paid during any such period. This provision will apply only where the amount of premium is based on the aggregate amount of wages paid in a specified period. The right of insurance companies to ask for a statutory declaration for the purpose I have mentioned will be a discretionary right that the companies may or may not use. Section 11 of the Act deals with the liability of principals, contractors and sub-contractors. That section provides that the principal and the contractor shall be jointly and severally liable to pay any compensation that any worker employed is entitled to receive. To that general rule there are only two exceptions, which are contained in the two provisos to the section. One of them sets out that the principal shall not be liable where the contract relates to threshing, ploughing, or other agricultural or pastoral work in connection with which the contractor uses machinery driven by mechanical power to carry out the work. The other sets out that the principal shall not be liable where the contract relates to clearing, fencing or other agricultural or pastoral work. As a result of the operation of these provisos, a considerable number of workers have suffered injury, and neither they nor their dependants have been able to receive any compensation. The contractor or the sub-contractor concerned in each such instance has not had the man insured and has not had sufficient means to make it advisable for the injured worker to seek compensation by setting in motion the processes of the law. We consider that the type of worker who follows the class of work mentioned in the provisos is entitled to more adequate protection than he has received in the past, or is likely to receive while the provisos remain part of the section. The Bill, therefore, provides that the two provisos under discussion shall be deleted. The result will be that principals having the classes of work mentioned carried out by contract will have the responsibility upon their shoulders of ensuring that the workers employed are insured against accident. Such principals will thus be placed on the same footing as principals in every other undertaking. Paragraph (c) of the proviso to Clause 1 of the First Schedule sets out that an amount not exceeding £100 is to be available to meet the cost of medical and hospital expenses and surgical attendance and requisites. The provision of artificial limbs is already covered in that paragraph. The Bill proposes to make artificial teeth, artificial eyes, and spectacles available where an injury to a worker causes such damage as to necessitate the provision of artificial teeth, artificial eyes or spectacles. The maximum amount of £100 already provided in the Act is not to be increased. At present an employer has the power to call upon an injured worker to submit himself for medical examination. Unless the worker concerned does submit himself to the examination nominated by the employer, his right to compensation is suspended until the examination takes place. If the worker concerned does not submit himself for the examination within one

month after being called upon, his right to compensation completely ceases. In quite a number of instances the injured worker is called upon to travel a considerable distance to submit himself for examination by the medical practitioner nominated by the employer. The worker thus incurs travelling expenses, together with the cost of board and lodging. It is considered that an injured worker should not be called upon to shoulder those expenses, in view of the fact that he is compelled to carry out the employer's wishes in the matter. Therefore the Bill further provides that such workers shall receive reasonable travelling expenses and the actual cost of meals and lodging. The Bill also provides that 30s. per week is to be the maximum amount paid for meals and lodging while the worker is away from his home for the purpose of the medical examination that I have mentioned. I may state here that generally the insurance companies follow out a practice somewhat similar to that which I have just described. Nevertheless there is no provision in the Act that gives the injured worker the right to claim travelling expenses and reasonable board and lodging allowance when called upon to travel for the purpose of being examined in the manner I have mentioned. Because there is nothing in the Act giving the injured worker that right, this provision has been inserted in the Bill in order that every insurance company shall be brought into line and in order, too, that every injured worker will in future have the right to claim that which it is considered he is justly entitled to receive. It is fairly well known that workers or their dependants receiving lump sum payments under the First and Second Schedules of the Act, frequently lose most of the money because of the dishonest practices engaged in by certain types of salesmen. Details of numerous cases could be given to prove that such salesmen deliberately and dishonestly fleece injured workers or their dependants of the money that has been received as the result of a lump-sum settlement. I have no doubt that practically every hon. member of this House has heard of at least one such case. It is felt that additional protection should be provided for the purpose of preventing this practice from being extended or even continued. Therefore the Bill provides that lump-sum settlements of over £50 made under either the First or the Second Schedule shall be paid into the local court nearest to the place where the worker resides. The amounts thus paid into court are to be invested, applied, or otherwise dealt with by the magistrate presiding over such court in such manner as he, in his discretion, thinks wise in the interests of the worker or dependants as the case may be. The Bill further provides that the magistrate may call upon the Registrar of Friendly Societies or any officer of the court to investigate any application made by a worker or a worker's dependants for a portion or the whole of any lump sum paid into court. The applicant for any sum is also called upon to support the application by setting out the purpose for which the money is required. The present Act, of course, contains some of these proposed provisions, but they apply only to payments made to the dependants of a deceased worker; that is, a worker who has suffered a fatal injury. It is considered that the new proposals will go a long way in the direction of safeguarding injured workers and their dependants against exploitation of a very vicious type. By doing that, the proposals will safeguard the best interests of the injured worker and his family. The only individual likely to lose as the result of the operation of these proposals will be that type of individual who has been fleecing, if not defrauding, quite a number of injured workers and their dependants during recent years. Paragraph (a) of Clause 14 of the First Schedule deals with the question of medical referees. At present there is no limit to the time in which the party desiring the reference of a matter to a medical referee shall make the necessary application. As a result, a considerable amount of delay frequently takes place. Some of the delay may be due to carelessness. It is felt, however, that much of it is due to a desire to delay the finalisation of claims. In order to meet that difficulty, the Bill provides that the party desiring the reference of a matter to a medical referee shall make the application within one month after the date on which he receives a copy of the medical report furnished to him by the other party in the matter. An important amendment is proposed regarding the amount of compensation to be paid where death results from injury. The Act now provides that an amount of between £400 and £600 is to be paid if the worker leaves any dependants wholly dependent upon his earnings. If the earnings of the worker during the three years

immediately preceding the injury amount to £400, then £400 is the amount of compensation payable to the dependants. If such earnings amount to £500, that figure is the amount of compensation payable to the dependants. If they amount to £600, then again, of course, that is the amount of compensation payable to the dependants. If a deceased worker who dies as the result of injury suffered in industry has been employed for less than three years by the one employer immediately preceding his death, the amount of his earnings during the three years immediately preceding his death is deemed to be 156 times his average weekly earnings during the period of his actual employment with the last employer. In those circumstances the dependants of a worker who received approximately £2 10s. per week with the last employer would be entitled to £400. If he received £3 5s. per week, they would be entitled to £500. If he received £3 15s. per week, the dependants would be entitled to £600. Members of the Government feel that the processes adopted in the working out of the amount of compensation payable to total dependants following the death of a worker are processes which are more complicated than they should be, and processes which are not very satisfactory and certainly not very just. It is therefore considered that £600 is little enough as compensation to dependants whose breadwinner has lost his life through accident. The Bill accordingly proposes that £600 shall be the amount of compensation to be paid to persons wholly dependent upon a worker who has lost his life through injury. Two amendments are proposed in the Third Schedule to the Act. The first of these deals with a disease commonly known as yolk boils. The medical term is furunculosis dermatitis. The amendment provides that compensation in connection with this disease shall be payable only to workers employed in the shearing industry. Medical investigation has shown that shearers frequently contract this disease. It has also been shown that shearers are particularly susceptible to the disease, or to its contraction, because of the friction which their legs suffer while engaged in the work of shearing sheep. This friction sets up a condition favourable to the entry of the germ into the body. The disease then soon develops. As a result, the affected worker is unable to continue at his occupation. He loses a considerable amount of work and wages, and at present, as is known, does not receive compensation. There should be no need to stress the fact that shearers have only a short period of time in which to earn wages at their particular class of employment. If they lose work through injury or disease of the type mentioned, they are not able to make good the loss they have suffered. The proposed amendment is considered to be entirely justified in the circumstances to which it will apply. The other amendment to the Third Schedule covers the process of screening stone or metal. At present the Third Schedule covers mining, quarrying, stone-crushing and stone-cutting. It is considered that the screening of stone is even more dangerous, from a health point of view, than the process of either stone-crushing or stone quarrying. In fact, the screening of stone is covered by the Third Schedule if the screening process is carried on at a quarry, and is part of the quarrying operations. If the process is carried on away from a quarry, it is not covered by the Third Schedule. In certain parts of the State the process of stone and metal screening is carried on away from quarries, and therefore the men employed on the work of screening stone or metal are not covered. The position in this respect appears to be unfair and altogether unsatisfactory. The Bill, by making an amendment to the Third Schedule, provides that men employed in the work of screening stone or metal shall be covered by the Third Schedule to the Act. It is my belief, and the belief of members of the Government, that the amendments contained in this amending measure deserve to be approved by both Houses of Parliament. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

BILL—MAIN ROADS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [5.0] in moving the second reading said: The question was asked why it should be necessary for two Bills to be introduced to amend the Main Roads Act. The explanation is that this Bill seeks to amend the Consolidated Main Roads Act of 1930, and the one which I previously introduced amends the Main Roads Act Amendment Act of 1932, which is not a permanent measure.

The latter had a currency of ten years only. It will now have a currency of the same period as that covered by the Federal Aid Roads (New Agreement Authorisation) Act. This is a very simple measure, and seeks to amend Section 30 of the Main Roads Act. Paragraph (d) of the existing Act provides for the reception into the Main Roads Trust Account of moneys received by the Government under the provisions of the Federal Aid Roads Act, 1926. The agreement embodied in the Federal Aid Roads Act, 1926, having run its currency, and having been replaced or being about to be replaced by the Federal Aid Roads (New Agreement Authorisation) Act Amendment Act of 1937, it is necessary that provision should be made for the reception into the Trust Account of moneys received under that Act. This is what the Bill before the House seeks to achieve. It should be noted that Section 30, paragraph (d) of the existing Act would be sufficient to cover the reception of moneys received under the Federal Aid Roads (New Agreement Authorisation) Act, 1937, by virtue of the words, "and also all other moneys which may be received by the State Government from the Commonwealth for the purpose of construction, re-construction or maintenance of roads," were it not for the fact that the moneys, or part of them, namely, the extra half-penny, may be applied to purposes other than "construction, reconstruction or maintenance of roads." This extra half-penny may, in fact, be applied to works connected with transport. Hence the necessity for the amending Bill. The 1932 amendment, which had a currency of ten years, ends with the period fixed by the Federal Aid Roads Agreement.

Hon. C. G. Latham: Was it not 1928?

The MINISTER FOR WORKS: No, 1932. That Act, which I have already dealt with, is not a permanent measure. It has a currency equal only to that of the Federal Aid Roads Agreement. The Act to which I now refer is the permanent statute, the consolidated Act.

Hon. W. D. Johnson: The other Bill was an amending Bill also, was it not?

The MINISTER FOR WORKS: Yes, but this one seeks to amend a permanent Act, while the amendment of the other Act will be in force for only a limited period. This amendment is designed to be permanent. As I stated, it amends the 1930 Consolidated Act, and deals with the section referring to money authorised to be paid to the Main Roads Trust Account. Therefore, although it is a very brief measure, it is a necessary one. If this Bill is passed we will have authorisation to bring into the Trust Account moneys derived from that additional half-penny.

Hon. C. G. Latham: It is not so much the putting in of the money into the account, but the taking of the money out for other purposes that you are worried about.

The MINISTER FOR WORKS: We must have authority to collect, and unless this amendment goes through, we cannot do so. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Second Reading.

THE MINISTER FOR LANDS (Hon. M. F. Troy—Mt. Magnet) [5.8] in moving the second reading said: This is a Bill to continue the operations of the Mortgagees' Rights Restriction Act to the 31st December, 1938. The original Act was passed in 1931, and since that time has been continued from year to year, the last continuance being to the end of this current year. It is now sought to renew the Act for another year. Most members, I think, understand the principles of the Bill, but for the information of those who may have forgotten, I will briefly repeat them. The parent Act provides that no mortgagee is entitled to exercise his rights under the mortgage without first applying to the Supreme Court for leave to do so. This means that he is precluded from suing for his principal or interest, from entering into possession of the land, from distraining for arrears of interest, from exercising his power of sale and from foreclosing the mortgagor's equity of redemption. He is also prevented from appointing a receiver of the rents and the profits of the land unless he gets the order of the court already referred to. The Act applies also to agreement for sale and purchase of land. By Section 4 of the Act, an agreement for sale is deemed to include a

lease of the land with an option of purchase. It is worth special mention that the Act contains particular provision in Section 10 that if the purchaser under an agreement for sale of land is in arrear for a period of 12 months, in respect of any payment of principal or interest due by him under the agreement, and has made during any period of six months no payment in respect of any portion of the amount due by him under the agreement, the vendor may serve on the purchaser a notice intimating that he proposes, after the expiry of one month from the service of the notice, to exercise his rights under the agreement. This then puts the obligation on the purchaser to approach the court and justify his position if he desires to get protection against the vendor. Another provision in the original Act precludes a judgment creditor who has obtained judgment from issuing process by way of execution against land for the recovery of the sum of £50 or more. These provisions, broadly speaking, set out the objects of the principal Act. It should be stated that the principal Act applies only to mortgages and agreements for sale which were entered into before the Act came into operation and to mortgages which although executed after the Act came into operation, are security for moneys secured by a mortgage which was current when the Act first commenced. Subject to what I have stated the Act does not apply to mortgages executed after the commencement of the Act. I consider that there is necessity still for the protection afforded by this measure. We have not yet got out of the difficulties which have faced us in Western Australia, particularly the men on the land and people in the city who have been affected by the bad conditions, and it is advisable that the House should continue the operation of this Act for another year. I move—

That the Bill be now read a second time.

HON. C. G. LATHAM (York) [5.12]: Naturally enough we are sorry that there is a need for the Bill but, as the Minister has stated, it is necessary that it should be continued. That is not peculiar to this State because other States in the Commonwealth have found it necessary to extend similar legislation. It is a form of moratorium for farmers and land-owners. In New South Wales a measure of this kind was re-introduced and the period fixed for its continuance was until 1940. The Minister has not told us how many applications have been made to the Commissioner during the year but that is not very significant inasmuch as the Act is a deterrent to the importunate mortgagees who desire, of course, to enforce their rights. While this legislation is in existence they know it is useless to harass a man unable to pay his debts. In the drafting of the original Bill sufficient safeguards were inserted to prevent quite a number of persons from behaving badly so far as mortgagees were concerned. Even now, however, we find that there are some people who are getting behind this legislation and obtaining protection to which really they are not entitled. We cannot, however, legislate for one or two but must pass legislation for the many. It is regrettable that there is a necessity for continuing this measure but I agree with the Minister that it will have to be continued, and probably for some time. It has occurred to me that it is desirable that some legislation similar to this should be placed on the statute book permanently. I do not mean legislation in the same form as this particular measure, but legislation whereby a mortgagor may make application to prevent a mortgagee from foreclosing if he is not justified in so doing. I hope that legislation of this nature will be placed on the statute book because there are people in this State who desire to make the most out of a man's misfortunes. With the knowledge we have concerning this legislation, I hope we shall be able to put some permanent legislation into operation to prevent the exploitation of men who have had to borrow money and have found, that on account of difficult conditions they have experienced, they have to go to the Commissioner for protection. I am satisfied that this legisaltion, which because it was a new form of legislation was condemned by many when first introduced, has served a very useful purpose. So I will support the second reading, although I regret the necessity for the Bill.

On motion by Mr. McDonald, debate adjourned.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. M. F. Troy—Mt. Magnet) [5.16] in moving the second reading said: This Bill is to

renew what remains of the Financial Emergency Act, which was originally passed in 1931 and was re-enacted in 1934. Originally this Act, which was passed in pursuance of the Premier's Plan, provided for a general reduction of governmental expenditure. Most members will be aware that it reduced the salaries of Government officers, superannuation and retiring allowances, Government grants and mortgagors' interest. In 1935 those parts of the Act which dealt with the reduction of salaries of Government officers, the reduction of superannuation and retiring allowances and Government grants were repealed by Act No. 19 of 1935, and the only remaining operative portion of the principal Act which was left and which is still in force is that portion dealing with the reduction of mortgagors' interest. The Act, No. 19 of 1935, continued the provisions relating to the reduction of mortgagors' interest until the end of the current year. It is now proposed to continue the same provisions relating to the reduction of mortgagors' interest until the end of 1938, and that is the purpose of this Bill. The part of the principal Act dealing with the reduction of mortgagors' interest is Part V. Shortly stated, that part provides that in regard to every mortgage executed prior to the 31st December, 1933, there shall be a reduction of interest payable under every such mortgage by 22½ per centum of the rate provided in the mortgage or to five per centum per annum, whichever is the greater rate. Under the Act every mortgagee has the right to go before a commissioner appointed under the Act and make application that the mortgagor should pay the rate provided in the mortgage in lieu of the reduced rate under the Act. In every such application the commissioner is empowered to declare what is a just and reasonable rate to be paid, having regard to the circumstances of the mortgagor and to the economic and financial conditions prevailing in the State. As I said on the previous Bill, it is thought that the time has not yet arrived for the lifting of this legislation, and therefore this Bill is brought forward to renew for another year what remains of the principal Act. I move—

That the Bill be now read a second time.

HON. C. G. LATHAM (York) [5.18]: Of the financial emergency measures this, of course, applied to private mortgages. I suppose in a year or two, anyhow, they will run out automatically, but the Financial Emergency Act provisions will continue in operation until this measure is repealed or is not re-enacted. But even to-day there is just as much a necessity for reducing the interest rate on private mortgages as there was a few years ago, for prior to 1931 interest was up to 8 per cent. and mortgages were fixed at that high rate. We asked everybody to make sacrifices and they all did so, but I admit that some of them are no longer required to make those sacrifices. However, I hope the House will agree to the passing of this legislation, for I am well aware that there is still necessity for it. I will support the second reading.

On motion by Mr. Welsh, debate adjourned.

BILL—LAND ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. M. F. Troy—Mt. Magnet) [5.20] in moving the second reading said: This Bill is brought forward for two purposes; the first is to enable the Governor, on the recommendation of the Minister, to grant cultivable land in excess of the present maximum of 1,000 acres up to 2,000 acres in special localities or to meet special cases. The second purpose of the Bill is to extend the provisions of the amending Act of 1936, giving power to the Minister, on the recommendation of the Pastoral Appraisement Board, to grant relief from rent payments to pastoral lessees suffering from drought. The extension proposed is for a further year to the 31st December, 1938. As to the power to exceed 1,000 acres of cultivable land, the existing law allows one person to hold only up to that area. This limitation was introduced by the Land Act of 1933. Prior to that date one person could hold up to 2,000 acres of cultivable land, and a husband and wife together could hold up to 3,000 acres, though from 1922 under Executive Council authority it was not the practice to grant to one person more than 1,000 acres of cultivable land without the special approval of the Minister. The Agricultural Bank desires to bring into force schemes of larger holdings in certain outlying districts such as Goomarin, Warralakin, Campion and Lake Brown where it is considered that the existing farms are too small. This cannot be

done without an amendment of the Act. It is therefore proposed to give power to the Governor, on the recommendation of the Minister, to grant cultivable land in special cases and special areas in excess of 1,000 acres with a maximum of 2,000 acres of cultivable land or its equivalent based on five acres of grazing land to two acres of cultivable land. This brings the power in regard to ordinary conditional purchase land into line with that already provided for repurchased estates under Section 127, Subsection 3, of the existing Land Act. The amendment is necessary also to overcome another difficulty. Certain leases over which the Agricultural Bank holds mortgages have been cancelled for the purpose of making the land again available for selection, subject to the selector signing a mortgage to the bank. Many of these taken up under the old Act contain more than 1,000 acres of cultivable land. Under the existing law one person cannot take them up, and the bank does not consider it advisable to divide its security into two. The proposed amendment will overcome the difficulty at present experienced by the bank in disposing of these properties. The second purpose of the Bill is for the continuance of the operations of last year's amendment in respect of granting to pastoralists suffering from drought, relief from payment of rent for 1½ years ending on the 31st December next. This season, although there has been partial relief from drought, has not been satisfactory, and it was therefore found necessary to seek power to extend the provisions for granting relief from rent to pastoral leases for a further year, to the 31st December, 1938. Applications for relief dealt with have been only for the half year ended the 31st December, 1936, and have been based on the position of the lessees up to the shearing of 1936. It is known, however, that very heavy losses have been incurred by pastoralists since that date. There has been some criticism in this House and in another place regarding the administration of that amending measure. That criticism is in no sense justified, although it may appear to be justified on such knowledge as members possess; but it is not justified in the opinion of those who know the whole of the circumstances, and that of course is the only information on which a judgment can be made.

Mr. Patrick: I think the criticism was on your own side of the House.

The MINISTER FOR LANDS: No, it was from members of another place. Those members are indulging in a good deal of criticism. I am sorry I am not a member of that House.

Hon. C. G. Latham: We are also.

The MINISTER FOR LANDS: I would not mind being there. Most uninformed criticism is accepted in that Chamber, some of it boisterous criticism. It is most irresponsible and positively uninformed. I suppose I had better leave it at that.

Hon. C. G. Latham: I think so, if you want to get this Bill through.

The MINISTER FOR LANDS: It was alleged that outside officers had issued regulations and that demands were insisted upon in opposition to the will of the House. The facts in this case are that the outside officers simply did their duty as instructed by Parliament. They issued no regulations. They simply carried out the Act. I am in a position to make that statement, since I saw every one of the recommendations and went through each of them. Those officers did the work very well. Of course there may be room for some criticism.

Hon. C. G. Latham: If there is not room some people will make it.

The MINISTER FOR LANDS: I saw every one of the recommendations and I approved of it. No recommendation was made which was not approved of by me. The Act passed last year put the responsibility on the Pastoral Appraisement Board to make recommendations; it did not say that the Minister was to do it. The Bill distinctly provides that no relief shall be granted except on the recommendation of the Board of Pastoral Appraisers. This board was therefore simply carrying out the duties laid upon it by the Legislature in recommending to the Minister. As I have said, in each case the Minister personally considered the recommendations of the board. The Pastoral Appraisement Board was not directed to give the full remission of rents where it was not thought necessary, because the Act provided that the relief might be total or partial, and might take the form of extended terms for the payment of the rent due under the lease. The officers concerned administered the Act as instructed by Parliament. They certainly issued no other instructions and did not issue any regulations. The board comprises three gentlemen, of whom one is a representative of the Pastoralists' Association, Mr. D'Arcy. Not on

one occasion have I received a protest from any member of Parliament concerning the administration of the board.

Hon. C. G. Latham: The pastoralists have a representative upon it.

The MINISTER FOR LANDS: Yes. Neither have I received any complaint from the Pastoralists' Association.

Mr. Patrick: They are the people interested.

The MINISTER FOR LANDS: I did give two rulings. It came under my notice when I looked up the recommendations of the board and saw that on one or two occasions it had refused to recommend a remission of rent on the ground that the owner of the lease had made no application. The application, however, was made by another person who was buying the lease on a purchase agreement, though the transfer had not taken place. Happily I knew the facts in one or two instances. I told the board it was not fair, that the transfer had not actually taken place, but those persons had paid so much down as a deposit and were buying the lease. They were operating the property, and the former lessee had no interest in the working of it; therefore it was not fair to prevent the buyers from getting the remission. The board pointed out that under the Act it could deal only with the owner. I ruled on that, and the board carried out my ruling. In another instance the board refused to remit the rents in the case of lessees who for years had paid no rent at all. They said they did not feel called upon to give a remission to a man who had not paid rent. I asked what were the circumstances. It was admitted that the man had had a difficult time for years. He was a returned soldier settled on a repatriation property, but had not been able to get ahead. I said, "If this man has not in the past been in a position to pay rent—he had not been in such a position— a remission should not be refused." No man should be penalised by being refused a remission of rent if in the past he has not been able to pay rent. Accordingly I gave these instructions. I have heard it said that some persons have had remissions and should never have had them. That also occurred to me when I saw some of the applications and remissions that had been granted. It is possible that some of these people have other interests, and have dissociated their land interests from their other interests, but I have no proof of that and the board has no proof. I gave instructions that that matter was to be inquired into, that no applicant was to be allowed to dissociate his other interests from his land interests to secure remissions of rent, but for the time being I approved of the recommendation. They are the only matters which came under my notice, and in those matters I gave directions and the board carried them out. I do not think any member will take exception to what I did. There is some confusion in the minds of members. The applications so far dealt with are in respect to the half-year ended the 31st December last. The board has not yet considered applications for the year 1937. Quite a number of persons who were not entitled to remissions for the half-year ended December last will be entitled to partial or full remissions for the year ended December, 1937, which has not yet been dealt with.

Mr. Marshall: There is another vital point. The basic principle of the Bill is the remission as based on losses of stock.

The MINISTER FOR LANDS: I will go into that. The remission is based on the loss of stock, and remissions were given by Parliament only to persons who had suffered through drought conditions.

Mr. Marshall: That is the basic principle.

The MINISTER FOR LANDS: The Bill would not have been brought down for any other purpose. There have been cases where persons have made applications for remissions and have never had any stock.. Such persons are not entitled to remissions. They have to prove that they are entitled to them. I hope members will accept my explanation. I know the circumstances very well, inasmuch as every recommendation of the board has been personally scrutinised by me. The amending Act of 1936 provided for relief from the payment of rent for the half year ended the 31st December, 1936, and the full year ending on the 31st December, 1937. Although there has been a partial relief from dought conditions, this season has not been satisfactory. It is, therefore, necessary to seek power to extend the provisions of the Act for the granting of relief for pastoral lessees for a further year ending on the 31st December, 1938. If the position has not improved then, Parliament can again take the facts into consideration. Applications for relief have been based on the position of the lessees up to the shearing of 1936. It is well known that there have been heavy losses by pastoralists since that half year expired. The drought has been very widespread and has affected all districts. It is found in the lower pastoral areas of the

Gascoyne and Murchison and the Eastern Goldfields districts, where greater losses have been suffered than in the northern areas. According to the figures of the Government Statistician, the total number of sheep shorn in the pastoral areas in 1934 was 5,593,718, in 1935 the figure was 5,448,667, and in 1936 it was 3,558,295, or nearly a drop of 2,000,000 sheep in three years. The reduction in the wool clip has been even greater, due to the loss of yield per sheep. According to the Government Statistician, the wool shorn in the pastoral areas for the three years was as follows:—1934, a total weight of 46,270,653 lbs.; 1935, a total weight of 41,801,975 lbs., and in 1936 a total weight of 21,798,970 lbs. Compared with 1934, the 1936 wool clip represents a decline of 53 per cent., whilst the number of sheep declined in the same period by 36 per cent. Members ought not to forget these facts. During the last two or three years the State has lost 2,000,000 grown sheep, and the wool clip has declined by 53 per cent. That wealth has been lost to the country. It represents some millions of pounds to Western Australia. It is well that members opposite, who are apt to criticise the Government because they do not provide all the money necessary to cope with such situations, should bear these facts in mind. This country could not possibly have enjoyed the prosperity that Parliament expects of it if the farmers over a period of three years harvested but little in the way of crops and the Government had to carry them on, or if the pastoral industry, one of the greatest in the country, suffered a severe setback and the production in Western Australia was reduced in value by millions of pounds. If those millions do not come into the country, they cannot be spent here. Members should bear this in mind when criticising the Government concerning what it might have done in the last year or two. As one who has had experience, I think the Government have done remarkably well.

Hon. C. G. Latham: There is nothing like a pat on the back.

The MINISTER FOR LANDS: I would not mind if I had been invited to attend the Primary Producers' Conference. I could have told those assembled what the Government had done on their behalf during the last three years. This would have given the primary producers a new outlook. Perhaps they have never been given the facts. Possibly the only information they get is provided by the Whip in his weekly letter to their official organ; or whatever they learn from their journal may come from the editor of the "Primary Producer," Mr. Mercer, who must take the responsibility. All they know is what they are told by their representatives, at meeting after meeting. One factor which will seriously retard the building up of flocks is the lack of lambs during the drought. The number of lambs shorn in the pastoral areas in 1934 was 932,000, in 1935 it was 776,000, and in 1936 it was 109,000. Not only has there been a loss of 2,000,000 sheep, but the number of lambs has been reduced in three years from 932,000 to 109,000. Members should bear in mind what that means to Western Australia, the extent to which the prosperity of the State is affected in consequence, and what will be the effect of those losses for the next year or two.

Mr. Warner: If you would not stand for it, who would?

The MINISTER FOR LANDS: There is evidence of a falling off in the wool clip in the pastoral areas served by Government railways. This is indicated by figures supplied by the Railway Department. They show that, compared with 1934, the tonnage of wool carried on the Kalgoorlie-Laverton line declined by 39 per cent., and on the Mullewa-Wiluna section by 68 per cent.

Mr. Patrick: That is inevitable according to your previous figures.

The MINISTER FOR LANDS: I am speaking to a Scotchman who is very often thick-headed. I am glad to have the acknowledgment that the point has sunk in. Shearing operations for the present year have been completed in the Kimberley, Port Hedland and Roebourne districts, and are now proceeding in the Ashburton and Gascoyne areas. Shearing figures available show that there have been further losses since the 1936 shearing. Those losses will be considered by the appraisement board in respect of applications made for 1937. Taking 38 stations for which figures are available, the sheep shorn this year number 542,351 as compared with 730,167 last year. It will be seen, therefore, that, in addition to the years I have already mentioned, namely, 1934, 1935 and 1936, there is a still further decline for 1937. That reduction is one of 25.7 per cent., and the number of bales of wool were 9,225 this year as compared with 12,002 last year, a reduction of 23.1 per cent.

Those figures will convey to members some idea of the situation in the pastoral areas. With regard to the losses of sheep, the figures I propose to present now give some indication of the position on some stations. Those figures relate to several stations included in the 38 I have referred to, and are as follows:—

Sheep Shorn.			Wool Clip (bales).		
1935.	1936.	1937.	1935.	1936.	1937.
Roebourne-Port Hedland District.					
46,807	35,128	20,098	831	495	363
9,464	7,002	3,936	161	105	70
Ashburton District.					
37,296	24,839	12,747	839	400	223
Gascoyne District.					
49,893	33,675	14,738	1,119	643	306

It is quite possible that the station-owners may have already secured a partial rebate, but this year they may get even more than that, because all the evidence is in their favour.

Mr. Rodoreda: The results you have quoted are merely average examples. Some stations have dropped from 50,000 sheep to 5,000.

The MINISTER FOR LANDS: I do not know all the details, but the figures I have quoted are taken from the applications put in by the squatters themselves, and they have been supported by the brokers who sell their wool. I know that in the electorate of the hon. member there is one station that shore 35,000 sheep as a usual thing, but last year only 3,000 were shorn. I know of another station that for years shore 25,000 sheep, and only 2,000 were shorn last year. For the sake of the owner's credit I would not like to mention the losses on a smaller station in the Murchison. As to the southern pastoral districts, these have suffered more severely still from the drought, and the losses since the 1936 shearing are likely to be greater for the pastoral districts as a whole. Even taking the probable loss on the basis of 25 per cent., as shown for the stations for which returns have already been obtained, the sheep to be shorn in the pastoral areas during 1937 will number 2,668,721 as compared with 5,593,718 in 1934, or a reduction of over 50 per cent. So the pastoralists who have suffered so severely in 1937 will have their applications for remission or partial remission of rent agreed to when the appraisement board consider the applications for the year ending the 31st December, 1937. Applications for drought relief dealt with under the amending Act of 1936 have been for the half-year ended the 31st December, 1936. The applications for the year ending 31st December, 1937, will be dealt with at the end of this year. To date, 395 applications have been dealt with, and the total amount of rent remitted for the half-year has been £35,896. Members will agree that that is not bad for one half-year. Moreover, the department has not received one solitary complaint from any member of Parliament, or from the Pastoralists' Association. Of the 395 applications that have been dealt with, partial or complete relief from payment of rent was granted in 316 cases. I desire to give members some instances of the losses on stations in respect of which the station-owners' applications for relief have already been dealt with by the Pastoral Appraisement Board. In these instances, the pastoralists received a remission of 100 per cent. The figures, which will indicate just how the board has operated, are as follows:—

	Sheep.		Wool (bales).	
Station.	1934.	1936.	1934.	1936.
Boogardie ...	19,000	2,000	402	44
Glen	3,000	800	77	12
Kalli	8,000	2,000	240	46
Meeberrie ...	35,000	9,000	683	139
Jimba Jimba	21,000	7,000	482	147
Coodardy ...	16,000	2,500	350	49
Bidgemia ...	92,000	10,000	2,000	200
Wagga Wagga	25,000	7,000	589	140
Bullardoo ...	7,000	1,800	202	32
Edah ...	9,000	2,600	191	52

I hope that from these figures, which include those relating to two of the finest station properties in the State—I refer to Meeberrie and Bidgemia—will indicate to the House the necessity for continuing the amending Act approved last year. In fact, I am sure members will recognise the position. The figures I have quoted are based on those supplied to the department, and have been verified as far as possible. Members representing the northern constituencies know the position in the pastoral areas. Never previously in the history of the State have the pastoral areas been inflicted with drought conditions such as have obtained during the past seven years. Members will doubtless be surprised to know that on the Murchison the drought has lasted for that period. Not in the

memory of the oldest inhabitant has anything occurred to compare with the latest drought. In the circumstances, members will not only recognise the advisability of helping the pastoralists, but will gain some appreciation of the courage with which those men are facing their difficulties. I must express my greatest admiration for them. They suffer severe losses without squealing. They do not speak about their troubles. It is impossible not to compare the attitude of the pastoralists in face of such losses with that of others who confront difficulties in other parts of the State, and to appreciate the overwhelming propaganda indulged in on behalf of the latter section only. From the pastoralists we hear nothing. There are two classes of men in the State who excite my profound admiration, and they are the pastoralists and the prospectors, and they are never heard of.

Mr. Warner: We are with you there.

The MINISTER FOR LANDS: But for the courage of such people, this country would never have been developed. The other day a squatter wrote thanking me for the support I had given the pastoralists, and remarked, incidentally, that he had lost 20,000 sheep. He said, "I am not squealing, but, to tell you the truth, I am further behind now than when I started 50 years ago." Such people are entitled to what Parliament is asked to give them. I make no excuse for submitting this legislation. It is Parliament's duty to extend encouragement and assistance to a body of men who are building up the wealth of the State and have done so much for it. I again express my appreciation of the way in which the pastoralists are facing their difficulties. They do not squeal, and do not talk about their troubles, unless it be to say that they would like some rain. Immediately the rain falls, the pastoralists are hard at it again, and we know that in their minds is ever present the possibility of going through the same experience in ten years' time. I have much pleasure in presenting the Bill to the House, and I am sure it will have the hearty support of members. I move—

That the Bill be now read a second time.

On motion by Mr. Patrick, debate adjourned.

BILL—FAIR RENTS.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill-Ivanhoe) [6.0] in moving the second reading said: This measure is identical with that which was brought forward last session. I said on that occasion that the necessity for the Bill was long overdue. On this occasion I can repeat that with emphasis, and add that it is 12 months longer overdue.

The Minister for Works: That is the point.

The MINISTER FOR JUSTICE: The liberal and reasonable manner in which it is drafted, represents a challenge to members of this Chamber and of another place to indicate on this occasion whether they stand for the rack-renters in this State who exploit their tenants, or whether they stand for the standards that are adopted by the reasonable type of landlords. It was amusing to hear the opposition in another place last session in regard to this measure. Almost without exception, those members who spoke in opposition to the Bill declared that nowhere were rents so high as could be prescribed by the Bill; but yet if the Bill became law it would interfere with building and reduce the number of houses available. I ask what does this type of mind postulate except agreement that if opportunity exists to exploit tenants, then tenants should be exploited. As I pointed out last session, the Bill is not going to affect the reasonable landlords, but it will definitely curb the rapacity of those who are not reasonable and who are prepared to exploit the circumstances in which they find tenants in the various parts of the State, as a result of conditions arising, and which from time to time have in the past necessitated the transference of labour, and will in the future mean a transference of labour, from one part of the State to the other. Members will agree that there is some necessity for such curbing. In effect, members of this House did agree to that last session, because the Bill was passed, not only through its second reading stage, but also through Committee without any attempt having been made to amend its provisions. I feel sure that in the metropolitan area there is a necessity for a Bill of this description, and there is perhaps need for it also in the country districts. But it is probable that in neither of those districts, metropolitan or country, is the necessity so urgent at the moment as it is in the

goldfields areas. We know that on the goldfields the necessity does exist in the broad sense, because tenants generally there are being made victims of the house shortage that has prevailed for some time past. I emphasise the fact that in no other form of speculative enterprise does the law of supply and demand work less freely than in respect of this question of house-renting. Both the demand and the supply, as members know, is confined to certain areas, and particularly does that apply to the supply. The working class perhaps feel the position more keenly, because of the circumstances which compel them from time to time to move about for the purpose of finding employment, and the necessity that exists for them to live near their work. In consequence of that, the supply of houses which are available to them has become limited, and bears no relation to the general supply of houses in the community. There is the difficulty too in the matter of renting houses in getting one that will meet the requirements of a particular family. Members are aware that houses are not very similar; they are not all built to a standard, and the necessities of tenants differ for various reasons. The main reason perhaps is that a family may comprise children of both sexes, and there is consequently on that account, need for extra rooms, more so than if the children were of the one sex. There again the opportunity exists for landlords to exploit tenants, and there is evidence that some landlords do so. As I pointed out last session there are many reasonable landlords, but there is also a type who, because of his own experience, or of the wide experience of the agent he employs, seizes upon the opportunity to raise rents which the average individual who is not versed in the matter of letting houses and dealing with them, does not know exists. The average person in the community is only concerned in most instances with one or two houses, but agents are dealing with houses every day, and in some cases, many houses. Therefore by the wide experience they gain, they have an intimate knowledge of existing circumstances which they never hesitate to exploit for the purpose of raising rents. They know also that the cost of removal makes the tenant hesitate before he decides to change his residence after he has been informed that his rent is to be raised. The tenant has to make a calculation to see whether it will pay him to agree to the additional rental, which may be only a shilling a week, but it is of some moment to a worker on a low wage standard. When one remembers that it costs £5 or £6 to move from one house to another, and also the difficulty existing in the matter of obtaining a house to suit a person's particular requirements, it is pretty obvious that a tenant will hesitate before deciding to move. All these factors can be and are exploited. And it is not right because it means that he is subject to the sum of the general condition in respect to the rent element in his wage calculation, and to special and individual conditions, in respect to the actual rent paid, that are supplementary to those emanating from the character of the house for which rent is paid. Under our system the rent for a four or five-roomed house in no sense indicates the value to be had, but in fact is the average of the sum demanded by the exploiters and others for a house of that type. As the rent paid by the worker is of importance to his standard of living, and must affect it, if it is above the average, therefore every worker paying more than the average rent, should have the right of appeal to a fair rents board. This form of legislation is not new, although we seem to have had some difficulty in introducing it in this State. I think this is about the fifth or sixth occasion when an attempt has been made to pass legislation on similar lines to these, and yet we find it in many countries throughout the world.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR JUSTICE: This measure has already been on the statute books of New South Wales, Queensland New Zealand, England, India and South Africa. It is true that in some countries the fair rents court has been restricted in its activities. That particularly applies to New South Wales. Last year I read an extract from a letter from the Registrar of the Fair Rents Court to the Crown Law Department in this State in reply to a question regarding the operation of the Act over there. The registrar said—

There is no question that the Fair Rents Act has been of great benefit to a very large number of tenants of whom those actually applying to the court may be taken to be a very small number. Many landlords treat their tenants with regard to rent and other matters with due regard to the moral obligation imposed upon them as owners of property in

which human beings live, but there are unfortunately others who, as a hard business proposition appear to consider themselves justified in exacting the last shilling in the way of rent, and spending the smallest sum in keeping their houses in order and providing for the health and convenience of their tenants. Some of the agents victimise the tenants by raising the rents out of all proportion to the value of the property in order to procure the sale of properties by guaranteeing the purchaser a larger net return than he is entitled to under the Act. There is no doubt that the Act gives a certain measure of relief to such tenants.

That statement by the registrar of New South Wales bears out the remarks I made previously about the possibilities that exist for those who have a wide experience in letting houses and who take advantage of the position in that connection. I regret to say, however, that the Stevens Government of New South Wales allowed that Act to lapse, the Act which gave that measure of protection.

Hon. C. G. Latham: What was the date of that letter?

The MINISTER FOR JUSTICE: It was written six years after the Act came into operation.

Hon. C. G. Latham: How long ago was that?

The MINISTER FOR JUSTICE: I am not sure, but the Act came into operation in, I think, 1924. The Stevens Government have allowed this Landlord and Tenant Act to lapse. The result was that a Sydney paper of recent date wrote:—

> Having stripped the tenant of every scintilla of protection afforded by Labour's Landlord and Tenant Act—so that even the tenant who fulfils every recognised condition of good tenancy may find himself thrown on the streets—the Government has permitted wholesale racketeering in rents without any attempt to legislate against the evil.
>
> Since the Stevens Government permitted Labour's Rent Reduction Act to expire, landlords have embarked upon a programme of progressive increases in rents, so that even in industrial suburbs rents have increased from 2s. 6d. a week to 10s. a week without any interference by the Government.

There is an illustration of, on the one hand, the beneficial effect of the legislation in respect of the tenants and, I suppose, on the other hand to some extent detrimental to the possibilities that existed for landlords prior to that Act coming into operation. So the Stevens Government, apparently being more favourably inclined towards the interests of the landlord than towards the interests of the working class tenants, have allowed that protective legislation to lapse, with the result that I have indicated by the reading of that Press paragraph. When the International Labour Office carried out some inquiries in regard to family budgets, they remarked in their reports that the figures for housing presented some difficulty. Those figures were carried out in ten or 12 different countries. They were the figures in respect of the cost of food and clothing and housing. The housing figures not only related to the rent being paid, but in them some allowance was made for furniture and also for heating and lighting. It was stated in their report:—

> The figures from housing are difficult to compare internationally, especially on account of rent regulations enforced in many countries. In the Irish Free State the relative expenditure is less than six per cent., in the United States it is 28 per cent., and in most cases it lies between 10 per cent. and 20 per cent.

That clearly indicates the difficulty encountered in making effective comparisons in respect of their returns, owing to those rent regulations which are enforced in some countries and which ensure in consequence that the tenants of those countries get a fair deal from their landlords. In Western Australia the standard we have set for the guidance of the Arbitration Court is rent for four-roomed and five-roomed houses throughout the State. Those rents vary considerably in many towns that are situated within the respective provisions. In the metropolitan area the average weekly rent is 19s. 3d. The rent factor in the basic wage for the metropolitan area is equal to 19s. 3d. The rent in Albany is 16s. 7d., in Bunbury £1 0s. 8d., in Collie 14s. 10d., in Geraldton £1 2s. 2d., in Katanning 17s. 5d., in Manjimup 18s. 5d., in Merredin 18s. 7d., in Narrogin 19s. 2d., and in Northam 17s. 10d. The average rent derived from those figures and applied to the South-West land division to calculate the basic wage is 18s. 5d. The rents on the goldfields are—

	£	s.	d.
Kalgoorlie	1	7	5
Leonora-Gwalia (where there are very few houses let to tenants)	0	15	5
Meekatharra	1	0	11
Wiluna	1	9	4

The figure taken by the Arbitration Court for the calculation of the basic wage in

the goldfields district is 27s. 5d. These average rents are derived from returns supplied by land agents in the various districts. I do not know what the position is in the metropolitan area and country districts, but I know definitely that on the goldfields some of the agents who supply returns are large owners of property. The Arbitration Court has been somewhat active in checking up those returns in recent years and, as a result, there has been a marked increase in the rental returns for four and five-roomed houses in the Kalgoorlie-Boulder district. It would be a good thing if we could provide that in no case should the rent of a 4-roomed house be higher than the average rent for four and five-roomed houses in a particular district, and in no case should the rent of a five-roomed house be higher than 10 per cent. above the average for four and five-roomed houses in a particular district. If that were possible, I venture to say we would then find that the returns of average rents would be very different, and the working man whose wages are affected by the rent factor would find that that element was correspondingly nearer to the amount he had to pay for rent. The figures I quoted from the International Labour Bureau take into account all types of houses, and are not confined to houses of four and five rooms. Some allowance is also made for heating and lighting. The report shows that in most cases the percentage total cost of the family budget for rent for housing in the countries under consideration was 10 to 20, but in Western Australia the rent factor in the metropolitan area is 25 per cent., in the South-West land division 24 per cent., and in the goldfields division 31 per cent. of the basic wage. The necessity for legislation of this kind, as I pointed out last year and as every member knows, existed to a greater extent on the goldfields than in any other part of the State, and the percentage calculations I have quoted illustrate that the necessity is greater on the goldfields to-day than in any other part of the State. When similar legislation was introduced on previous occasions, with the exception of the last occasion—I believe this is the sixth effort to get a measure of this kind on the statute-book—there was no great necessity for it on the eastern goldfields because the supply of houses was adequate to meet the demand, and there was little possibility of tenants being exploited. Therefore it is obvious that, in the minds of those who introduced the previous Bills, there was a necessity for it in the metropolitan and country districts, and we can assume that the rent question was then an acute one in those districts. Now it is acute on the eastern goldfields, and probably less so elsewhere. There is no reason why the measure should not be made State-wide in its incidence and operation. We need legislation of this type as a deterrent to the exploitation of tenants, and to have it ready for use, when necessary, which would be preferable to struggling to get legislation enacted after the necessity for it had long existed.

Mr. Hughes: The trouble in the metropolitan area in 1929 mainly concerned shops.

The MINISTER FOR JUSTICE: But it would not have been confined to shops. The hon. member, with his experience of the metropolitan area, might know of instances of dwelling houses. Certainly I have a more intimate knowledge of the goldfields than of the metropolitan area.

Mr. Hughes: It applied to shops in the Terrace and Hay-street.

The MINISTER FOR JUSTICE: The question of shops is entirely different from that of dwelling houses. People are not compelled to go into shops. When they do so, their object is to carry on a business of some kind, and thus they are engaged in an enterprise for profit. The person who lets the shop is engaged in a similar enterprise. There is not much difference between them.

Mr. Marshall: The consumer has to pay the rent in the long run.

The MINISTER FOR JUSTICE: He has to pay the profit of both parties to the enterprise, the landlord and the tenant, who exact their profits from the consumer.

Mr. Boyle: What is the difference between the man who builds a shop to let, or a house to rent?

The MINISTER FOR JUSTICE: There is this difference, that the individual must have a roof over his head.

Mr. Marshall: Yes, a home.

The MINISTER FOR JUSTICE: He must have a dwelling house of some description, whereas there is no need for him to have a shop.

Mr. Seward: People must make a living, even if through a shop.

The MINISTER FOR JUSTICE: If this legislation becomes operative with respect to dwelling houses, an effort will be made next session to have it extended to shops, or in any other direction in which necessity may arise. I do not know how long Parliament intends to tolerate the existing circumstances. We should be ashamed to think that we can allow conditions to exist such as have existed on the goldfields during the past few years. I refer to the effect upon the best elements in the community, those persons who have, undiscouraged by losses sustained during the depression, been prepared to strike out for themselves and go into the goldfields districts where they have a chance to make good. That is the type of person, the pioneers, the people that this Parliament and the State generally should respect for their efforts to get out of the rut and rehabilitate themselves. Yet we have allowed these people to be exploited in the matter of rents by greedy Eastern Goldfields landlords, who took advantage of the house shortage and the circumstances in which the best elements in the community found themselves. I suggest that legislation of this kind will not affect investments in house building. Investments in building should not be looked upon as an avenue in which rewards depend upon the possibility of exploiting tenants. I appeal to members of this House and those of another place to look closely into the question of investments in buildings, to examine their conscience, and ask themselves whether they think that the possibilities of investments in buildings should rest upon circumstances such as have existed on the Eastern Goldfields in recent years, and, by a slight change of circumstances, may exist in some other districts as a result of a revival in agriculture or manufacturing industry. In the main, this legislation will not restrict legitimate enterprise. The Bill is intended to reach out to those landlords who are exploiting the circumstances in which they find their tenants. It will actually promote the interests of both tenants and landlords, at least landlords of a reasonable type. It is the bad landlord who exploits his tenants, and it is that which inculcates in the minds of the public and of tenants generally, a resentment against landlords as a whole. The provisions of the Bill are precisely the same as they were in the Bill introduced last session. It will vest in local courts' jurisdiction to determine the rent and enable them to exercise other powers conferred on them. The determination of rent under the Bill will be confined to dwelling houses up to £156 per annum by way of rental. It is provided that in the event of a tenant paying more than that sum he will be able to apply to the court in case he is being charged that amount for the purpose of evading the provisions of the Act. The rent determined shall be the fair rent calculated on the basis of the capital value of a dwelling house. Such capital value will be the actual sum which the fee simple of the property comprising the dwelling house and the land on which it stands is expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require. The fair rent determined shall give a return on the capital value of not less than 1½ per cent. above the overdraft rates prevailing at the Commonwealth Bank.

Mr. McDonald: Do you know what they are at present?

The MINISTER FOR JUSTICE: I believe about 5 per cent. Allowance will be made for the annual rates levied upon the property, for an amount estimated to be required annually for repairs including painting, maintenance and renewals, for insurance, and for an amount estimated to be the annual depreciation in value of the dwelling house, if such depreciation diminishes its letting value. The fair rent can be determined for a portion of the dwelling house which is occupied by two or more lessees; that will be in the case where in such occupation the lessees have separate dominion over their respective portions. The Bill also provides that the fair rent on furniture in the house can be determined by the court in connection with houses that are furnished for letting purposes. It also provides that the application in connection with any particular dwelling house shall be made to the court nearest to the dwelling house concerned. If the dwelling house, which is the subject of an application, has a mortgage upon it, the mortgagee has to be notified of the proceedings. Care is taken to see that the rights of tenants are not frustrated by notices to quit, and such like proceedings, in the event of their making application to the court for the purpose of having a fair rent determined. The determined rent is to take effect from the date of its determination, except in a case where the court might increase the rent, and in that case the new rate would not take

effect until 14 days later. Once the fair rent has been determined under this measure, it will have a currency of 12 months; and no subterfuge of any kind will be permitted compelling the lessee to pay anything in excess of the determined rent. There is also provision to prevent any contracting-out. A certain measure of protection is given to the landlord in the event of the tenant's failing to pay his rent. In case of non-payment of rent by the tenant, and also in case of the landlord effecting a sale of the property concerned, the landlord can obtain possession of the house by giving 28 days' notice to the tenant. Other provisions of the Bill are mainly in the nature of machinery. I move—

That the Bill be now read a second time.

On motion by Mr. Hughes, debate adjourned.

BILL—NURSES REGISTRATION ACT AMENDMENT BILL.

Second Reading.

THE MINISTER FOR HEALTH (Hon. S. W. Munsie—Hannans) [8.4] in moving the second reading said: As hon. members will observe, this is a very small Bill. It contains no contentious matter. However, it gives a right for which a body of people in this State have asked for many years. Under it the Australian Trained Nurses' Association will obtain recognition and registration. First let me explain that once a nurse becomes registered in Western Australia, there is no means of removing her name from the register unless notification of her death is received. The result is that the Western Australian register of nurses is more than 100 per cent. inflated. The Bill provides three new methods of registration. Firstly, there is registration of a nurse who is medically qualified as a fully-trained nurse. Secondly, a nurse who has been fully trained for three years in a children's hospital, without other training, can become registered as a children's nurse. To obtain full registration she must be engaged for six months in a hospital where adults of both sexes are admitted. The reason for that is that unless such a course is adopted, the mere passage of this measure will not ensure reciprocity between Western Australia and the Eastern States or Western Australia and British Dominions outside Australia. Therefore the provision is necessary. The third method of registration is for nurses trained as infant health nurses. The existing Act sets out the qualifications required in each of those three sections. The registration fee is fixed in the Bill at 1s. per year. Nurses are required to register in January of each year. If a nurse fails to register for two consecutive years, it will be permissible to erase her name from the register. If at a later time she desires to become registered again, she need only make application in the ordinary way and pay the fee of 1s.

Mr. Marshall: Can she practice as a nurse if she is not registered?

The MINISTER FOR HEALTH: She may be able to practice, but I do not think she would get any engagements from medical men.

Mr. Sampson: But there are special cases and exemptions.

The MINISTER FOR HEALTH: That is so. The Bill also provides for recognition and registration of the trained nurse's cap. For 18 years past, throughout the British Empire, and also in several other countries to which I will not further refer, there has been a recognised uniform, including a special cap, for trained nurses; but under existing circumstances there is nothing to prevent any person whatever from wearing the cap. In fairness to the trained nurse, who has to give three years of life to hard study and hard work, anything we can do to encourage the nursing profession—and it is a profession—should be done. People without the qualifications of a trained nurse should not be permitted to wear the registered cap.

Mr. Thorn: They must wear something.

The MINISTER FOR HEALTH: Probationers have a special cap. Nurses can wear a cap so long as they do not wear the recognised trained nurse's cap. The Bill specifically states that its provisions do not apply to religious institutions. We do not propose to make it compulsory for such nurses, even if fully qualified, to wear the cap. In many institutions it is not worn by the nurses. In fact, nurses may wear any costume or cap in accordance with the rules of the institution or religious order in connection with which they work. There is very little else in this short Bill. With regard to the registration of the recognised cap, a penalty is provided for nurses or other women in hospitals who, although not fully trained nurses, wear the recognised cap. There is also a provision that if a

nurse who, while registered, for instance, as a children's nurse, claims to be a fully qualified trained nurse in the ordinary sense of the term, and accepts a position that would usually be taken by a fully-qualified trained nurse, she will be liable to a fine. I do not say that sort of thing would happen very often, but it is necessary that such a provision be included. Then again the Bill provides that a midwife who has no medical qualifications—there are several such practising who are registered under the Midwives Registration Act—will be permitted to wear the cap when acting as a midwife. There are quite a number who have had the necessary training in midwifery and, being registered, are practising either in a hospital or privately. While they are attending cases, they will be permitted to wear the recognised cap, but not otherwise. The same will apply to nurses trained to deal with mental patients. While they are engaged in nursing of that description, they will also be permitted to wear the recognised nurse's cap, but not otherwise. Some people may ask what difference this will make. Unfortunately, during the past three years, I have had three experiences in hospital. In addition to that, I frequently visit hospitals where friends or acquaintances are inmates. I know of one instance in the metropolitan area where there were two fully-qualified nurses at a hospital, one being the matron. There were eight or nine other young women there, but they had had no training whatever, yet they were acting as nurses. Each one of them wore the recognised nurse's cap. I have known of an instance of a maid being called upon because one of the nurses had not put in an appearance. That maid was put into uniform and was required to carry out the ordinary duties of a nurse. If the Bill becomes law and the nurses' cap is recognised as is contemplated by this legislation, any person who enters a hospital and is attended by nurses, will have the satisfaction of knowing when he or she sees the girls wearing the recognised caps, that fully qualified trained nurses are employed there. That is certainly something in the interests of the patients, and that is the objective of the Bill. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

[13]

BILL—JURY ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill-Ivanhoe) [8.15] in moving the second reading said: The Bill is short and seeks to amend Section 23 of the Jury Act 1898. That section reads—

At the sitting of any court for the trial of any issue, the name of each juror summoned as aforesaid shall be written or produced on a separate piece of paper or parchment, and put into a box, and when such issue is called on to be tried the Ministerial officer of the court shall in open court draw therefrom until the names of a full jury appear who are not open to a challenge, and after the trial such names shall be returned to the box to be kept with the other undrawn names, and, toties quoties, as long as any issue shall remain to be tried.

I understand that the Latin words mean "as occasion arises."

Hon. C. G. Latham: Then why do they not say so?

The MINISTER FOR JUSTICE: I do not know. The hon. member had better put that question to a lawyer.

Mr. Patrick: Where is the member for Fremantle?

The MINISTER FOR JUSTICE: Perhaps it is an idiom and may have another shade of meaning. The purpose of the Bill is to remedy in that particular provision what seems to be either a defect in drafting or something that is lacking and does not conform to the existing practice. Briefly, the position is that under Section 4 of the Act, a jury required for the trial of a person on an indictable offence must consist of 12 persons and at the usual monthly sittings of the Criminal Court the panel of jurors to try cases is 40 in number. Those jurors are compelled to attend for five days continuously, but if a jury of 12 is empanelled to hear a particular case, the period of attendance depends upon the time taken to complete the trial. The names of the 40 jurors are placed in the box on separate pieces of paper and drawn subsequently therefrom until the full panel of 12 jurors is obtained. Challenges may be exercised by either party to the extent of six for the purpose of securing the jury they desire. The strict interpretation of this particular provision of the Act would be that in no circumstances would the jury be drawn from less than the full 40 empanelled. If that course were followed, the result would be that when a jury

retired on one case that might take them many hours to deliberate upon, the court could not proceed with any other case listed until such time as the 12 jurymen, who were dealing with the first case, returned their verdict and joined up with the full panel. That is not what is done in actual practice. So that the court can proceed with the cases listed, after the first jury of 12 has retired, there are still the names of 28 jurors left in the box. Consequently a second jury is drawn from the 28 names remaining in the box. Strictly speaking, that is not, or may not be, in conformity with the requirements of Section 23 of the Act. There is some doubt on the point. In order to remove that doubt so that there will be no possibility in consequence of the existing practice of appealing with a view to disturbing a verdict, this measure is being introduced; so that after the first jury is drawn from the 40 who were empanelled, it will be strictly within the provisions that are being put into the chief Act to draw a subsequent jury from the 28 who remain. I move —

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

House adjourned at 8.21 p.m.

Legislative Council,

Tuesday, 31st August, 1937.

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

QUESTION—UNIONISTS, PREFERENCE.

Hon. J. CORNELL asked the Chief Secretary: 1, Has the Commissioner for Main Roads been instructed to give effect to Cabinet decision, viz., to apply the principle of preference to unionists to all expenditure in connection with future road construction and maintenance, in the following terms:—(a) Preference shall be given to financial members of recognised unions; and (b) If other than financial members of recognised unions are engaged, such persons shall make application to join the appropriate union within 14 days of commencing work, and shall complete such application? 2, Was the full text of the foregoing Cabinet decision conveyed to members of the Government Tender Board with an instruction that it be incorporated in all tender forms subsequently issued by that Board?

The CHIEF SECRETARY replied: 1, The decision of Cabinet did not apply to all expenditure under the Commissioner of Main Roads. Cabinet decided to apply the principle of preference to unionists in all Public Works contracts in the following terms: (a) Preference shall be given to financial members of recognised unions. (b) If other than financial members of recognised unions are engaged, such persons shall make application to join the appropriate union within fourteen days of commencing work, and complete such application. 2, The decision reached the secretary of the Tender Board through the usual channels.

LEAVE OF ABSENCE.

On motion by Hon. H. S. W. PARKER, leave of absence granted to Hon. A. Clydesdale (Metropolitan-Suburban) for six consecutive sittings of the House on the ground of ill-health.

ADDRESS-IN-REPLY.

Tenth Day.

Debate resumed from the 26th August.

HON. H. TUCKEY (South-West) [4.38]: I do not say that the Address-in-reply debate is a waste of time, but I feel sure that the attitude of both Houses will be appreciated insofar as it serves to curtail the debate and save time. The Lieut.-Governor's Speech disclosed a deficit of £371,205, and a pessimistic note was struck on the financial outlook for the current year. We were also reminded that there must be no relaxation of close supervision of all public expenditure. I hope that the need for continued economy will not mean that urgent public works that