Legislative Council

Tuesday, 14th October, 1952.

CONTENTS.

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

ADDRESS-IN-REPLY.

Presentation.

The PRESIDENT: In company with several members, I waited on His Excellency the Governor and presented to him the Address-in-reply to His Excellency's Speech agreed to by this House, and His Excellency has been pleased to make the following reply:—

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

QUESTIONS.

EDUCATION.

As to Teachers' Hours, Salaries and Absenteeism.

Hon. F. R. H. LAVERY asked the Minister for Transport:

As primary school teachers are still working the same number of hours weekly as when the 48-hour week operated and have therefore not benefited by the introduction of the 40-hour week—

(a) Will he give consideration to reducing the school hours by 1/6th (one-sixth) to bring this profession into line with other avenues of professional employment?

(b) If the proposed reduction of hours is considered detrimental to the children of this State, will consideration be given to compensating the teachers by an increase not exceeding 1/6th (one-sixth) of their present salaries, to compensate for the non-reduction of hours?

(c) Is he aware that due to the overcrowding of classes and classrooms, teachers are working under mental strain?

(d) Will he give consideration to a weekly bonus to be paid to teachers of classes of over 50 children?

(e) What was the percentage of absenteeism among State school teachers during the following periods of this year:—

(1) 1st term;
(2) 2nd term;
(3) 3rd term;
(4) 4th term to the 26th September, 1952?

The MINISTER replied:

(a) No. School hours now do not exceed 30 weekly. It is impossible to fix the extra time a teacher will work on marking and preparation. Teaching is a profession and these hours cannot be arbitrarily fixed as in a trade.

(b) No. Salaries of teachers have been reviewed by the appeal board, which takes cognisance of duties and hours, and include payment for approximately eight weeks' holiday per annum.

(c) Class numbers have been greatly improved in recent times. Excluding small one-teacher schools there are 1,543 classes in Government primary schools. Of these, 43 per cent. have less than 40 children; 40 per cent. between 40 and 49, and only 17 per cent. over 50. The only teacher with a class of 60 children is assisted by a part-time teacher.

(d) No.

(e) It is not clear what the hon. member means by "absenteeism". For purposes of this answer it has been taken to mean absence on sick leave. In that case, the figures desired are:—

(1) 1.36 per cent.
(2) 0.67 per cent.
(3) 1.07 per cent.

The third term ended on the 26th September, 1952.

WATER SUPPLIES.

As to Funds and Steel for Comprehensive Scheme.

Hon. L. C. DIVER asked the Minister for Transport:

(1) What amount of money does the Government propose to spend on the Comprehensive Water Scheme for the year 1952-53?

(2) From what sources is the Government obtaining steel plate for fabrication of pipes for this scheme?

The MINISTER replied:

(1) £553,000 of which half will be met by the Commonwealth Government.

(2) Partly from Great Britain, and partly from Broken Hill Pty.

KWINANA WORKS.

As to Steel for Test Piles.

Hon. H. L. ROCHE asked the Minister for Transport:

(1) How many tons of steel have been used in the 100ft. steel tube test piles at present being driven by the Public Works Department at Kwinana?

(2) How many tons of steel is it estimated will be used in the carrying out of this particular job?

The MINISTER replied:

(1) Four and a half tons of steel were used in the test pile, which was driven on behalf of, and at the expense of, the Anglo-Iranian Oil Coy.

(2) No information is available as to what the Anglo-Iranian Oil Coy's. domestic requirements will be. It is understood that the test pile was to obtain information to enable the company to decide on the type of design it would ultimately adopt for its jetty structures.

RAILWAYS.

As to Locomotives and Crews.

Hon. L. C. DIVER asked the Minister for Railways:

(1) Is he aware that the engine position is actually worse now than it was during the railway strike?

(2) Is he aware of the paradoxical position of numbers of enginedrivers using up their time on "shed" duties because of lack of firemen, while, at the same shed, there are firemen, similarly using up their time because their own depots have been closed down and the union will not allow them to be used to make up train crews?

(3) If he is aware of these facts, how does he intend to correct this dreadful state of affairs?

The MINISTER replied:

(1) No. When the strike ceased on the 16th August, 1952, there were 79 locomotives in service. Today there are 192.

(2) There is no knowledge of any such position existing. In an all-out effort to restore locomotives to traffic, a number of drivers and firemen have been employed temporarily as fitters assistants, and as additional locomotives become available the men are returned to their normal duties as engine men.

(3) Answered by No. 2.

TRAFFIC.

As to Non-Petrol Units and Road Maintenance.

Hon. L. C. DIVER asked the Minister for Transport:

(1) Is he aware that heavy trucks equipped with kerosene or diesel engines constitute the vast majority of road transport vehicles in this State at present?

(2) As these units make no contribution to petrol tax funds, what steps does he propose to take to see that the owners of these trucks make a contribution to funds for maintenance of our main roads?

The MINISTER replied:

(1) No. No statistics are available to afford an accurate comparison of the number of heavy trucks equipped with kerosene or diesel engines.

(2) No specific request has been made for any increase in fees and, at the present time, the Minister is not contemplating any action.

SUPERPHOSPHATE.

As to Road Cartage.

Hon. A. L. LOTON (without notice) asked the Minister for Transport:

Is the following statement, made at Dalwallinu by the assistant secretary of the State Transport Board (Mr. G. Slater), correct:—

> Farmers were told that they had the right to transport their own superphosphate in their own vehicles irrespective of the distance or to make arrangements with carriers without contributing to the equalisation fund?

The MINISTER replied:

The statement that farmers are entitled to cart their own super in their own trucks is correct. Farmers desiring to employ carriers to cart super contracting outside the scheme may make application to the Transport Board, and such applications will be considered on their merits.

MOTION—PRIVATE INQUIRY AGENTS.

To Inquire by Select Committee.

HON. E. M. HEENAN (North-East) [4.45]: I move—

> That a Select Committee be appointed to investigate and report upon the activities of private inquiry agents, and, if deemed advisable, to make recommendations for legislation in connection therewith.

My action in moving this motion has been prompted largely by recent statements made by Supreme Court judges, which no doubt have been read by all members, and also because for some time past I myself have considered that some inquiry into the position is warranted. Private inquiry agents have come into being over the years mainly because of our divorce and matrimonial laws, which provide relief for married couples.

There are various grounds on which a party can obtain relief but the one that has particular reference to inquiry agents is that of adultery. When one party to a marriage seeks to have a marriage dissolved or to obtain some other form of relief on the ground of adultery, it is encumbent on him or her to prove the allegation beyond all reasonable doubt. In order to do this evidence must be obtained, and it is at this stage that the inquiry agent is frequently called in. The average person rightly has a strong distaste to giving evidence in such cases and over the years certain individuals have set themselves up as professional inquiry agents, carrying on business as a full-time occupation.

Hon. A. L. Loton: What qualifications are necessary for the profession?

Hon. E. M. HEENAN: I will come to that; I should say their own say-so. They are the sole judges as to whether they are professional or not. As I have said, they set themselves up as inquiry agents in a full-time occupation and advertise themselves as such, charging fees and giving evidence when cases come before the court.

It will be seen, therefore, that although the business of an inquiry agent may be regarded as a rather unpleasant occupation, it is an inevitable outcome of our present social order. It must be remembered, too, that their services are generally called in by unhappy and unfortunate persons who are gravely distraught and worried in the extreme. The occupation obviously is one that would not appeal to many and for the person who engages in it there are many temptations. From time to time very serious allegations have been made against them in this regard. No legislation exists to say who can set up as an inquiry agent, what qualifications he should have, what standard of character he should possess—

Hon. G. Bennetts: That is the main thing—character.

Hon. E. M. HEENAN: —or what fees he is allowed to charge. So we have the position that there exists what may be termed an open go, and if we can believe one half of what we are told, there have been grave abuses from time to time. Those most competent to express an opinion are the judges who deal with these matters in the court, and we know what they think. As recently as the 20th September, the following statement appeared in "The West Australian"—

> Mr. Justice Wolff, in the Supreme Court yesterday, severely criticised a witness in a divorce action and suggested that the Legislature do something to regulate the "dirty business" of private investigation.

Quoting the judge, the report continued—

> It is time, in my opinion, that the Legislature devoted a little attention to these gentlemen and did something towards regulating what is, at any rate, a dirty business. I suppose these people are necessary. At the same time, it seems to me that they should be under restraint.

The divorce laws are responsible for the coming into being of this occupation and for its growth, and it is of no use our shrinking from our responsibility. We have to satisfy ourselves whether this is a calling or occupation that, under our social system, is necessary. If an inquiry satisfies us that the answer to that question is yes, we pass on to a further query, "Is legislation necessary in order to safeguard people who are in the unfortunate position of having to engage the services of these private inquiry agents?" If so, should such legislation ensure, firstly, that the men engaged in this calling are honest; and, secondly, in view of the fact that they charge fees—and very high fees—should those charges be regulated in some way? Another question that suggests itself is whether the legislation should ensure for the protection of people that the men who engage in this occupation possess the necessary qualifications.

At present we have legislation dealing with marine collectors. Anyone who desires to engage in the occupation of marine collector and be entitled to enter the backyards of homes and collect bottles must satisfy some authority that he is honest and may be trusted to enter people's backyards. Consequently, the Legislature in its wisdom has decided that marine collectors must apply for and obtain a license before engaging in that occupation. A similar state of affairs exists in regard to employment brokers and land agents and, going still further afield, to doctors, lawyers, dentists, architects and so forth.

I have no intention of branding as a class the men who are carrying on the occupation of inquiry agents. Our social order has called this occupation into being and we as a community seek their services when required. It is an unpleasant occupation, but apparently the requirements of the community are such that a number of people are engaged in the calling and, unfortunately, some of them have apparently been unworthy in many respects. People who paid high fees have been let down, and a situation has arisen on which at least two of our Supreme Court judges, Mr. Justice Wolff and Mr. Justice Walker, recently expressed the opinion that we should do something about it.

Hon. G. Bennetts: Do you think they are necessary?

Hon. E. M. HEENAN: At this stage, I do not feel called upon to answer that interjection, beyond saying that I do not know. My motion, if carried, will lead to the appointment of a Select Committee whose responsibility it will be to answer the question. Such a committee would be able to obtain evidence from various angles, consider the problem in all its phases and report to the House whether it was of the opinion that, in our present social order, this occupation is necessary. If the committee answered that question in the affirmative, it would have to make some proposal which would be a guide respecting any legislation that it might be deemed fit to introduce.

I urge members to give this matter very careful consideration. I hope we shall not try to wash our hands of it because it is a dirty or unpleasant business. We are here to legislate in directions where we consider legislation to be necessary, and my proposal, if adopted, would lead to a Select Committee making inquiries and presenting recommendations to the House.

HON. C. W. D. BARKER (North) [4.58]: I support the motion, as I am satisfied it is high time that such an inquiry was held. We know that the methods adopted by some of the private inquiry agents are not all straight and aboveboard and should be investigated. These facts may be read in the newspapers, and I am satisfied that, in many instances, the actions of private inquiry agents have contributed towards unhappiness and the upsetting of marriages. I do not say that this applies in all cases, but it has occurred in several instances, and the time has arrived when Parliament should take action.

Fees as high as £50 are charged, and work is carried out for a week or 10 days. A report is then made, but before the inquiry agent will carry on further he requires another £50. He reports to the unhappy person that he has discovered so much, and it will take so much longer to complete the inquiry, but first more money must be paid, and so it goes on. Things are not all they should be in this profession.

On motion by the Minister for Agriculture, debate adjourned.

BILLS (11)—FIRST READING.

1, Milk Act Amendment.
2, Constitution Acts Amendment (Hon. E. M. Heenan in charge).
3, Health Act Amendment (No. 2).
4, Land Agents Act Amendment.
5, Fremantle Harbour Trust Act Amendment.
6, Main Roads Act Amendment.
7, Police Act Amendment.
8, Education Act Amendment.
9, Building Operations and Building Materials Control Act Amendment and Continuance.
10, Coogee-Kwinana Railway.
11, Wheat Industry Stabilisation Act Amendment.

Received from the Assembly.

BILL—RAILWAY (MUNDARING-MUNDARING WEIR) DISCONTINUANCE.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. C. H. Simpson—Midland) [5.12] in moving the second reading said: Parliamentary approval is sought for the closure of the short length of railway connecting Mundaring and Mundaring Weir. This section of line, which is 4¾ miles in length, was last used for passenger service in July, 1950, and for goods operations in September, 1951. Since then all passengers have been adequately catered for by the railway road bus service, and goods traffic, which is mainly the fruit and other produce of settlers in the vicinity, is also transported by road.

In compliance with the provisions of Section 11 of the State Transport Coordination Act, the proposal to close the line was referred to the Transport Board. The board reported on the 29th April, 1952, that inquiries made locally revealed no evidence to support the continuance of the line, and from a personal inspection of the district it did not consider the railway would be of any future use, or that any increase of the present road transport was justified. The Mundaring Road Board has stated that it has no objection to the removal of the line.

Parliament in 1896 passed the Coolgardie Goldfields Water Supply Loan Act, which authorised the raising of a loan of £2,500,000 for the purpose of providing a permanent water supply for the Coolgardie goldfields. This ambitious project entailed

the building of a large reservoir some miles from Mundaring, and in order to transport the material and pipes required for this purpose, it was necessary to build a railway to the site of the reservoir. The line, which was completed in 1898, was built by the Public Works Department, the section from Mundaring to the weir costing £17,602.

The specific object of its construction having ended, the line was bought by the Railway Department in 1909 for £11,000, and was opened for traffic in September of that year. In view of the extreme shortage of materials, it is proposed to use those recovered from this line in the new railway at Collie, these being estimated to be five miles of 60 lb. rails, 17 chain of 45 lb. rails, 10 sets of points and crossing, and approximately 7,000 sleepers. I move—

> That the Bill be now read a second time.

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

MOTION—STATE FORESTS.

To Revoke Dedication.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [5.15]: I move—

> That the proposal for the partial revocation of State forests Nos. 4 and 42, laid upon the Table of the Legislative Council by command of His Excellency the Governor on the 16th September, 1952, be carried out.

I have already laid on the Table of the House the papers and plans relating to this matter. As members are aware, Section 21 of the Forests Act, 1918-1931, requires that any partial or complete revoking of the dedication of a State forest must be agreed to by both Houses of Parliament. In this case there are two partial revocations only.

The first is an area of approximately 146 acres about a mile north-west of Collie and adjacent to the Collie power station. The land in question is not suitable for forestry activities and it is proposed to utilise it in connection with the housing of natives employed in the district. The second piece of land is of 131 acres and is situated between Nornalup and Quarram siding. This land is also of poor timber quality and is separated from the main forest by the railway line and the Bow River. It has been applied for by a settler for the purpose of dairy farming.

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

BILL—STATE HOUSING ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [5.17] in moving the second reading said: The sole object of the Bill is to increase from £2,000 to £2,500 the maximum advance that may be made under the State Housing Act to eligible persons desirous of building or of buying their own homes. As members are aware, advances under the Act are limited to persons whose incomes, less basic wage adjustments since the 1st November, 1950, are not more than £750. The present maximum advance of £2,000 was approved by Parliament in 1950, this representing an increase from £1,250. The increase asked for by the Bill is another indication of the continuing decrease in the value of the pound.

No one accepts Bills of this nature as desirable but, unfortunately, present-day circumstances render them unavoidable. In this case the necessity to increase the maximum advance under the Act is dictated by the ever-mounting cost of building. It is a regrettable fact that building costs have, during the past 20 months, increased by 33 per cent. and are still rising. There can be no doubt, therefore, that the increase asked for by the Bill is justified. Were it not for the parent Act many family men whose sole incomes are their salaries or wages, would find it most difficult to own their own homes.

Present circumstances do not make it possible for the Government to embark upon an unrestricted programme of housebuilding under the principal Act. However, plans are in preparation for a return at an opportune time to what is the principal, normal and proper function of the State Housing Commission; that is, the building for sale of houses to persons with restricted incomes. This desirable object is being approached in a gradual manner. During the past year a limited number of homes for purchase were built in country districts and arrangements have been made and contracts entered into for a considerable expansion of these operations throughout country areas in the immediate future. A great deal of time and work has been spent in the development of pre-cutting projects using local materials, with the purpose of hastening the erection of timber-framed homes throughout the State.

Contracts have been entered into with three large companies for the manufacture of pre-cut houses which will be complete in practically every detail before being despatched for erection. These houses are now coming to hand in such numbers that the Housing Commission will be in a position to build for purchase in the majority of country towns. At the present time plans have been laid and finance is

available for the building during the present financial year of 350 of these homes in country areas.

During the year ended the 30th June, 1952, 48 homes were erected and at that date 183 were under construction. Had it not been for the unforeseen curtailment of loan funds it had been hoped to commence building under the Act in the metropolitan area, but, unfortunately, this object must be postponed for the time being. I move—

That the Bill be now read a second time.

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

BILL—CHILD WELFARE ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [5.22] in moving the second reading said: The Bill has been brought down for the purpose of rectifying certain anomalies in the parent Act and also to effect several desirable improvements in the law relating to child welfare. The first amendment proposes to add to the definition of "destitute child". The present definition cannot be applied to a child that has been placed in an institution by his parents, who then fail to pay the institution for him and eventually disappear. It is a regrettable fact that there have been a number of these cases and frequently the institution authorities have asked the Child Welfare Department to have these deserted children made wards of the State. This, however, cannot be done as the children are not destitute according to the Act.

The amendment will enable the children to be committed to the care of the department, which will then pay the institution for their upkeep and take action to trace the parents, and proceed against them for the maintenance of the children. It is proposed also to enlarge the definition of "neglected child" to include a child who is living under conditions likely to jeopardise its mental, physical or moral welfare. There are grave doubts that the existing definitions of "neglected child" are not adequate to permit the committal to the care of the State of children whose environment and upbringing are detrimental to its welfare. The purpose of the amendment is to place the matter beyond reasonable doubt.

The definition of "ward" in the Act has proved unsatisfactory and the Bill proposes to replace it with a more adequate interpretation. The present definition refers to a ward as a child who, under the Act, is placed in an institution, or is apprenticed, boarded out or placed out. Doubts have arisen whether this covers a child who is committed to an institution by the Children's Court, but who is immediately released to its parents on good behaviour. In such a case the child is really a ward on parole and the Child Welfare Department is required to see that the child's subsequent behaviour warrants the tolerant attitude of the court. Under the present definition it appears possible that the child's committal as a ward could be challenged and it is for this reason that a new definition is considered necessary.

The purpose of the next amendment is to enable the Children's Court to commit a destitute or neglected child to the care of the Child Welfare Department for a specified term. At present the court can commit a child to an institution, or release it on probation under the supervision of the Child Welfare Department for any period up to the child's 18th birthday. However, in cases where the court commits a child to the care of the department, the Act specifies no particular term. This is rectified by the Bill. To effect this amendment it was found advisable to repeal and replace the whole of Section 30 of the principal Act.

A new Section 30A is provided by the Bill. This is complementary to the previous amendment proposing that children placed in institutions and later deserted by their parents may be made wards of the department, and it provides the machinery necessary to obtain the committal of the child. It throws the onus on the institution or the department to first take all steps to trace the parents or relatives of the child, and to obtain payment for the child's maintenance. If this action is unsuccessful the court may then be asked to commit the child to the care of the department.

The next amendment is considered necessary in order that an abandoned child whose name cannot be ascertained can be provided with one. The amendment will enable the Child Welfare Department to bestow a name on the child and to alter it if, in due course, the child's correct name is discovered.

For many years it has been the practice for divorced women to approach the Children's Court for a maintenance order covering their children immediately they had obtained a decree absolute in the Supreme Court. This procedure worked very smoothly, as it is a simple process to approach a children's court for a maintenance order, and to take enforcement action to secure compliance with the order. Moreover, the cost of such proceedings is very small. In a recent reserved decision given by the Perth Children's Court, it was held that that court was not competent to make an order for the maintenance of children following divorce

action. It was considered that the proper course was for the woman concerned to approach the Supreme Court and secure an order for her children's upkeep from that tribunal.

Any procedure taken through the higher court is costly and difficult to enforce and it is felt that people within this category should have the right to approach a children's court for maintenance of children only, even if a divorce has taken place. Provision has been made in several of the Eastern States for such action to be taken in the children's courts and it is considered advisable that a similar provision be made in this State's Child Welfare Act.

The relevant amendment, therefore, provides that action for the maintenance of children may be taken in the Children's Court after a period of three months has elapsed since the date of the final order or decree absolute for the dissolution of the marriage, provided that no order has been made in the Supreme Court for the children's maintenance. Under the principal Act the maximum amount that a children's court may order for the maintenance of a child is £1 per week. This sum which was placed in the Act in 1927, is far from adequate in these days of decreasing money values and so the Bill proposes to allow a maximum of £2 10s. per week.

Sections 19 and 143 of the principal Act provide that where not specifically stated to the contrary in the Act, all proceedings in the Children's Court shall be subject to the provisions of the Justices Act. This proviso prevents the Child Welfare Department from recovering more than six months' past maintenance from the relatives of a child. This is considered unreasonable as the department should, if possible, be able to obtain an order for the full amount of maintenance it has spent on a child. For this reason it is proposed by the Bill to insert a provision in the Act enabling the Children's Court to make an order for past maintenance covering any period which the court may think fit. In such cases, of course, the court will take the circumstances of the relatives into consideration prior to making an order. This provision should be of some benefit to Government revenue.

The penultimate amendment proposes to allow officers of the Child Welfare Department, by written authority of a Justice of the Peace, to enter premises on which it is suspected there may be a destitute or neglected child, and any person who hinders or obstructs an officer from carrying out his duty in this regard shall be guilty of an offence under the Act. It has occurred several times that officers of the department have been refused access to premises when it has been necessary to remove a neglected or destitute child, and the amendment is designed to overcome such a state of affairs.

The last amendment is drafted to defeat the activities of persons who may impersonate officers of the department. There have been several such instances during the past few years, but as these were not offences under the Act it was not possible to take action against the culprits. I trust that the Bill will receive the sanction of Parliament, proposing as it does, merely to rectify deficiencies in the Act, and to improve the law relating to child welfare. I move—

That the Bill be now read a second time.

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

BILL—MARGARINE ACT AMENDMENT (No. 1).

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [5.30] in moving the second reading said: This is a very short Bill the purpose of which is to increase the maximum quota for the manufacture of table margarine from 364 tons to 800 tons annually. Provision has been made for the Minister to vary the quota in the present year up to a maximum of 800 tons. In 1930, margarine was a serious competitor with butter, at which time butter production was increasing and fears were expressed regarding the prospects of the dairying industry. The matter was discussed by the Australian Agricutural Council, and all States agreed to restrict the sale of table margarine, legislation being passed to fix the required quotas.

The position has been somewhat changed. The population of Western Australia has increased by approximately 20 per cent. In 1939, the population was 466,896 and today it is over 600,000. At the same time, Australian butter production has shown a decline from 203,500 tons produced in 1939 to 164,971 tons for 1951. Members will therefore see that, although the State's population has increased, butter production has decreased and consequently there is a shortage in supplies. It is interesting to note that the Western Australian production during that period decreased by over 1,000,000 lbs. That was mainly due to the change in milk utilisation in the Commonwealth.

In 1938-1939, 77.8 per cent. of the wholemilk production was used for butter, whereas in 1950-51 only 64 per cent. was used for that purpose. Australian exports to Britain dropped considerably and the figures show that in 1938 our exports of butter to the Old Country were 89,891 tons, whereas in 1951 the exports

aggregated only 33,300 tons. The price structure for the industry has improved, based on the estimated cost of production. With the partial removal of the Commonwealth subsidy, the price to the consumer has risen rapidly.

Members will of course appreciate that, at the time the production of margarine was controlled by legislation, the price of butter was about 1s. or 1s. 1d. per lb. whereas today it is 4s. 2d. per lb. Of course, the price of margarine has also increased. People are asking for supplies of margarine, and the Government has considered it necessary to afford some relaxation of the limit permitted to be manufactured. In some of the other States, the quotas have been increased. Queensland, Victoria and New South Wales have considerably increased their maxima. While it may appear to some people that the increase proposed in Western Australia from a maximum production of 364 tons to 800 tons is large, nevertheless the demand for good-quality margarine for table purposes has also increased. The latest production figures may be of interest to members. During the month of September, 55 tons of margarine were manufactured in Western Australia and for the year to date a total of 333½ tons has been produced. The demand for margarine, it will be agreed, can be readily understood. Where there is a big household, and particularly where there are large families, it is costly to provide butter at 4s. 2d. per lb. As margarine is a good substitute, it is sought after. Queensland has seen fit to increase its quota of margarine from 645 to 1,600 tons, while New South Wales last year increased its quota from 1,248 to 2,500 tons. Tasmania permitted firms to manufacture the unused quota from the previous year, the effect being to double the normal quota. Thus, whereas manufacturers were permitted an output of 208 tons in 1951, they are now allowed to manufacture up to 416 tons, or just double the old quota.

When the demand for margarine increased, the manufacturers here approached the Agricultural Department with a request that the monthly quota should be increased. In view of the shortage of butter supplies at the time, on behalf of the Government I approved of a monthly increase. Members may appreciate some information as to food value of margarine. The nutritional value of margarine can be made the equal of that of butter by fortification with vitamins "A" and "D". It is considered that if this is to be done, it should be on an Australia-wide basis, as vegetable fats come from one source while, from the cost point of view and from that of uniformity, it is desirable that original processing plants supplying all margarine manufacturers, should carry out the fortifying at the source.

The analyses of butter and margarine gave the following results:—

	Butter.	Margarine.
Edible portion	100 gram	100 gram
Water	16·0 gram	14·0 gram
Protein	1·0 gram	0 gram
Fat	81·6 gram	85·3 gram
Carbohydrate	0	0
Calories	739	768
Calcium	15 milligram	4 milligram
Iron	0·1 milligram	0·3 milligram
Carotene	2,341 International units	0
Vitamin A	3,038 International units	0

Members will know that vitamin "B" can be obtained from any fruit or uncooked vegetables, so any deficiency in that respect can easily be made up. Some people urge that the Bill will be injurious to the dairying industry, but it will be nothing of the sort. Last year we had to import butter from the Eastern States, representing a great deal more than the deficiency that we are providing for under this legislation.

Hon. C. H. Henning: Is not butter controlled on an Australia-wide basis?

The MINISTER FOR AGRICULTURE: Certainly it is. The hon. member can read as well as I can, and he must know that last year we had to send butter to New South Wales because of the deficiency there. New South Wales has a population of over 2,000,000, and naturally the deficiency there would be far greater than that experienced here. Then again, we imported 50,000 cases of butter from Victoria last year, and in that State butter had to be rationed for a considerable time before the new season's product came on the market.

Hon. H. L. Roche: Victoria did not increase its margarine quota.

The MINISTER FOR AGRICULTURE: That is so, because it used less than one-eighth of what was permitted.

Hon. A. L. Loton: But was not considerable pressure brought to bear on the Government to increase the quota there?

The MINISTER FOR AGRICULTURE: Not that I am aware of. I have the statistics regarding the Victorian quotas, and certainly the output there was a great deal more than that permitted here.

Hon. A. L. Loton: Was that so?

The MINISTER FOR AGRICULTURE: Yes, and our deficiency in butter was far in excess, comparatively speaking, of that of Victoria. I anticipated that this aspect would be mentioned and I want to assure the House that the Government would not have considered allowing an increase in the production of margarine had that course not been necessary. While it is proposed to increase the quota to 800 tons, that maximum output will be allocated to the two manufacturing firms here on a monthly basis so that the Government will retain complete control of the situation. What the basis will be must be determined annually a fortnight before the 1st Janu-

ary. I trust the House will agree to the second reading of the Bill. As I remarked earlier, it must be very expensive for the parents of large families to purchase the butter they require at a cost of 4s. 2d. per lb.

Hon. G. Bennetts: It is 5s. per lb. in my province.

Hon. H. L. Roche: How much of the quota is to be table margarine?

The MINISTER FOR AGRICULTURE: The Bill deals only with table margarine. No control is exercised over margarine used for other purposes in various trades and so on. Irrespective of whether members agree to this legislation, manufacturers in the Eastern States can turn out what quantity of margarine they like, export supplies to this State and no one can say nay to them, because of the provisions of Section 92 of the Commonwealth Constitution.

Hon. N. E. Baxter: So the object of the Bill is to protect the local manufacturers.

The MINISTER FOR AGRICULTURE: It will not protect them at all. The product will be subject to price-control.

Hon. N. E. Baxter: I meant that it would protect the local manufacturers against the imported article.

The MINISTER FOR AGRICULTURE: Only to the extent of the honourable understanding existing between the States, which was arrived at about 1936 when the Ministers for Agriculture agreed, in order to prevent exploitation of the dairying industry, not to allow excess production of margarine. That honourable understanding was observed until—

Hon. H. L. Roche: Then there is no danger of unlimited imports?

The MINISTER FOR AGRICULTURE: Surely it is better to control the position locally than to reject the Bill and allow margarine to be exported to us from outside the State. If we do not increase the quota here to meet the demand for this commodity, we will not be able to avoid the importations.

Hon. H. L. Roche: But you said there was an honourable understanding!

The MINISTER FOR AGRICULTURE: There has been such an understanding, and I want it to be continued.

Hon. J. G. Hislop: But would not the honourable understanding you mention be a breach of Section 92 of the Commonwealth Constitution?

The MINISTER FOR AGRICULTURE: It is an arrangement between the people to restrict within each State the manufacture of the article. I do not think we need raise these legal issues.

Hon. H. L. Roche: It is an honourable understanding between the various manufacturers.

The MINISTER FOR AGRICULTURE: The States have come to an understanding that they will license the manufacture of margarine for table purposes.

Hon. C. W. D. Barker: Is it not a fact that there is only one supplier of the raw materials and he is the one who says whether margarine is to be sent here or manufactured here?

The MINISTER FOR AGRICULTURE: I have no knowledge of anyone having the right to do anything of the kind. The power is given for a license to be provided for the manufacture of margarine, but such a license can be refused. The position is the same as that with regard to hotels. No one can open a hotel unless he has a license, and that is what happens with regard to the manufacture of margarine.

I hope the House will agree to pass the Bill, because it is essential. There has been a great demand for margarine. Up to date we have not been able to supply all the requirements. I have no doubt that this will not interfere with the production of butter, and we shall be able to provide here the amount of margarine that was imported from Victoria last year. I regret to say that it is expected the shortage of butter will be greater this year than it was last year. We are stockpiling it as fast as we can and arrangements are being made, subject to the product being available in the other States, to acquire some to make good the shortage.

Hon. H. L. Roche: Does the dairying industry approve the Bill?

The MINISTER FOR AGRICULTURE: I do not care whether it does or not. The people have to be fed.

Hon. C. W. D. Barker: Hear, hear!

The MINISTER FOR AGRICULTURE: So long as we are in office we shall see that the people are given the commodity they want. If the hon. member were in this position, he would have to do the same.

Hon. C. H. Henning: What about the bread and dripping you mentioned 10 years ago?

The MINISTER FOR AGRICULTURE: There are many children today who have not even bread and dripping.

Hon. H. L. Roche: Where are they?

The MINISTER FOR AGRICULTURE: There are plenty of them. I can give the hon. member the information privately if he wants it.

Hon. H. L. Roche: I would like it.

The MINISTER FOR AGRICULTURE: Then the hon. member may make some contribution to the effort necessary to keep people from dying of starvation. I move—

That the Bill be now read a second time.

HON. A. L. LOTON (South) [5.48]: In case the Minister is in any doubt as to whether I intend to support this legislation, I want to tell him that I do not propose to do so.

The Minister for Agriculture: I do not mind.

Hon. A. L. LOTON: I did not want the Minister to be in any doubt. It is surprising to find an ex-farmer and a man who, I believe, obtained from dairying his initial finance to begin farming, now introducing legislation of this kind which will help to sound the death-knell of the dairying industry. We have had Sir Charles rambling up and down the country—he was doing it at York last week—exhorting people in the agricultural areas to keep cows and help produce butter. He said they could sell it for 3s. 6d. to 3s. 9d. per lb. But when one delivers cream to the factory it brings 4s. 10d. So it is not a very good investment to produce butter and take it to the storekeeper who has the option of saying whether or not he will take it at 3s. 6d. or 3s. 9d. Furthermore, for every pound of butter that is produced and has to be sold oversea as a result of the increased quantity of margarine which will be available under the Minister's proposal, the producer will lose 1s. per lb.

I congratulate the Government in Victoria for the stand it took against the pressure of certain sections who wished to enforce a similar action by the Government there. I have a copy of the "The Leader" of the 27th August, in which it is stated—

> It must have come as a surprise to those Melbourne housewives who recently asked the Victorian Government to increase the quota of margarine because of the price of butter, to find that the present quota was not manufactured—in fact was 494 tons less than the quota.

In Victoria, the Minister for Agriculture, Mr. Moss, said he would not increase the quota, and I have not heard that there was much of a howl for more margarine. Consequently, the Government in Victoria has not helped to sound the death-knell of the dairying industry there.

It is surprising to find Sir Charles Latham, who on many occasions has been the champion of men in the rural areas, now introducing legislation of this nature. I do not know what prompted him to do so. Soon after the session was begun, a private member in another place gave notice of his intention to introduce a Bill to amend the Act. For some unknown reason, the Government could not act quickly enough in taking the business away from that private member and assuming the responsibility for introducing the legislation.

The Minister for Agriculture: Do not you think that the Government should have control over such matters instead of a private member?

Hon. A. L. LOTON: I am surprised at the Minister's introducing legislation to encourage the use of a substitute for the natural product of the cow. That is what I am surprised about. If the private member had introduced the measure we might have had you opposing it.

The PRESIDENT: Order! The hon. member should address the Chair.

Hon. A. L. LOTON: I am sorry, Sir. It was the Minister's remark that led me astray. If the Minister had permitted the private member to introduce the legislation, he could have supported or opposed it as a private member and the measure would not have been one of Government policy. I am supposed to be a follower of the Government but on this occasion I had no prior knowledge of this legislation. Back bench members are not always told what the Government proposes to do, and on this occasion that was the case. Sometimes back benchers are forewarned and forearmed on—

Hon. G. Bennetts: Special business!

Hon. A. L. LOTON: Yes. I thank the the hon. member! On this occasion we were left out.

Hon. J. G. Hislop: What are your reasons for opposing the Bill?

Hon. A. L. LOTON: It is against the interests of the dairying industry.

Hon. J. G. Hislop: Why?

Hon. A. L. LOTON: It is allowing the increased production of a substitute for butter.

Several members interjected.

Hon. A. L. LOTON: Members make it most difficult, Sir. I wish you would call them to order.

Hon. E. M. Heenan: Is the Bill not in the interests of the public?

Hon. A. L. LOTON: I am opposed to the raising of the quota because it is against the best interests of the dairying industry; and because I represent a section of the dairy farmers and think that in their interests this legislation should not be proceeded with, I oppose the second reading.

HON. L. CRAIG (South-West) [5.55]: I suppose I represent most of the dairy farmers in Western Australia; at any rate, the great majority of them. I commend the Government for having the courage to introduce a Bill of this sort and the Minister for Agriculture for having the courage to submit a measure that will serve the people.

Hon. C. W. D. Barker: Hear, hear!

Hon. L. CRAIG: It will serve the people and will do no harm to the dairying industry. The Government has a responsibility not to one section of the community but to all the people, and if they are not being adequately fed by one commodity because the State is not producing that commodity in sufficient quantity, it is the Government's responsibility to see that something else is provided in its place.

Hon. A. L. Loton: Like stored mutton, I suppose!

Hon. L. CRAIG: Margarine is a food that has been reinforced with vitamins so that it has the same food value as the best butter.

Hon. C. W. D. Barker: If it has not, the necessary vitamins can be added.

Hon. L. CRAIG: Nearly all table margarine is fortified and has the same value as butter.

Hon. L. C. Diver: Is there any legislation covering that point?

Hon. L. CRAIG: I do not know; but people will not buy it unless it is fortified.

Hon. L. C. Diver: How would they know?

Hon. L. CRAIG: There is no restriction on the production of margarine for the manufacture of cakes, biscuits, etc. People have always been able to buy as much of that as they require. This Bill deals entirely with table margarine. We must agree that the margarine has food value and is cheaper than butter. If people are willing to buy a good food at a cheaper price, a food which is mainly a vegetable product and a product of primary production, who are we to say that this branch of primary production shall be restricted in order that another may be fostered? In this instance we are not producing the requirements of the State.

Hon. A. L. Loton: We are not providing much incentive.

Hon. L. CRAIG: The requirements are not being produced. As a matter of fact, I look forward to the time when little butter will be made in the factories, when farmers will send their milk instead of cream to be converted into butter or some other commodity. We are not securing all the value from the cow that we should be getting but are wasting a great proportion of this product. The time will come when the consumption of margarine will, I believe, be greatly increased, because milk will be regarded as too valuable to be made into butter. The Government has a great responsibility to the people of this country to see they get the best food at the cheapest price. It must say to any small section that may be affected, "We are sorry if this interferes with you, but you must try some other avenue." In this instance there is no interference with the dairying industry because there are other avenues through which farmers can dispose of their product.

The cheese-manufacturing industry is not half developed yet, and there are other directions in which milk can be used that are completely undeveloped. This will not have any bad effect upon the dairying industry. I do not believe dairymen are so selfish that they want legislation to protect them against some other industry. What is this country coming to if we are going to say that we will not permit people who have the enterprise to engage in industry, to do so? We will never develop this country unless we have a broader outlook, and say to a man, "If you will produce something that the people want and will produce it cheaper than anyone else, go ahead and do so."

Hon. N. E. Baxter: Manufacturing margarine will not develop the country.

Hon. L. CRAIG: Has it no relation to the cost of living? What sort of people are we? Are we to be narrow-minded and live within ourselves, with no regard for initiative or enterprise? Are members to vote against this Bill because they think supporting it might influence the votes of certain sections of the people?

Hon. N. E. Baxter: You represent some dairy farmers.

Hon. L. CRAIG: Although I represent 10 dairymen for every one represented by the hon. member, I have the courage to say what I think is right, and, at all events, I do not think they will hold against me what I am saying this afternoon.

Hon. A. L. Loton: Are the dairymen satisfied with the present price of butterfat?

Hon. L. CRAIG: That has nothing to do with the question. This Bill will not affect the price of butter, but will make available a cheaper food for those who prefer it or who cannot afford to buy butter. People who can afford to buy butter will probably still do so, as we all know. This House is sometimes inclined to be sectional, but I think it should take a broader outlook. I believe the Government has stood up well to its responsibility in this regard. I do not see how the Bill can have any detrimental effect on the dairying industry. I support the second reading.

Hon. C. W. D. BARKER: I move—

That the debate be adjourned.

Motion put and negatived.

HON. G. BENNETTS (South-East) [6.3]: This Bill was initiated by the Kalgoorlie Municipal Council, of which I am a member, as the result of strong agitation by ratepayers on the Goldfields. That

is where the Bill originated, and it was sent on to the Minister for Agriculture. There are many poorly paid workers on the Goldfields, many large families and some unemployment. Workers on the basic wage, who have large families, cannot afford to buy butter. When Mr. Baxter said something about milk being fed to pigs and calves, I wondered whether the keeping back of a certain quantity of milk by dairymen was not done as a means of forcing up the price of butter.

The ordinary people on low wages and with large families must have something to put on their bread, and butter is in short supply. Why should they not have margarine, which I understand is used very widely in America? We are told that this product can be brought into the State if it is not produced locally, so why not allow it to be made here and thus do away with the necessity for importing it?

Members know that the butter production of this State is not sufficient to meet all requirements. Should it ever increase sufficiently to meet the demand, the price might come down so that ordinary people could afford all they desired to use. I hope members will give the Bill their favourable consideration in view of the fact that so many people on the Goldfields cannot afford to buy butter at present prices and would be very glad to have available adequate supplies of margarine.

HON. J. M. A. CUNNINGHAM (South-East) [6.5]: This piece of legislation will be welcomed by residents of that portion of the State which is not within 100 miles of the coast from Perth southwards. Today, in Western Australia, there is a shortage of powdered milk, which is the main milk supply of the inland areas. I believe that at present all this commodity comes from the Eastern States and until the dairy farms of Western Australia can meet the needs of this State, they have very little to fear from any substitute for butter.

At present our dairying industry cannot come within sight of supplying the demand, even for raw milk. At present we are carting milk to the Goldfields, where there are still the remnants of two dairies. It is not many years since there were 20 dairies in that area, supplying all its requirements, but owing to the decrees of the Milk Board, those dairies, one by one, found it impossible to carry on in that arid area.

Hon. C. H. Henning: There was no profit in them.

Hon. J. M. A. CUNNINGHAM: That is so, in view of the fact that they had to buy substitute feed for the cattle.

Hon. G. Bennetts: Chaff costs 28s. a bag up there, now.

Hon. J. M. A. CUNNINGHAM: One by one over the years, those dairies had to drop out, until now there are only two left and they are eking out a bare existence by supplementing their supplies from the metropolitan area. One man has tried, time and time again, to evolve an economical, quick and safe method of transporting milk in bulk to the Goldfields. We want to see the free milk scheme inaugurated there, but at present our only chance appears to lie in the use of powdered milk, and I have it on fairly good authority that at this moment there is anticipated another shortage of powdered milk.

If that is so, I cannot understand how members can think this legislation might detrimentally affect the dairying industry of the State. I heard it said in this House today that ten per cent. of the dairy farmers would not be happy about the Bill. I ask the Minister whether there is any truth in the statement that the dairying people of the South-West are interested in making application for a permit to manufacture and handle margarine themselves—

The Minister for Agriculture: From where did you get that story?

Hon. J. M. A. CUNNINGHAM: It may be only a rumour, but I heard whispers to that effect a little while ago. If true, it bears out the contention that the industry is not fearful of this Bill but can, in fact, see in it a further avenue of profit. The Government, in bringing down this measure, has done a great thing for the people of the inland areas, where it is difficult to get supplies of milk and butter. I assure members that the Bill will not injure the dairy farmers while we have towns such as Boulder, Kalgoorlie, Norseman and Southern Cross, with populations of from 5,000 to 20,000 people, all hungry for milk in any form. I support the Bill.

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

BILL—SUPPLY (No. 2), £10,000,000.

Received from the Assembly and read a first time.

BILL—PHYSIOTHERAPISTS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [6.12] in moving the second reading said: This small Bill seeks to incorporate the Physiotherapists Registration Board and to exempt members of the board from personal liability as a result of any action taken in the name of the board. As the Act does not provide for the board to be a corporate body it would be necessary in the case of any legal proceedings against

the board, to take action against the individual members of it. The Bill follows the example set by the Dentists Act, the Optometrists Act and other measures which protect their administrative bodies in a similar manner.

The members of the Physiotherapists Registration Board are entitled to the safeguard proposed in the Bill. Members of the board, which comprises the Commissioner of Public Health, a medical practitioner, two physiotherapists and a representative of the Senate of the University, receive only a small fee for their services, and this is not commensurate with the value or amount of the work which they perform. It is essential, therefore, that they be protected from any possibility of legal action against them as individuals, arising from an action of the board. I move—

That the Bill be now read a second time.

On motion by Hon. E. M. Heenan, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

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

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [7.30] in moving the second reading said: It is sought, in this Bill, to continue the provisions of the principal Act until the 31st December, 1953. At present the Act, apart from its eviction provisions, is effective until the 31st December next. The eviction provisions, or Part IV of the Act which deals with the recovery of possession of premises, expire on the 31st October, that is, this month. The Government has given very careful consideration to this controversial matter and as a result submits to Parliament its recommendation that the continuance of the entire Act until the end of next year is warranted. The Government, though averse to the retention of controls as such, considers it is in the interests of the bulk of the populace to continue, for the time being, control over rents and evictions.

Briefly, the Act provides protection for tenants from eviction in respect of certain premises by making it obligatory for the owner to give six months notice of his intention to apply to the court. It provides the necessary machinery for an approach to the court and gives particular attention to the needs of ex-servicemen. If these provisions did not exist, or were allowed to lapse, a large majority of tenants could be liable to eviction by a week's notice. This would cause hardship for many families. The fact that they have the protection as provided for by the Act, gives the tenant what might be described as a breathing space in which to look for alternative premises in these difficult times.

The following figures will indicate the situation that could arise if the eviction provisions of the parent Act were allowed to lapse. Since the passing of the Act ten months ago, 1,446 notices to quit, an average of 34 per week, have been referred to the State Housing Commission. The total number of these notices cannot be ascertained, as, unlike court orders, they are not registered. The figure of 1,446 is merely the total notices to quit given under the Act in which the tenants concerned have applied to the State Housing Commission for assistance. Of these 1,446, 1,132 have been dealt with by the court and 788 orders for repossession made. The State Housing Commission has provided alternative accommodation for 594 of the 788 cases.

These figures refer, of course, only to those persons who were in occupation of their tenancies prior to the 30th December, 1950, persons becoming tenants after that date possessing no protection under the Act. It is considered that the time is not opportune to dispense entirely with eviction control. The high cost of building restricts many people in the lower income group from building their own homes, and this would therefore throw an intolerable strain on the State Housing Commission, if the Commission had to endeavour to cope with all evictions. As a general rule, it would be most difficult, if not impossible, to expect a tenant to obtain, or the State Housing Commission to provide, alternative accommodation, at a week's notice, a period appropriate under normal housing conditions, to which, however, we have not yet returned.

Inquiries have revealed that the removing of tenancies later than the 30th December, 1950, has been the most potent factor in the upward spiral of rents, particularly where unscrupulous tenants have sublet premises. Thousands of persons today live in apartment houses, and many of these people are paying exorbitant rentals because they possess no eviction protection. They comprise all classes of people including pensioners, returned soldiers and migrants. If they complain and seek a fair rent, they are evicted and replaced by a tenant prepared to pay an unfair rental. The same situation also applies to a lesser degree to houses let by owners to tenants; if the tenant is dissatisfied and takes action to obtain a fair rent, a notice to quit often follows. These are influences detrimental to rent costs and merit a continuance of control. If eviction control is wholly discontinued, these influences will be increased at a time when a brake on them is desirable.

The cost of administering the Act is not exceptional. The rents office of the Chief Secretary's Department comprises three officers only. With such a small staff it is not possible to keep a record of all interviews and complaints, but on a conservative basis it is estimated that an average of 50 people per week, who have received notices to quit, call at the office for advice. Many complaints of excessive rents have been received from persons occupying rooms and sharing conveniences in apartment houses, etc. In most cases the owners have leased the premises and the lessees have sublet the accommodation. Cases have arisen where foreigners have purchased dwellings and are letting single rooms at £5 per week. As these tenancies have been entered into since the 30th December, 1950, there is no protection under the Act against eviction, and consequently, the tenants are afraid to apply for a fixation of fair rent.

I have here a list taken at random from the many cases of fair rents determination which have been made. In most cases the determination was less than 50 per cent. of the rent demanded. For instance, £4 10s. for one room at Cottesloe was reduced to £2 7s. 6. by the court. Two cases of three rooms at Welshpool were reduced from £5 to £1 7s. 6d. and £1 13s. 6d. respectively, one room at Pier-st. from £2 to 15s. and two rooms at South Perth from £4 10s. to £1 18s.. At North Perth the rent of a house was recently unlawfully increased from £1 16s. to £5. Other recent cases of unauthorised increased house rents were—Mt. Lawley, £2 7s. 6d. to £5; Scarborough, £2 6s. to £6; and Victoria Park, £1 16s. to £4. These are but a few instances of the many cases that have been dealt with lately.

As regards rental provisions, the Act provides the necessary machinery for the fixation of a fair rent by a court or rent inspector. It fixes the amount which may be lawfully chargeable in respect of all classes of premises, excluding premises of the Crown, farms and the like, which are not subject to the Act. The permissible margin of increase is up to 10 per cent. on rent previously assessed at a certain date as may be agreed to in writing by the parties concerned, plus increased outgoings in rates and taxes, etc. The rent inspector's jurisdiction applies to parts of premises, such as flats and rooms, whilst the court may deal with all classes of premises, including shops and business premises. I am informed that inquiries and requests for rent assessments continue to flow into the rent inspector's office. The continued demand for houses, which maintains the high levels in rents, is another factor which favours the continuation of the Act. The possibility has to be considered that if the Act is permitted to lapse there will be a general increase in rents followed by an increase in the basic wage. Similar legislation to this is in operation in the other States of Australia, as well as in the United Kingdom and other countries, and nowhere, so far as I am aware, have efforts been made to cease these controls.

Hon. A. R. Jones: Except in Queensland, is it not?

The MINISTER FOR TRANSPORT: As far as I know, it applies to all of them. I have heard it said that even if this Bill is rejected, tenants will still have the protection of the fair rents court. This is entirely wrong. There is actually no such body as a fair rents court. Under wartime legislation, of which the principal Act is the successor, people have been able to take their rent grievances before a magistrate, and this court has in time become known as the "fair rents court".

Hon. H. K. Watson: That is not so with respect to the eviction provisions in the Act.

The MINISTER FOR TRANSPORT: I have checked upon that and I am advised that what I am saying is correct. If the Act lapses, the right of people to appear before the magistrate is also lost, and there will no longer be any "fair rents court". I have sought legal opinion on this point and am advised that what I have stated is correct. Therefore, if this Act is not continued, there will be no protection whatever for a tenant who can be called upon by the lessor to pay any amount, and his only remedy will be to vacate the premises.

In view of the difficult housing position and the continued strain on the State Housing Commission to provide houses, it is obviously necessary that there should be some protection for the tenant, with the usual safeguards preserved to the owner. I therefore recommend to the House that this continuance Bill be passed. I move—

> That the Bill be now read a second time.

On motion by Hon. E. M. Davies, debate adjourned.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [7.42] in moving the second reading said: This is a very short and simple Bill which seeks to remove from the principal Act the provisions that limit to £3 per week the benefits which may be granted by way of periodical payments by friendly societies to their members.

This limitation occurs in the first proviso to Section 7 of the principal Act which precludes from registration under the Act any society which provides periodical benefits exceeding £3 per week, and also in Section 36, which states that no member of a registered society may receive more than £3 per week by way of periodical payments. This limit has existed since 1923 and is not consistent with current money values. Some doubt has arisen also as to whether certain other payments, such as hospital benefits, should be classed as periodical payments and be part of the £3 per week allowed under the Act.

Registered friendly societies are important factors in the insuring of persons against sickness and possible hospital admission, and particularly is this so with regard to the new Commonwealth Hospital Benefits Scheme. The elimination of the obsolete limitation of £3 per week will ensure that friendly societies can conform to the new scheme of hospital benefits and provide assistance according to the monetary values of today. The proposals in the Bill have been agreed to by the Friendly Societies Council and the Registrar of Friendly Societies. I move—

That the Bill be now read a second time.

On motion by Hon. F. R. H. Lavery, debate adjourned.

BILL—PHARMACY AND POISONS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [7.45] in moving the second reading said: This Bill has been brought down at the request of the Council of the Pharmaceutical Society of Western Australia. Under the Act all pharmaceutical chemists in the State must belong to the society, and no person may practise in Western Australia unless he possesses a license issued by the council. At present, a person may be registerd as a pharmaceutical chemist if he is 21 years of age, and has passed the examinations prescribed by the regulations made under the principal Act, or examinations that the Pharmaceutical Society accept as equivalent, or holds a certificate or diploma which is acceptable under the regulations.

The main purpose of the Bill is to permit migrants to practice as pharmacists in Western Australia, provided they can satisfy the Pharmaceutical Council as to their qualifications and ability. This is the result of a discussion between the Commonwealth Government and the Federal Council of Pharmaceutical Societies of Australia, following which a conference at Brisbane in May, 1951, of the Pharmaceutical Association of Australia, at which all sections of the profession, including the various State pharmacy boards were represented, recommended that migrants be registered as pharmaceutical chemists, subject to their qualifications being satisfactory and their possessing an adequate command of the English language.

Following this recommendation the Prime Minister requested in September, 1951, that consideration be given to implementing the matter in Western Australia. This has been very carefully considered by the Pharmaceutical Council of this State and its recommendations are the substance of the Bill before the House. The Bill proposes to allow the Pharmaceutical Council discretion to decide whether an applicant's training and qualifications are sufficient to permit of his being allowed to practise in this State.

This discretionary power is considered advisable as it is likely that a variety of qualifications will be claimed, which would be too extensive to have included in the Act. Some of these qualifications may be of high academic standard, and the council may require others to be substantiated by special examination or supervised work. The Bill also seeks to ensure that all recipients of registration by the council have an adequate knowledge of the English language.

The opportunity is also taken to ensure that any person who has been granted a courtesy degree by one of the societies or examining bodies with which this State maintains reciprocity, is not entitled to practise as a pharmacist in this State. Such a contingency may be unlikely but it is considered advisable to guard against the possibility of its occurring.

The Bill also seeks to give effect to the council's desire that only bona fide residents of Western Australia be permitted to practise here. The main reasons for this are: Firstly, it is in keeping with the existing provision that no pharmacist may own more than two shops; secondly, it promotes the acceptance of personal responsibility and supervision of the premises by the owner; and, thirdly—and this is most important—with the acceptance of migrants into the profession into this State, the possibility is envisaged of external capital being utilised to buy pharmacies in the State, and migrants being appointed as managers, the owner's only interest in the business being through the annual balance sheet. This has occurred in other countries, notably in New Zealand, which was forced to take similar action to that proposed in the Bill.

The great majority of persons enter the profession with the object of owning their business. If a number of pharmacies are owned by persons living outside the State, opportunities for resident ownership will

be reduced, and, particularly in times of depression, incentive to enter the profession diminshed. It has been found that the owner-operator gives better service to the public than a business opened solely for the purpose of investment.

It is also proposed by the Bill that where any person is engaged to take charge of a pharmacy for more than three days on which the pharmacy is open, the Pharmaceutical Council shall be so advised. This provision is in accordance with the council's responsibility for policing the Act and regulations. The person in charge of a pharmacy is responsible legally for the custody and proper handling of dangerous drugs, and narcotics, and it is essential therefore, that the council shall be aware as to who is in charge of each pharmacy.

The final amendment, which appears in Clause 5, is to rectify an error in the Act. The words "in the Fifth and Ninth Schedules" should read "in either the Fifth or Ninth Schedule", as the schedules serve different purposes, thus making it unsuitable for some articles to be placed on both schedules. I trust the Bill will receive the favourable attention of members. As I have intimated, it has been requested by the Pharmaceutical Society and its main provisions are to implement the recommendations of the Australian body of the profession. I move—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

House adjourned at 7.55 p.m.

Legislative Assembly

Tuesday, 14th October, 1952.

CONTENTS.

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

QUESTIONS.

COLLIE COAL.

(a) As to Price and Calorific Values.

Mr. MAY asked the Minister representing the Minister for Mines:

Will he inform the House—

(1) The average price of open-cut coal supplied to Government instrumentalities for the financial year ended June, 1952, and the average calorific value and ash content?

(2) The average price of deep mine coal supplied to the Government by the Griffin Coal Company for the financial year ended June, 1952, and the average calorific value and ash content?