The remaining amendments are consequential on the foregoing and will take effect or be altered accordingly. I move—

That the report be adopted.

Question put and passed, and a message accordingly returned to the Council.

Council's Message.

Message from the Council received and read notifying that it had agreed to the conference managers' report.

House adjourned at 3.48 p.m. (Thursday).

Legislative Council.

Thursday, 14th October, 1948.

CONTENTS.

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

QUESTIONS.

PRICES CONTROL.

As to Hay and Chaff.

Hon. L. A. LOGAN (for Hon. A. L. Loton) asked the Honorary Minister for Agriculture:

Is it the intention of the Prices Control Board—

(1) To fix the prices for hay and chaff for the 1948-1949 season?

(2) If "yes" is the reply, what are to be the prices for—

(a) wheaten hay, stooked, stacked;

(b) oaten hay, stooked, stacked;

(c) wheaten chaff f.o.r. country siding;

(d) oaten chaff f.o.r. country siding?

The HONORARY MINISTER replied:

(1) No. Hay and chaff were decontrolled by the Commonwealth authority in November, 1947, and are not controlled commodities under the State Prices Control Act, 1948.

CHARCOAL-IRON.

As to Costs and By-Product.

Hon. W. J. MANN (for Hon. J. M. A. Cunningham) asked the Chief Secretary:

(1) What was the total capital cost of Wundowie charcoal-iron plant to the end of August, 1948?

(2) What was the total working cost since the inception to the 31st August, 1948?

(3) What is proposed to be done with the 600 tons of wood tar produced?

The CHIEF SECRETARY replied:

(1) £447,482.

(2) £74,762.

(3) Wood tar is being used in place of fuel oil and wood for heating and steam raising purposes.

MOTION—INCREASE OF RENT (WAR RESTRICTIONS) ACT.

To Disallow Court Proceedings Regulations.

Debate resumed from the previous day on the following motion by Hon. Sir Charles Latham:—

That Regulations Nos. 10, 11, 12 and 15, made under the Increase of Rent (War Restrictions) Act, 1939-1948, as published in the "Government Gazette" of the 3rd September, 1948, and laid on the Table of the House on the 14th September, 1948, be and are hereby disallowed.

HON. G. FRASER (West) [4.35]: In opposing the motion submitted by Sir Charles Latham, I regret that he is not present this afternoon. I shall not speak at any great length, but I could wish that Sir Charles were present so that I might tell him that when I heard his speech I was satisfied that he did not know much about these particular regulations. It appeared to

me he was dealing with a subject of which he was not at all conversant. In the first place, he mentioned 60 or 70 days' notice having to be given, which is entirely wrong. He also asserted that all returned soldiers were protected, which again is wrong.

For the life of me I cannot understand why the hon. member moved to disallow the regulations because they appear to me as avenues available to persons by which they can take steps to secure the possession of their properties. The disallowance of these regulations will deprive those concerned of something that has been of as much advantage to the owners as to the tenants. In the circumstances, I cannot understand at all why Sir Charles Latham has submitted such a motion. Over a considerable period the Act has operated as satisfactorily as any legislation of this description could be expected to work.

We know that there have been complaints from both sides regarding decisions given by the courts. I could quote many instances of tenants complaining against those decisions and I have frequently been prepared to agree to that, on the face of it, the evidence would seem to indicate that they had been dealt with harshly. At the same time, I could advance just as many complaints made by landlords who, in my opinion, had been equally harshly treated in particular cases. Giving all that in, I am satisfied, having had a fair experience of the operations of the Act, that in the main the regulations have worked so as to extend justice to all.

Hon. A. Thomson: I am a bit doubtful about that.

Hon. G. FRASER: I am able to express that opinion on the basis of a number of cases on both sides. This is not a matter of protecting the big landlord or the tenant. It is something that has been devised in the interest of people who own their own homes. As I have already said, I am in a fair position to judge how the Act has functioned. I say without hesitation that if the regulations are disallowed, it will be much harder for a landlord to get repossession of his premises.

Hon. L. A. Logan: Sir Charles Latham wanted something else provided that would make it easier for the landlord.

Hon. G. FRASER: If any member cares to go through the regulations, he will be forced to agree that so many avenues are covered that it would be very difficult indeed to provide better and more effective means by which the situation could be dealt with. In the course of his speech—I now refer to one of the points that led me to believe that he did not fully understand the position—Sir Charles said that a landlord had to offer other premises to his tenant. That is not the position at all.

Hon. A. Thomson: It has been in the past.

Hon. G. FRASER: No, that is merely an extra provision that a landlord may avail himself of for his own assistance in approaching the court to secure an eviction order. If the landlord can say that he offered other premises to his tenant, it furnishes additional evidence in support of his claim. Therefore, if the motion be agreed to, that provision will be cut out and thus it will work to the detriment of those the hon. member wishes to assist.

The previous procedure was to give 60 days' notice, but I think that was altered by the Act of last year to 30 days. If at the expiration of that period the tenants are still residing in the house, the owner can apply to the court. These regulations were framed for the guidance of the magistrate in arriving at a decision. For instance, the magistrate must take into consideration who will be suffering the greater hardship, the landlord or the tenant. He must also take into consideration whether the tenant has been offered alternative accommodation; it would be to the advantage of the owner to adduce such evidence. I have known of cases where alternative accommodation has been offered the tenant which did not equal the premises he was being called upon to vacate, and the magistrate has given his decision in favour of the landlord. In view of the unusual circumstances now existing, I consider the Act has worked very well. I certainly would not like these regulations to be disallowed, as I think the result would be to inflict hardship on both landlords and tenants.

It may be argued that because a person owns a property he is entitled to possession of it when he requires it; but there are many cases where it would be unjust to evict the tenant. In my own district, for example, during the war scare in 1941 or 1942, many people were only too pleased to leave their homes and go to the country and only

too glad to find tenants for their homes. When the scare was over, they wanted immediate repossession of their homes. Personally, I would be prepared to leave it to a magistrate to decide whether they should get repossession of their homes or not. The Act does not debar such people from getting repossession of their homes, but it requires certain phases to be taken into consideration. When all is said and done, it is generally a matter of adjourning a case for a couple of months and waiting for an eviction order.

Hon. A. Thomson: After the case has been delayed for a couple of months, it is again adjourned for a similar period, and so it goes on.

Hon. G. FRASER: The landlord has generally to wait about six months from the date of the expiry of the 30 days' notice before he obtains possession of his premises.

Hon. A. Thomson: I have known of owners who have waited for over two years.

Hon. G. FRASER: There are exceptional cases. Possibly the owners in the instance given by Mr. Thomson were living in a comfortable home, while the tenant might have been forced to go to a very uncomfortable home.

Hon. A. Thomson: Sometimes the owners are living in uncomfortable conditions, too.

Hon. G. FRASER: It must be borne in mind, also, that many people have bought homes that were tenanted, knowing full well that they could not get immediate possession. If people buy property in such circumstances, I am prepared to leave it to the court to decide whether it would be justifiable to evict tenants who probably have been in the house for 20 years and have never been given an opportunity to purchase it. In dealing with these cases, the magistrate always takes into consideration the question of whether the tenant has made an attempt to purchase the house. If the tenant had the opportunity and did not avail himself of it, that fact is taken into consideration by the magistrate in arriving at his decision.

Admittedly, a case could be put up for the regulations and another case against them; but, having had experience of both sides, I am convinced that these regulations now sought to be disallowed are in every respect reasonable. If the House in its wisdom decides to disallow them, no doubt the Chief Secretary could tell us what the effect would be. We should be back to the old conditions where an eviction order could be obtained, the tenant put out and his furniture dumped on the street. We do not want to return to those conditions. When an eviction order is made now, the tenants can apply to the State Housing Commission for accommodation, and the commission has camps or Commonwealth-State rental homes to which they can be sent. But the State Housing Commission will not entertain applications of that description until such time as the eviction order has been made.

Hon. A. Thomson: Many tenants now occupy houses for which they pay £1 a week rent, but for which a much higher rental could fairly be charged.

Hon. G. FRASER: It must be borne in mind that it does not always require an eviction order to get tenants to leave a house. I can cite cases where a landlord, who would not have a possible chance under the Act of getting possession of his property, has so worked on the nerves of the tenants that they would not let the matter of a few extra shillings rent stand in the way of their securing another house, if possible. Some landlords adopt the policy of making themselves a nuisance to the tenant by continually visiting the premises when the husband is absent. This so works on the nerves of the wife as to make her almost distracted. I am not asserting that the Act and the regulations are perfect: no law made under the present conditions in this regard could be perfect and suit all persons. I repeat, I believe these regulations are working as well as can be expected. That being the case, and not wishing to go back to the old order when such regulations did not operate, I am hoping the House will vote against the motion.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [4.51]: I am afraid Sir Charles Latham was quite right when he said he found it difficult to construe the regulations, because quite obviously he has not placed before the House what the true position is, or will be. Prior to the war, when a person desired to get possession of his house, he took action for ejectment. He first of all had to give notice to quit, in accordance with the circumstances, and then if the tenant did not

vacate the premises he took court proceedings. If he were successful, a warrant was issued, and in due course the bailiff ejected the tenant.

Hon. A. Thomson: What would be the average time in which to do that?

The CHIEF SECRETARY: The only difference at present is that these regulations limit the notice, in some instances, to 14 days and in others to 30 days. Under the ordinary common law, it is a question of whether it is a weekly, monthly, or annual tenancy. It depends entirely on the circumstances. These regulations simplify the position considerably. I understood Sir Charles Latham to say that he wanted to go back to what the law was before these regulations were enacted, but for some reason or other he does not ask for the disallowance of all the regulations, but only some.

We find that if those he seeks to disallow were struck out, the major machinery would go, leaving only a skeleton. But he has not appreciated the value of that skeleton. If the House disallowed Regulations Nos. 10, 11, 12 and 15, that would not bring the old law into force. We would still have to proceed under the remaining regulations. Regulation No. 3 provides—

> Except as provided by these regulations, the lessor of any premises shall not give any notice to terminate the tenancy or take or continue any proceedings to recover possession of the premises from the lessee or for the ejectment of the lessee therefrom.

Therefore, if these four regulations were disallowed, we would still have to give notice in accordance with Regulation No. 3, which provides the grounds upon which notice may be given. The procedure then would be that the court could do what it liked. It could consider hardship or not, as it thought fit. The magistrate, therefore, would have absolute carte blanche. But the regulations say, "No, Mr. Magistrate, you are not going to do that. You must act within certain reasonable limits." Sir Charles Latham says, "We do not want to do that, but desire to give the magistrate an open go so that by word of mouth he may say, 'Yea' or 'Nay'." Under the regulations there is no appeal against the magistrate's decision except on questions of law. So the magistrate is left to use his unfettered discretion if we remove these regulations. I trust the House will not agree to that. I point out that under Regulation No. 14—and the only way to get a person out of a house is in accordance with these regulations, even though some are disallowed—there shall be no appeal except as to questions of law. A magistrate, therefore, can do exactly as he likes. By disallowing the regulations we will not get back to the old conditions that existed before the war.

Regulation No. 10 is an extremely interesting one. It provides that on the hearing of any proceedings by a lessor for an order for the recovery of possession of any premises or for the ejectment of the lessee therefrom, the court shall take into consideration, in addition to all other relevant matters, any hardship which would be caused to the lessee or any hardship which would be caused to the lessor by the refusal of the court to make an order. Where the application is made on certain grounds—for instance, that the premises are required by an owner, or as a parsonage, or that the lessor is a trustee; that the lessor is a person, body or authority carrying on a hospital; that the premises are occupied in consequence of the employment of the person, or that the premises are reasonably required by the lessor for reconstruction or demolition—then the court takes into consideration whether reasonably suitable or alternative accommodation in lieu of the premises is, or has been since the date from which notice to quit was given, available for the occupation of the person occupying the premises.

The court takes into consideration the fact that alternative accommodation has been offered. If we wipe out this regulation the court need not take that into consideration at all, or the question of the hardship to the lessor. If the application is made because the tenant has sublet—and there are many instances of tenants who have sublet or transferred their leases without informing the landlord—regulations, which the hon. member does not seek to disallow, provide that the court shall not refuse, in the exercise of the discretion vested in it, to make the order unless it is satisfied that special circumstances exist, or in a case where the ground specified that the subletting was in the course of the tenant's business—say an apartment house. The hon. member is asking that where a tenant transfers his lease, or sublets without the consent of the landlord, this regulation,

which provides that the court shall not refuse the lessor's application, shall be struck out.

Hon. G. Fraser: He would defeat his own object.

The CHIEF SECRETARY: I do not think he knows what his object is. Another regulation, extraordinarily enough, that he wishes to strike out is No. 11 which provides as follows:—

In respect of any proceedings referred to in the last preceding regulation, the court may—

(a) From time to time . . . .

(i) adjourn the proceedings;

(ii) stay or suspend the execution of any judgment . . . .

(iii) postpone the date for recovery of possession or for ejectment.

Admittedly that is all in favour of the tenant.

(b) subject to such conditions (if any) as it thinks fit, vary, discharge or rescind any such judgment or order;

The magistrate can, at a later date, if he wishes, vary his judgment or alter it if circumstances turn out to be not the same as were represented to him. The regulation further states—

(c) where a warrant of execution has been issued, and whether the warrant has expired or not, from time to time extend the period stated in the warrant for the execution thereof—

That is an extraordinary thing to which any member should object. As Mr. Fraser pointed out, the magistrate not uncommonly says that he will issue a warrant, to be suspended for two months in order to give the parties time to do something. That is not at all unusual, but Sir Charles Latham is asking the House to disallow these regulations and to carry on the procedure that we used before. If the regulations are disallowed, the old procedure will apply and as soon as a warrant is issued the tenant will be put out. Nothing could stop it. The regulation goes on to state—

(i) If the court is satisfied that, because of the illness of the lessee . . . .

Sir Charles Latham is asking the House to disallow a regulation which provides that the court may extend the warrant where it is found that a tenant is ill. I feel sure the hon. member does not know the contents of the regulation. Regulation No. 12 is more or less consequential, and No. 15 is much the same.

What is the position? If we disallow the regulations, we shall place the unfortunate tenant, and there are a great many of them, in a most awkward position. It would mean the landlord applying to a magistrate and the magistrate, metaphorically speaking, simply tossing a coin to see whether he would grant the ejectment order or not. He could use his absolute unfettered discretion, and there would be no appeal. Of course magistrates do not act in that way, but in a manner referred to by lawyers as "ordinary equity and justice." What would a magistrate do if an application were made by a man for repossession of his house? The magistrate would take into consideration all the facts of the case and, as an ordinary human being, administer justly and decide who suffered the greater hardship. He has been doing it for years and he will continue to do it. That would mean he would act in practically the same way with or without the regulations. There would be no advantage in disallowing them, but there would be a very grave risk.

If the regulations are disallowed, the magistrate can act as he likes and there will be no appeal. As regards the question of taxation, although it is a shocking business, unfortunately the State has no control. There are many people with large dwellings who would be only too happy and willing to let such houses and perhaps live in an hotel. Many families owning large houses consist of the husband and wife only because the children have grown up and left the family circle. If such people let their house, their income would probably be increased by £5 or £10 per week and they would be forced to pay income tax on that increased income. They would get no rebate for the extra cost of living at a hotel or in a flat.

Hon. A. Thomson: That is the tragedy of it.

The CHIEF SECRETARY: Yes, it is a scandalous state of affairs. If my own family were to leave the house, I could not afford to let it because after the taxation had been deducted it would not allow me sufficient to rent a room or a flat. This would mean that I would have to continue to live in my own home and perhaps keep some deserving people out. However, I am afraid the disallowance of the regulations will not assist that position. There are a

great many people, as instanced by Sir Charles Latham, who have purchased places in the city or at seaside resorts and who wish to retire to those houses when they have finished work on their farms in the country, or on the Goldfields. These people have tried to obtain possession but a great many of them are baulked because they are already living in houses of their own in the country.

Their coming to the city would mean bringing extra families into the metropolitan area where the demand for houses is so great, and very often the tenants of their properties in the metropolitan area are in very difficult circumstances indeed and cannot get anywhere else to live. Would any member, if he were a magistrate, allow a man to leave a house in the country and turn out a family in the metropolitan area, because that individual desired to go into his own home? Although these homes have probably been owned for many years, we must not forget that they have been a good investment and although the landlords may be entitled to regain their own homes under normal conditions, at the present time it would be necessary to find a roof for each of the tenants who would be evicted. That, of course, is extremely difficult to do.

Recently a friend of mine with a wife and three children was asked by his landlord to vacate the house because he required it for his own use. My friend was quite pleased and happy to get out, but, unfortunately, he could not get anywhere else to go. The landlord's family consisted of a man and wife only and he realised the unfortunate position of his tenant and permitted them to remain in the house while he and his wife were prepared to live at a hotel. What would any member, if he were a magistrate, do in those circumstances? Would he give the married couple the house or allow the man, his wife and three children to remain? Sir Charles Latham is asking the House to disallow regulations protecting such people and throw the onus on to the magistrate without giving him any guiding principles.

I trust that members will not agree to the motion for the disallowance of the regulations, because all land agents and lawyers fully appreciate the position and understand what is contained in the regulations, which have been formulated by practical and experienced men and are more or less a set of rules. Any lawyer can tell a person who goes to see him what his prospects are of re-occupying his house, if he is a landlord, or if he is a tenant, his prospects of remaining in occupation. Lawyers know this from past experience and I hope that the House will not agree to the motion.

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

BILLS (2)—RETURNED.

1, Marriage Act Amendment.

2, Registration of Births, Deaths and Marriages Act Amendment.

With amendments.

BILLS (2)—THIRD READING.

1, Gold Buyers Act Amendment.
Transmitted to the Assembly.

2, Industries Assistance Act Amendment (Continuance).

Passed.

BILL—HEALTH ACT AMENDMENT.

Report of Committee adopted.

BILL—BUILDERS' REGISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. H. GRAY (West) [5.15]: This is a small Bill but one of great importance, and I think the Government is deserving of congratulations for having brought it forward. I remember when the original legislation was passed in 1939. It was a non-party Bill introduced by a Labour member in another place and sponsored by a Liberal member in this House, and it was freely discussed in both Chambers.

This legislation had its origin in the conditions then prevailing—the jerry-building that was going on and the confusion generally that existed after the close of World War I. when people were being ruthlessly exploited. Both the Commonwealth and State Governments suffered in this way, especially the Commonwealth with its building scheme. Even today we can see atrocious examples of the jerry-building of those days. These examples indicated the necessity for the exercise of some control over builders who were erecting homes for

the people. I mentioned that the original legislation was freely debated. Many members were conscious of the danger attaching to it and a few members prophesied that it would be a hindrance rather than a help, but the experience over the years, in my opinion, has been that the Act has proved a great boon to bona-fide builders, to the tradesman and also to the general public.

We deplore the very high cost of building nowadays, but if we examine the cottages being erected for workers and compare them with the houses constructed from 1919 onwards, we must admit that the workmanship at present is far superior to what it was in those days when there was no control at all over builders. At any rate, the only control then was that exercised by the local governing authorities. So we can say with truth that this non-party measure has proved to be of great benefit to all concerned.

The amending Bill represents an attempt to give a tradesman or handyman capable of building a cottage for himself, the opportunity to do so. That is an improvement on the existing legislation, because younger tradesmen particularly, some of whom will come from the other States and some from the Old Country, will be able to build homes for themselves in their spare time. We should bear in mind that the operation of the Act is confined to the metropolitan area as defined in the Metropolitan Water Supply, Sewerage and Drainage Act, and therefore some of the arguments advanced by Mr. Thomson have less effect than would otherwise be the case.

I think the proposal to give craftsmen an opportunity to build homes without limit will receive general acclamation. A tradesman so desiring may build a home during week-ends and, provided he complies with the plans and specifications approved by the local building surveyor, everything will be quite satisfactory. I point out that in my experience the administration of local governing bodies in the metropolitan area is now far more efficient than it was years ago. The local authority will be able to exercise a fair amount of efficient supervision, so that a craftsman building a home for himself will not be permitted to break away from the building bylaws applicable to the particular area.

In my opinion, it is absolutely necessary that increased restrictions should be provided to prevent the practising of any fraud on or the making of any misrepresentation to either the Housing Commission or the local authority. I do not agree with the contention of Mr. Thomson regarding the provision stipulating penalties for transgressions of the Act. It is essential that we provide adequate safeguards to prevent any possible exploitation or misrepresentation by any person seeking to take advantage of a weakness in the law. Punishment by fine should be substantial, salutary and effective—sufficient to discourage anyone from breaking the law by exceeding the limit laid down. The hon. member gave an instance of a person who was fined for having committed a breach in regard to a permit. The first three lines of the penal clause effectively disprove his argument because the proposed new Section 4A (2) states—

> Any person who, in order to obtain from any local authority any building permit makes any false and fraudulent declaration, representation or statement, either in writing or otherwise, relating to the total fee or charge payable in respect of the carrying out of any proposed building or relating to the qualifications as to either the registration or the right to exemption from registration of the person proposing to carry out the building shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds or be imprisoned for any term of not more than twelve months.

I agree with every part of the proposed new subsection. Anyone with a knowledge of happenings in local governing districts is aware that some people—not many of them, thank goodness!—are stupid enough to attempt to evade bylaws and regulations by making false statements. This provision represents a good step forward and should be backed by a substantial penal clause. Therefore I disagree entirely with the criticism of the proposed new subsection offered by Mr. Thomson. It is essential that salutary punishment should be stipulated for any offence against this provision. We have to bear in mind that there are three classes to be considered under this measure. First of all the unregistered builder will be able to erect, subject to the consent of the local authority, a building to the amount of £600, which is £200 in excess of the amount stipulated in the parent Act.

A further increase to £800 has been advocated by Mr. Fraser who has given notice of his intention to move an amendment to

that effect. To adopt such an amendment, I consider, would be highly dangerous. Let us remember that this legislation would never have been passed but for the loss sustained by unsuspecting people and the bad class of workmanship that was being indulged in. In many instances there were plasterers, carpenters, bricklayers and other tradesmen working for jerry-builders, and some of them had no qualifications at all. If any member wishes to verify that statement, all he needs do is to scrutinise the records and he will find that quite a number of those men finished up in the Bankruptcy Court and that many tradesmen suffered loss in consequence.

Hon. G. Fraser: What is the difference in value between £400 at that time and £800 now?

Hon. E. H. GRAY: I think £600 would be the equivalent value today and I consider it would be unsafe to go beyond that. This Bill proposes a departure inasmuch as existing legislation provides for the expenditure of £400 on any building, so that a man could not build a house for himself if the cost exceeded £400. The Bill contains a provision authorising the issue of a permit if the person to whom such a permit is issued proposes to construct the building for himself and not for the purpose of immediate sale, so that a craftsman, under this amendment, would be able, with the permission of the local authority, to build a house for himself costing £2,000. That is an improvement on the existing Act.

Hon. G. Fraser: It is not.

Hon. E. H. GRAY: I think it is.

Hon. G. Fraser: That can be proved by the amendment originally introduced in another place.

Hon. E. H. GRAY: I am satisfied that it is an improvement.

The PRESIDENT: Order! I suggest that the hon. member should disregard interjections.

Hon. E. H. GRAY: I repeat that to support Mr. Fraser's amendment would be dangerous. Ordinarily, I like to give support to young people, but this is one of the occasions when I cannot do so. I hope that the Bill will be passed in its present form, because it will be an important contribution towards overcoming the difficulties caused by the housing shortage.

THE HONORARY MINISTER FOR AGRICULTURE (Hon. G. B. Wood—East—in reply) [5.26]: I am gratified at the reception accorded the Bill. First of all, I wish to reply to some remarks made by Mr. Fraser. I think he rather let his tongue run away with him when criticising certain remarks I made in moving the second reading of the Bill. I should like to inform him that I had my own notes and did not use notes from another place. Almost invariably I use my own notes, probably to the extent of 99 per cent.

Hon. G. Fraser: Then you were to blame.

The HONORARY MINISTER FOR AGRICULTURE: If anyone is to blame, I am he, but I shall try to convince the hon. member that I was not wrong. The hon. member stated that I had used words which were not in the Bill. I did use the words "by his own efforts for his own use." I was referring to Clause 4 (c) which states that a local authority may issue a building permit to a person proposing to construct a building to which the permit relates for himself and not for the immediate sale thereof. The hon. member, in my opinion, misconstrued the meaning of the words "by his own efforts" and inferred that the owner-builder would have to do the whole of the work himself. That is not the meaning of the words.

Hon. G. Fraser: Not when you say "by his own efforts"?

The HONORARY MINISTER FOR AGRICULTURE: Definitely not. I proceeded to say that the provision of permits to owner-builders followed the policy of the State Housing Commission, which was to liberalise the issue of permits to build to persons who could provide their own labour, and that houses so built were usually more modest than those erected by a contractor. By using the words "by his own efforts," I meant that the man would not employ a contractor, but it did not necessarily follow that he would do all the work himself. As I pointed out in my speech, owner-builders working under this liberalised policy of the Housing Commission last year built 306 of the total housing output of 2,771, equal to 11 per cent. This was an improvement on the previous year's figures of 91 out of 1,792, equal to 5 per cent.

The intention is to encourage men who are prepared to provide all or most of the

labour to build their own homes. It is realised that they will probably have to obtain the services of plumbers, electricians, etc., but it is more than likely that they will do most of the work themselves and get friends to help them during holidays and week-ends. A man might have a friend who is a tradesman, and who might do that part of the work for the owner-builder. The activities of owner-builders have definitely accelerated the building rate and have resulted in the provision of homes for persons who could not get or could not afford to employ a registered builder. I intend to oppose both the amendments Mr. Fraser suggests and am glad to have Mr. Gray's support in that regard. I think the increase from £400 to £600 is quite sufficient. It is a big advance, and we want to protect people, as Mr. Gray said, from jerry-builders.

Hon. A. Thomson: I bet he could not tell you what a jerry-built house is.

Hon. E. H. Gray: I could take you to some.

The HONORARY MINISTER FOR AGRICULTURE: We know what they are, but I do not intend to enter into an explanation. If the amount were increased to £800, we would have the houses erected by people who should not be building them. Mr. Fraser took exception to the continuing penalty of £2 a day. I think that penalty is desirable, otherwise a man might be fined £10 and then go on with the work. We cannot be prosecuting a person every week. What is the good of having an Act if we are not going to police it? And the only way to do that is by these penalties.

Hon. A. Thomson: You have had only 15 prosecutions.

The HONORARY MINISTER FOR AGRICULTURE: We want to obviate the need for any. If the penalty is not sufficiently high, people will go on committing the offence. Mr. Fraser said something about that provision penalising the owner. If the owner is going to employ somebody who does that sort of thing, it is his look-out. This provision will make him all the more particular whom he gets to do his work. I express appreciation of the general reception accorded the Bill and feel sure it will pass the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Citation of principal Act as amended:

Hon. A. THOMSON: I trust the Minister will agree to report progress, because there are several amendments I would like to place on the notice paper; and before doing so, I wish to consult the Crown Law Department.

The HONORARY MINISTER FOR AGRICULTURE: I will ask for progress to be reported, but only with reluctance. Mr. Thomson has had ample time to put his amendments on the notice paper. We are here to do a job, and I do not like reporting progress. We are not hastily putting this measure through, because it has been before us for two weeks.

The CHAIRMAN: I suggest that Clause 2, which was merely the citation of the principal Act and is not likely to be amended, should be dealt with before progress is reported.

Clause put and passed.

Clause 3—Amendment of Section 4:

Hon. H. K. WATSON: I think we might very well deal with Mr. Fraser's amendment to this clause.

Hon. A. THOMSON: I have in mind an amendment to this clause. This is an important measure; and in view of the state of the Committee, I do not think we should proceed with it. Therefore I hope the Minister will report progress.

The HONORARY MINISTER FOR AGRICULTURE: I have agreed to report progress, but not on account of the state of the Committee. If members are not in attendance to do what they should, I do not see why I should report progress for that reason; but in deference to the wishes of the hon. member, I will agree to progress being reported.

Progress reported.

BILL—PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT.

Assembly's Amendment.

Amendment made by the Assembly now considered.

In Committee.

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

The CHAIRMAN: The Assembly's amendment is as follows:—

Clause 10. Delete this clause.

The HONORARY MINISTER FOR AGRICULTURE: I move—

That the amendment be agreed to.

There is some doubt about the matter. It may be very dangerous. There may be a man with his wife and family on the place and the owner may say "You have to do something," and he may be afraid of being dismissed and so will commit the offence. I have no objection to the amendment.

Question put and passed; the Assembly's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—STATE HOUSING ACT AMENDMENT.

Second Reading.

Debate resumed from the 12th October.

HON. A. THOMSON (South-East) [5.40]: I congratulate the Government on extending the consideration proposed in the Bill, to the people living in the North. I endorse all that has been said during the debate on the measure. One of the intentions is to define a "worker." I am inclined to think that we should increase the amount of salary which a man should receive to entitle him to obtain a house. Another proposal is that the amount of the loan should be increased. I think it is desirable that something should be done to provide a standardised house for the North. One of the problems people are facing in that area is that of distance and the cost of obtaining necessary building materials.

According to the Press, Pakistan, I notice, is willing to supply Western Australia with 20,000 tons of cement. I wonder whether the Housing Commission would take into consideration the possibility of securing that cement, provided it can be supplied at a reasonable price, and of placing it at the different ports in the North. I am going to make a suggestion which I think might help the commission to solve the cost of housing in the North. So far as floors are concerned, the majority of them could, and should, be composed of cement. I go so far as to say that an inquiry should be made as to the cost of pouring cement in connection with concrete houses, as is done elsewhere in Australia.

Certain people have come from the Eastern States and have offered to construct concrete homes in the metropolitan area. It might be argued that a single wall consisting of four or six inches of concrete, such as could be poured in moulds, would make a building too hot, but we know that at Wittenoom Gorge a considerable amount of caneite is being used. I would suggest that buildings be erected in batches, which would tend towards cheaper construction. Then, by placing battens on the walls and lining and ceiling the rooms with caneite, the homes could be made cool and comfortable. Dr. Cook has voiced a strong protest against what he referred to as galvanised iron shacks. The purpose of this measure is to give the Housing Commission power to erect homes in the North. If that body decided to build houses, such as I have suggested, in certain parts of the North, it could perhaps engage some firm—such as these concrete experts—to erect them. That would obviate the necessity for taking to that area a large number of workmen.

The other day a certain gentleman said, in the corridor of this House, that in sending a tradesman to the North, travelling expenses and time cost 12s. 6d. per hour. The Housing Commission could not normally bear expenses such as that, and therefore that body might consider my suggestion. It is, of course, well known that with the extremes of temperature in the North houses should be of bungalow construction. I feel that the Premier's visit to the North made him appreciate that something should be done for the people in that area. I believe that Dr. Cook's visit, which resulted in his alarming report, convinced the Government that steps should be taken to provide decent

accommodation for the residents of that part of our State. Those who are willing to work in the North, playing their part in developing that portion of the State, deserve every encouragement. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 5.52 p.m

Legislative Assembly.

Thursday, 14th October, 1948.

CONTENTS.

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

QUESTIONS.

ELECTORAL.

As to Ensuring Accuracy of Rolls.

Mr. NEEDHAM asked the Attorney General:

(1) Is he aware that, despite the departmental census of Federal districts in the metropolitan area prior to the last general elections, the rolls were in a deplorable condition?

(2) To avoid a repetition of unsatisfactory electoral rolls, and in view of the fact that the name, address and occupation of every applicant for a ration card is recorded (although Commonwealth rolls are not used), will he—

(a) review his answer to my Question No. 3 on Thursday, the 7th October, and

(b) appoint State electoral officers to check that record, and thus help to secure a reliable basis for the rolls in the new electoral districts?

The ATTORNEY GENERAL replied:

(1) No.

(2) No, but careful checking of the rolls is being continually carried on by the Electoral Department.

TAILORING TRADE.

As to Advertisement of Sydney Firm.

Mr. NEEDHAM asked the Attorney General—

(1) Is he aware that, owing to the scarcity of material, Perth tailors must keep their clients waiting a long time for suits?

(2) If so, will he explain to the House why a Sydney firm of tailors was able to advertise in the local press, inviting patrons to get measured by cutters, and guaranteeing to make and deliver a suit in 30 days?

The ATTORNEY GENERAL replied:

(1) and (2) The only explanation known to me is that published in the Press by the firm concerned, that it had imported a considerable amount of yarn from England.

HAY AND CHAFF.

As to Protection for Producers and Users.

Hon. J. B. SLEEMAN asked the Attorney General:

(1) Is he aware that the price of chaff has been raised from £9 per ton to £14 and £16 per ton?