

Legislative Council

Thursday, 25th October, 1951.

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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 Administrator 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 his most gracious Majesty the King and for your Address-in-reply to the Speech with which I opened Parliament.

QUESTION.

HOUSING.

As to Tabling File, O. A. Doran.

Hon. H. K. WATSON asked the Minister for Transport:

Will he lay upon the Table of the House, the file relating to an application by O. A. Doran for a building operations permit, the refusal of that application, and the subsequent prosecution of Doran for carrying on those building operations without a permit?

The MINISTER FOR AGRICULTURE: replied:

No, but the file will be made available to the hon. member for his perusal, by Mr. Irvine, at the office of the State Housing Commission.

BILLS (3)—THIRD READING.

1. Law Reform (Common Employment). Returned to the Assembly with an amendment.

2. Petroleum Act Amendment.
3. Muja-Centaur Coal Mine Railway.
Passed.

BILL—PIG INDUSTRY COMPENSATION ACT AMENDMENT.

In Committee.

Resumed from the 23rd October. Hon. J. A. Dimmitt in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 3—Amendment of Sections 6 (c), 7 (2), 8 (2) and (3) and 9 (2) and (3) (partly considered).

The MINISTER FOR AGRICULTURE: When Mr. Loton drew attention to what he thought was an anomaly, I did not have the parent Act with me. I would explain now that paragraphs (b) and (c) of Section 6 deal with pigs that are destroyed or die from some disease. All pigs that are destroyed come under the category of diseased pigs. If a pig were suffering from tuberculosis and were found in the abattoirs it would be destroyed automatically in accordance with the Act. But in respect of pigs on a farm, unless this Bill is passed, compensation will be paid only for those which die of swine fever.

In order to improve the position for the pig owners, we propose to include provision for the payment of compensation for pigs which die of erysipelas or para-typhoid. A pig can die very quickly from swine fever, erysipelas or para-typhoid, long before it would be possible for an inspector to get to it. It could be decomposed before the inspector saw it. A pig suffering from tuberculosis can have that complaint without its being detected and it is therefore not proposed to bring animals with that complaint under this provision.

Hon. A. L. LOTON: You mean to exclude from compensation only those that die from tuberculosis?

The MINISTER FOR AGRICULTURE: They do not die suddenly from that disease. Pigs that die from tuberculosis and which are sent to the abattoirs are covered in the Act. If a man knew that his pig was sick, he would have plenty of time to ask an inspector to certify that the disease was tuberculosis. This Bill is designed to cover the diseases from which pigs die suddenly. It sounds complicated but it is perfectly clear to me, because I happen to know something about it. At present I understand there is no erysipelas in Western Australia, but it may occur here. It has in the Eastern States.

Hon. A. L. LOTON: I am not quite clear on the matter yet. Section 6 says—

Subject to this Act, the compensation shall be payable—

(d) to the owner of any carcass or portion of a carcass which is pursuant to any Act or any

regulation or proclamation under any Act condemned as unfit for human consumption because of disease, by a meat inspector or other authorised person.

In the interpretation section "disease" is defined as meaning tuberculosis or swine fever or swine erysipelas or paratyphoid or such other diseases as the Governor may by proclamation declare. I follow what the Minister is trying to do in paragraph (c), but why is the word "disease" retained in paragraph (d)?

The MINISTER FOR AGRICULTURE: That covers all pigs with disease, including those with tuberculosis. We do not want those with tuberculosis included in paragraph (c) because a pig so infected does not die quickly, and it is only those that do so that we are seeking to cover by this amendment.

Hon. A. L. Loton: Why do you want to exclude them from compensation because they do not die quickly?

The MINISTER FOR AGRICULTURE: Exclude what?

Hon. A. L. Loton: Pigs with tuberculosis.

The MINISTER FOR AGRICULTURE: They are covered under paragraph (b) under which their destruction would be ordered by the Chief Veterinary Surgeon or an approved person because they were suffering, or suspected of suffering, from that disease.

Hon. A. L. LOTON: I still want to know why, because a pig dies of tuberculosis, the owner is not entitled to compensation, seeing that Section 6 (c) reads—

Subject to this Act, compensation shall be payable—

(c) to the owner of any pig which is proved to the satisfaction of the Chief Veterinary Surgeon or an approved person to have died of swine fever.

To that it is proposed to add "swine erysipelas or para-typoid." I take it that tuberculosis is the same in pigs as in cattle. It is the healthy-looking animal that often has tuberculosis and it can die suddenly; and yet, if, after examination by a health inspector or veterinary officer, the animal is proved to have died from tuberculosis, the owner is not eligible for compensation.

The Minister for Agriculture: I say he is. Let me read paragraph (b).

Hon. A. L. LOTON: I will agree that under paragraph (b) he is, because it says, "To the owner of a pig destroyed with the consent of," and paragraph "c" says, "To the owner of a pig which is proved to the satisfaction of." If the Minister can satisfy me on the point I have raised, I will be quite happy about it.

The MINISTER FOR AGRICULTURE: Of what is Mr. Loton suspicious? Tuberculosis is covered in paragraph (b) and swine fever only is covered in paragraph (c). The definition of "disease" takes in every possible disease because it says, "or such other disease as the Governor may from time to time by proclamation declare." At present those diseases are covered only when the Chief Veterinary Officer or an approved person consents. What is wrong with the position?

Hon. A. L. Loton: What about paragraph (c)?

The MINISTER FOR AGRICULTURE: A pig suffering from tuberculosis would not come under that paragraph because it would not die suddenly. I ask the Committee to trust me in this matter as the intention is simply to make the position better for the owner.

Hon. A. L. LOTON: I do not doubt the Minister's honesty but assurances given by Ministers are becoming threadbare. I still fail to see why pigs suffering from tuberculosis cannot be covered, though I am prepared to accept what the Minister has said.

The Minister for Agriculture: I repeat that this provision is to ensure that the owner who loses a pig from almost any cause will be paid compensation.

Clause put and passed.

Clauses 4 to 7, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—MARKETING OF EGGS ACT AMENDMENT.

Assembly's Amendment.

Amendment made by the Assembly now considered.

In Committee.

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

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

Clause 4:

Page 2, line 4—Insert after the word "Board" the words "subject to the provision of the second sentence in Subsection (2) of Section fifteen of this Act."

The MINISTER FOR AGRICULTURE: I move—

That the amendment be agreed to. I realise that in framing the Bill we missed out a provision for the appointment of a deputy chairman of the board. This amendment seeks to make that provision.

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

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

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

Second Reading.

Debate resumed from the previous day.

HON. H. L. ROCHE (South) [5.0]: I do not intend to delay the House long with my remarks on this measure. However, I want to avail myself of the opportunity to express my hostility to the continuance of these controls in the form contained in the Bill when, in my opinion, we ought to be facing up to the problem of removing such controls entirely. This seems to me to be another good example of controls breeding further controls. Ten years after their introduction and six years after the termination of the war, which was the emergency to cope with which they were designed, we now have legislation brought down, which we are expected to approve, not only to continue controls, but also, even at this late stage, to effect further tightening up.

Hon. R. J. Boylen: How will we tighten them up?

Hon. H. L. ROCHE: If the hon. member will look at page 2 of the Bill he will see what I mean. Together with these controls there are also provided increased penalties and, one might say, punitive provisions which, to my mind, can only be justified in times of extreme crises.

Hon. R. J. Boylen: Why be frightened of the penalties if you do not break the law?

Hon. H. L. ROCHE: The crisis for which this legislation was designed has passed.

Hon. G. Fraser: Yes? You want to wake up!

Hon. H. L. ROCHE: The hon. gentleman possibly considers that there is a greater crisis now than there was about 1942 and 1943.

Hon. R. J. Boylen: There is, too.

Hon. G. Fraser: A long way greater than there was in 1946-47, too.

Hon. H. L. ROCHE: I am satisfied that, apart from considerations not altogether divorced from politics but by a more general realisation of the fact, controls are not leading to a solution of the difficulties. The Bill contains no suggestion whatsoever of any easing off of controls and, as I have already indicated, I am opposed to their continuance. I could appreciate the desire of the Government to continue them or taper them off gradually, but we are not asked to do that; we are asked to strengthen them in the year of Our Lord 1951. I do not think it is in the best interests of the community that we should continue them, let alone strengthen or tighten them up at this stage. Had the Government proposed something on the lines of removing controls over resi-

dential buildings up to 15 squares from both permits and releases; had it even, should I say, descended—

Hon. H. Hearn: Condescended.

Hon. H. L. ROCHE: I said descended. Had it descended to the level of the New South Wales Government, in which State—apart from Sydney, Newcastle and Wollongong—there is no control on residences or flats and, even in those towns, permits are not required and releases are under a quota system from the merchants or a release system from the manufacturers—

Hon. G. Fraser: The quota system from the merchants works very satisfactorily, doesn't it?

Hon. H. L. ROCHE: —I would have thought that a constructive move forward was being attempted. I appreciate that there are probably some difficulties in New South Wales. I have always understood that part of the Government's policy there is to continue controls as compared with a Government in this State which, I would have thought, could have taken a very marked step forward.

Hon. G. Fraser: Backward.

Hon. H. L. ROCHE: I know there will be some hon. gentlemen and some Government spokesmen who will say that the time is not yet. I would like to know when that time is likely to arrive. At the moment there is considerable publicity in this country being given to the need for preparing for a possible war. The Minister in another place has indicated that as Australia's war preparations gain in tempo within the next 12 months, greater shortages may occur, so apparently, if we are to accept the excuse that the time is not yet and that in some future time there will be ample supplies of everything, we will have to look a very long way into the future. From that aspect alone it does not seem to me it can be anticipated that all these shortages will, to any degree, be alleviated within the next 12 months.

Under controls we have not succeeded in providing for the accommodation of the homeless in this country to what I regard as a satisfactory extent. We have gone from one control to another. We have certainly increased the output of houses and it is hoped that by the end of 1951, 6,000 homes will have been built. If we accept the Minister's own figures, it is anticipated that 9,000 will be required in 1954. So we will have to look forward to an increase of 50 per cent. in the next three years.

It seems to me, therefore, that the case for the continuance of controls can be argued for years to come unless we give free enterprise a chance and the initiative of our people generally free rein to make good the lag in housing which up to date controls have not overcome. I concede that there are some people who honestly believe that the controlled State is the ideal method of conducting our affairs. The socialists believe that we should have not

only these controls, but also control of the economy of the State generally, both internally and externally.

Hon. E. M. Davies: This is a Liberal-Country Party Bill.

Hon. H. L. ROCHE: Those people, I concede, are quite honest in their views. I have never been led to believe that the present Administration subscribes to that view. I am quite certain that I have never subscribed to it.

Hon. H. Hearn: By their deeds shall ye judge them!

Hon. H. L. ROCHE: In consequence, I have no hesitation in adopting the stand I have and in stating that it is time we gave a free economy an opportunity to deal with this problem so that our people can get a chance of obtaining the accommodation they need. The controls that we have had in force up to date have failed.

The Minister for Agriculture: How would the dairy farmers get on without control over cement?

Hon. G. FRASER: That is a different story!

Hon. H. L. ROCHE: As it is six years since the termination of the war, which was the crisis to cope with which these controls were imposed, I think it is time for us to remove them altogether.

Hon. E. M. Davies: That is what we are doing.

Hon. H. L. ROCHE: Considerable publicity has been given to the difficulties experienced by the Housing Commission and the Government owing to the need to provide housing for new Australians who have entered this country under the migration scheme. From replies given the other day to Mr. Murray, it would seem that in the first six months of this year, of 5,000 migrants who entered the State, only 77 were provided with homes. It does not seem to me that migration should be causing such embarrassment to the Housing Commission and the Government that we are asked to believe.

Costs are rising terrifically, and I do not think that controls can be exempted from being a major factor in occasioning such increases. I have had brought to my notice one instance of recent date, which illustrates that contention. Bunning Bros. pre-cut houses are now being turned out in considerable quantities. In order to get tradesmen to erect them, the Housing Commission is paying £650 per house for labour alone. I have discussed this matter with two friends of mine who are builders and one of them told me that he thought he could erect each house for £200 and the other said he could do the work for about £250 to £300.

Builders are now having difficulty in obtaining tradesmen on account of competition by the Housing Commission because tradesmen are leaving the builders in order to get £650 for the erection of a

pre-cut house. The builders are also reaching the position where their joinery output is falling into arrears because their other tradesmen, realising how well the carpenters are faring, are joining the carpenters and are tendering—if one can call it tendering—for the erection of these pre-cut homes. That is just an instance of the effect of these controls which are being exercised and carried on from year to year without any easing off or giving private enterprise an opportunity to deal with the problem in its own way.

The position is not improving and although more houses are being built, what with the increased demand that now exists, control has nothing to recommend it. We have to face the fact that either we are going to have a controlled economy in a socialist State, or we must get away from it. In a crisis or emergency, I concede that we have to recognise the need for some restrictions, but once the crisis or emergency has passed—and this is six years afterwards—if we still continue these controls without seeing a possibility of their being abolished within measurable time, we must confess that the socialists are right and that we must accept a socialist State.

I have not reached the stage of believing that socialism is inevitable, though there is certainly a trend in that direction. We have not moved away from controls as quickly as I should have liked, and the trend I have mentioned has been strengthened by the reluctance of people who do not believe in control, to remove the hampering restrictions imposed under this legislation. Had the Government brought down a Bill to ease controls considerably, I could have brought myself to support it. In the form in which this Bill is presented to us, I shall not support the second reading.

HON. C. H. HENNING (South-West) [5.17]: Much as I dislike controls, I think that in all the circumstances the Housing Commission has done a reasonably good job. This applies particularly to homes erected by the Commission because it has concentrated the materials required for those buildings. I am not prepared to say that the position is quite so good for private builders operating outside of the Commission, but nevertheless I believe that if we were to abolish these controls completely, chaotic conditions would ensue everywhere, particularly in the country. I do not think that anyone for a minute would contend that in a time of emergency controls are not necessary. They do not solve the problem, but they do have some sort of cushioning effect.

There is one matter that I should like to bring before the notice of the Minister. Recently, a quantity of cement—30 tons, I think—was released for the use of dairy farmers. I should like to see a quota of Australian-manufactured iron released for primary producers. I believe that at pre-

sent all Australian iron is reserved for building purposes, but the producer who wants to build a shed in order to enable him to market more produce should not be compelled to use the imported article at the price now ruling. Yesterday I required a certain quantity that did not come in the category of housing material, and imported iron was quoted at £212 per ton and Australian iron at £61 2s. 6d. I sincerely hope that the Minister will bring this matter under the notice of the Minister for Housing.

I repeat that, much as I dislike this legislation, I shall support its continuance. I do not approve of the vicious penalty of imprisonment provided in the measure, and I hope that in Committee it will be removed. I still have no objection to making the punishment fit the crime by providing an ascending scale of fines in relation to the money expended on any unauthorised work.

On motion by Hon. J. McI. Thomson, debate adjourned.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT (CONTINUANCE).

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [5.21] in moving the second reading said: When a similar measure was before Parliament two years ago, some exception was taken on the ground that the duration of the Act might well have been extended for a longer period. This Bill proposes to extend the operation of the Act for a period of five years, which will obviate the necessity for bringing down continuance measures every two years.

This legislation was first brought into operation in January, 1931, and many thousands of farmers have sought its protection. With the introduction in 1935 of the Rural Relief Fund Act, a majority of the farmers obtained financial assistance to adjust the claims of their creditors and had their stay orders cancelled. The two Acts are complementary, and it is necessary for the debts adjustment Act to be continued to enable the Rural Relief Fund Act to function. The Rural Relief Fund Act provides for the continuous use of the funds held by the trustees for debt adjustment purposes only.

Assistance under the relief fund Act has amounted to £1,291,730, of which £1,283,000 was granted by the Commonwealth Government and the balance was made up from money repaid by farmers. Since the Act was amended to provide for the discharge of mortgages on payment of 20 per cent. of the amount, 1,651 farmers have taken advantage of the concession and have repaid £107,514. This was a very fine concession granted by the Government. If the farmers paid 20 per cent. of the old debt, the rest was wiped off. There are still a large number of farmers who have not availed themselves of this generous concession.

With the coming of prosperous times to the farming community, the Acts are more or less dormant, and administrative work is carried out by officers of the Lands Department as part of their normal duties. The principal Act has been of material benefit over the years to many farmers, and it is considered advisable to keep it on the statute book, not only to enable the functions under the Rural Relief Fund Act to be carried on, but also to ensure that in an emergency a farmer could be granted a stay order to give him an opportunity to put forward proposals to his creditors for carrying on his farming operations. I move—

That the Bill be now read a second time.

On motion by Hon. L. A. Logan, debate adjourned.

House adjourned at 5.25 p.m.

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