HOUSE OF ASSEMBLY.

Tuesday, September 22, 1953.

The SPEAKER (Hon. Sir Robert Nicholls) took the Chair at 2 p.m. and read prayers.

QUESTIONS.

BURNING OF STUBBLE.

Mr. O'HALLORAN—Last autumn I noticed that in a considerable part of the State the what I consider bad practice of burning stubble was rather prevalent. Has the attention of the Minister of Agriculture been drawn to the revival of that practice, has any consideration been given to the matter, and is any plan being considered for discouraging it in the future?

The Hon. Sir GEORGE JENKINS—I am quite in accord with the opinion that it is a bad practice. I have noticed from my own observation during the last year or two that apparently there has been a revival of it in certain districts. There is no means by which it can be prevented, other than by the amendment of the Soil Conservation Act, and I would be loath to ask Parliament to pass such a measure at present even though there may be some justification for it. However, I assure the honourable member that the Department of Agriculture has done everything possible to discourage the burning of stubble and that its teachings encourage a stubble mulch on top instead of burning. This question will be brought to the notice of the Director of Agriculture with a view to intensifying any campaign the department may have to prevent the burning of stubble.

COAL REQUIREMENTS.

Mr. DUNKS—Today's Advertiser contains the following report under the heading "Forced Sale of Coal Plant":—

Over-estimation of Australia's coal needs, especially by the Victorian and South Australian Governments had forced the Australian Coal Board to sell nearly £4,000,000 worth of open cut mining equipment, the chairman of the Joint Coal Board (Mr. S. F. Cochran) told the Parliamentary Public Accounts Committee today. He said that the board began buying the equipment in 1949 when the coal shortage was acute. It was then estimated that the annual Australian demand for New South Wales coal would be 18,000,000 tons in 1953. The latest estimate of the demand this year was only 13,925,000 tons—23 per cent below the estimate. Mr. Cochran said that Victoria and South Australia were constantly complaining in 1949 that coal shipments were inadequate. It was now clear that they were concerned only with increasing their pressure for current coal shipments. This was done by claiming that their coal needs were greater than in fact they were. Mr. Cochran accused both States of having given no thought to the possible effect of overstating their requirements. Australian industry would use more fuel oil in place of coal unless coal production costs were reduced. The decline in oil prices had produced the chance of a drop in the demand for coal in Australia, he said.

What is the Premier's reaction to that statement?

The Hon. T. PLAYFORD—Frankly, I had no reaction to it. I read it, but I cannot say that it raised my ire or otherwise. This year South Australia indicated that it wanted 1,300,000 tons of coal. The quantity we will actually import this year, so far as I can estimate at present, will be 1,100,000 tons—200,000 tons less than the estimate—but this year we will have to supplement the quantity of coal used by fuel oil equivalent to about 150,000 tons of coal. Further, the cost of coal in Australia—particularly in South Australia—has risen above the equivalent price level of fuel oil. We have been and are continuing to be short of good quality coal. There are adequate supplies of inferior coal of a bituminous type, but I point out that we now have plant which will burn Leigh Creek coal, and in fact 56 per cent of our electricity today is being generated from South Australian fuel. That percentage could probably be raised to about 70 per cent if additional rail facilities were available to bring down additional tonnages. The general statement that we talked the Coal Board into difficulties is incorrect for, even before the inception of the Coal Board, the Government intended to make itself less reliant on outside sources of coal which have proved unreliable in the past. Not only has that been the public policy of the Government, but it is, I believe, a policy supported by the Leader of the Opposition. My reaction on reading the article was negligible.

ROYAL VISIT TO SOUTH AUSTRALIA.

Mr. HUTCHENS—On reading Saturday's *Advertiser* I noticed remarks attributed to the Premier with regard to the Royal Visit, in which he predicted an exceptionally large crowd during the Royal Progress. Amongst other things he said that it was essential that careful planning should be undertaken to provide that as many people as possible should see the Royal Progress and that it was Her Majesty's expressed wish that every opportunity should be given for children to be present. I heartily agree with those statements. Will the Premier take up with the Churches and other public bodies within the square mile of the city of Adelaide the

possibility of their making available the use of their conveniences for that day in the interests of the comfort and the health of the public?

The Hon. T. PLAYFORD—I am certain that everyone who has accommodation facing outward towards the route of the Royal Progress will make it available to the utmost. Actually the Royal Progress in South Australia will not be short but quite long. This will enable the crowd to be spread out and given adequate opportunity to see Her Majesty. All the functions in South Australia, with one or two minor exceptions, are designed to be available for a large number of people. Her Majesty has expressed the wish that as many people as possible be able to see her and, with the exception of those to be held in Parliament House, the people will be able to attend the functions in their tens of thousands. Owing to the size of the building, the functions in Parliament House cannot be made so comprehensive. The Government reception, for instance, will be held, not as previously arranged, in the National Gallery, but on the Wayville showgrounds oval. A large percentage of the invitations to that will be made available to councils for distribution to persons residing in their areas, so that every part of the State will have a fair representation. Other functions will be held at the Adelaide Oval, Morphettville racecourse, and Victoria Park racecourse, and there will be another at the Wayville showgrounds, where the children will have first priority. All the functions are designed with the object of making it possible for all people to have the opportunity of seeing Her Majesty.

Mr. Stephens—Will there be more than one function at some grounds, and none at others?

The Hon. T. PLAYFORD—It is not possible to stage the functions to be held at the Wayville showgrounds at any other place, because we want the Centennial Hall and other buildings there for the purpose of providing refreshment for the guests, so there would be difficulties in using some of the other grounds.

Mr. O'HALLORAN—I agree with the Premier's suggestion that a substantial number of invitations be placed at the disposal of local government bodies so that the widest possible area will be covered in the issue of invitations, but there is a large part of the State in the electorates represented by Sir George Jenkins, Mr. Riches and me where there are no local government bodies, but where the people are anxious to participate in some of the functions. Will the Premier consider adopting a method whereby the invitations can be properly distributed to people in those areas so that they will not be overlooked?

The Hon. T. PLAYFORD—Yes. I am not quite sure of the best method to achieve the honourable member's purpose. It will be by Government invitation and it will be relatively easy to forward invitations to councils for proper distribution to residents in their district. It could be done on a population basis so that every part of the State could be fairly represented. I think the question raised by the honourable member is a very live one in the districts of the Minister of Agriculture and the Minister of Works. I will see what steps we can take to provide for reasonable representation for the areas outside district council areas on the same basis as for the others. The method of distribution will present the most difficulty. I quite agree that outside areas should have equal representation, and possibly we can get some satisfactory solution.

IRRIGATION PROJECT.

Mr. MICHAEL—On July 28 I asked the Minister of Lands for information on press reports that a man or two men named Lloyd proposed to undertake large-scale irrigation development on the Murray. On the same day there appeared in the *Melbourne Herald* a paragraph which was reprinted in the September issue of *The Riverlander*. It states:—

An Adelaide message, says Mr. J. H. Lloyd, of Bournemouth, England, has bought 30,000 acres in South Australia, fronting the river, and his brother, Mr. R. K. Lloyd, an engineer for 33 years in South Africa, has arrived to install irrigation equipment. At Mannum 1,600 acres will probably be developed first. It is intended to prepare the land for settlement, subdivide it and sell blocks to "the average man" and allow him to make a good living. The Lloyd brothers intend to use the land for pasture, citrus and vegetable growing, sheep and wool.

I favour encouraging private people who are prepared to develop irrigation farming along the Murray, but there are certain restrictions that apply to landholders. For instance, I understand that, before water can be used from the river for irrigation, permission must be obtained from the Lands Department or the Department of Agriculture. It seems that unless every precaution is taken the Lloyd brothers, just coming into the country, and not being aware of all the conditions, may mislead people. Has the Minister of Lands any further information about the activities of these brothers?

The Hon. C. S. HINCKS—Three applications to transfer land in the hundreds of Cadell and Waikerie to Mr. J. H. L. Lloyd have been lodged. One was for 3,600 acres and another for 3,186 acres, but those applications have been withdrawn. The third was for 1,338 acres, but it is being held pending the receipt of further information from the vendors.

TRAP SHOOTING OF PIGEONS.

Mr. JENNINGS—I recently heard a broadcast by the well-known naturalist, Mr. Crosby Morrison, the subject being "Are we Barbarians?" He strongly criticized the trap shooting of pigeons. I understand this alleged sport involves releasing pigeons from a trap and taking pot shots at them. It was suggested that many of the birds are wounded and flutter away to die a lingering death. Mr. Morrison said this practice was permitted only in South Australia and Victoria. After his broadcast many letters were written to the press alleging that the practice was prevalent in this State. Will the Premier have an investigation made with the object of banning this cruel sport?

The Hon. T. PLAYFORD—This matter has been considered by Parliament on a number of occasions, but in view of the information brought forward by the honourable member I will obtain further reports on it. Up to the present Parliament has not taken any action against the shooting of pigeons released from traps, but I will see to what extent pigeon shooting is indulged in in this State and with what consequences.

WHEAT MARKETING AND PRICES.

Mr. HEASLIP—There has been much publicity in the press and elsewhere in the past few weeks about the future of wheat marketing in Australia, especially in regard to the coming season. Government and various organizations have been discussing the question and different amounts have been quoted for home consumption price, such as 15s., 14s., and 12s. 6d., but no definite plan has been evolved. However, the people really concerned, those who grow the wheat, have not been consulted. When the agreement was entered into five years ago one of the conditions was that the growers would be given the right to decide whether it would continue. They want organized marketing to continue. Can the Minister of Agriculture say whether they will be consulted in any way or will the problem be finalized by people other than those most concerned?

The Hon. Sir GEORGE JENKINS—Regarding the first part of the question, if a stabilization plan is approved for, say, five years the growers will be consulted on whether they are favourable to it. This is the part of the plan which is becoming extremely difficult to implement at present. In connection with the reserve plan, dealing with the period of the International Wheat Agreement, it was not suggested that the growers would be consulted, because there was the question of whether there would be time to take a poll, and if the growers did not approve, there would be no reserve plan and no authority to handle wheat in Australia under the conditions. The reserve plan was intended to take the place of the stabilization plan if it were defeated at a poll. I am unable to tell the House what the present position is, except that the Government is in communication with the Commonwealth Government. This morning I sent a telegram to the Minister of Commerce and Agriculture asking him to advise me by air mail of the full implications of the present proposals in order that the Government can make a decision on them. I have received a number of telegrams which are rather confusing, because they vary, and as a result I have asked for a full explanation from the Minister in order that the Government can consider the question in its proper perspective.

CHEESE SALES.

Mr. FLETCHER—The *News* of September 17, under the heading "Bid to Boost Cheese Sales," contains the following:—

> The Australian cheese industry plans to make best quality cheese available locally to increase consumption. Mr. C. L. McDonald, chairman of the Commonwealth Cheese Industry Committee formed in Sydney last month, said today an increase in consumption would help offset difficulties associated with the industry. It was believed this could be achieved by supplying the consumer with the best quality cheese in mild, semi-matured, and matured forms. The committee would co-operate with State Departments of Agriculture and cheese manufacturers' associations.

Can the Minister of Agriculture indicate how this will be carried out? Today retailers are selling unmatured cheese as matured cheese; so it does not matter how good an article a factory may turn out if the retailers sell it in this way. What steps will be taken to compel persons to sell cheese at the proper grading? There is no excuse because the day and the month when the cheese is manufactured is stamped on it when it leaves the factory.

The Hon. T. PLAYFORD—The price of cheese is controlled and I will refer the honourable member's remarks to the Prices Commissioner. Some margins are provided for matured cheese. Whether they are ample or not I do not know, but it appears from the honourable member's remarks that they are not. I will refer the matter to the Prices Commissioner to see if action is necessary.

SALE OF LIQUOR TO ABORIGINES.

Mr. MACGILLIVRAY—During the Address in Reply debate I drew the attention of the Government to the fact that fruitgrowers along the River Murray are depending more and more on aborigines to help them harvest their fruit crop. I also pointed out that speaking generally it was a satisfactory form of labour until some of the poor whites who hang around the area at that season started to sell intoxicating liquor to the aborigines at exorbitant prices, sometimes, I understand, getting 10s. to £1 for a bottle of wine which cost them 5s. Under the law the courts can only impose a fine on these despicable people, which is a moderate term to use in the circumstances. They cannot be sent to prison. One court in a river town did sentence a man to imprisonment for a month, but I understand the law did not allow the sentence to be enforced. I saw from the press that policemen had been assaulted by aborigines who had been served with liquor by a person of the type I have mentioned. Will the Premier get a report on the matter to see if he would be justified in asking Parliament to amend the legislation so that the people who exploit the aborigines illegally in this way can be sent to prison at the option of the court?

The Hon. T. PLAYFORD—I think the request is reasonable. I will ask my colleague to obtain a report from the Aborigines Protection Board as to whether the present penalties are adequate or whether it has any recommendations regarding amendments. When the information is conveyed to me I will advise the honourable member.

PRICE OF SPIRITS.

Mr. HUTCHENS—The following paragraph appears in today's Melbourne *Age*:—

Scotch whisky is now selling at 1s. 6d. a nobbler and Australian whisky and gin 1s. a nobbler in the metropolitan area. Bought by the bottle Scotch will cost 29s. 3d. and Australian whisky and gin 19s. 6d. The determination of these prices by the Prices Commissioner (Mr. Waldron) yesterday ended the price war between the United Licensed Victuallers' Association and the Wine and Spirit Merchants' Association. Mr. Waldron said the rates had been accepted unconditionally by both wholesalers and retailers and had been put into operation immediately.

As there seems to be much dissatisfaction and lack of agreement on prices here, is the Prices Branch watching the position, and does it contemplate offering services similar to those given by the Victorian Prices Branch?

The Hon. T. PLAYFORD—These items are not controlled in South Australia, but it has been the practice of the Prices Branch to keep a check on the price movement of uncontrolled articles in the same way as on controlled articles. When it appears that an explanation is required the matter is usually taken up with the industry concerned, and satisfaction is generally obtained from the industry. In one or two isolated cases, an individual undertaking has had to be re-controlled to deal with the problem. I will refer the question to the Prices Commissioner.

PORT PIRIE SULPHUR PROJECT.

Mr. HAWKER—Has the Premier a reply to my question of July 30 as to when sulphuric acid is likely to be produced from waste gases at Port Pirie?

The Hon. T. PLAYFORD—Port Pirie will commence production on October 1, using imported brimstone. While that will assist to supply superphosphate requirements for the forthcoming year, it will be relatively high-cost acid. Production from waste lead smelter gases is not expected to begin before the end of 1954.

COUNTRY SEWERAGE SCHEMES.

Mr. QUIRKE—It will be a considerable time before deep drainage schemes can be supplied to country towns, particularly to places like Clare, and in the interim certain district councils are considering the installation of the septic system, and some have ordered compulsory installation. This undoubtedly will place a burden on some ratepayers, such as pensioners. Will the Government consider providing financial assistance to councils to assist ratepayers to install the septic system on the basis of extended payments? My council has found that it would be a burden on some ratepayers to incur an expense of anything up to £100. Under the Local Government Act it would be difficult to introduce the system except by a poll of ratepayers. I think a better method would be direct Government financial assistance to councils.

The Hon. T. PLAYFORD—I will certainly examine the proposal. An important consideration which it is difficult at present to overcome is the financial outlay. The Government is working under a Loan Council allocation and this has an inflexible upper limit. We do give some financial assistance to provide for connection with a sewerage scheme, and not long ago I received a recommendation from some of my officers that we should discontinue this because of the financial obligation it was imposing and the use of money which could be applied to other purposes. I will examine the whole matter to see what is involved and advise the honourable member in due course.

BULK HANDLING OF WHEAT.

Mr. DUNKS—The *Advertiser* of September 8 contained the following report under the heading "Bogged Down":—

Mr. Stott said that the Public Works Committee which had already spent six years considering proposals for bulk handling in South Australia, was bogged down by its own incompetence. It had failed to realize the meaning of the terms of reference. All it was required to do was find out whether a bulk handling system was necessary and whether it could be established economically in South Australia.

Does the chairman of the Public Works Committee understand the meaning of "bogged down" as used in that report, and, if so, has he a statement to make on the report?

Mr. CHRISTIAN (Chairman of the Public Works Standing Committee)—The remarks of the member for Ridley, as published in the *Advertiser* and other papers, are a grave reflection on my committee and are strongly resented, particularly in view of the vast amount of work undertaken by the committee, which discharges its duties to the satisfaction of Parliament and the Government and to the great advantage of the State. I can point to a number of investigations which it has undertaken and which have saved the State not only scores but hundred of thousands of pounds, besides, in some instances, resulting in the bringing forward of a much better project than that originally placed before it. When the member for Ridley charges the committee with incompetence I can only reply that the meaning of "incompetence" is best illustrated by his statement that all the committee has to do is to say whether bulk handling is necessary and whether it can be established economically. Whether it can be established that a thing will be economic merely by saying so or by wishful thinking I do not know, but my committee is charged by the provisions of its Act with the duty of establishing the economics of every project placed before it, and to establish the economics of any matter whatsoever requires very exhaustive and detailed examination. The committee must go thoroughly into the details of any project to see whether the economics of it are sound. The honourable member is condemned by his own words when he says that all the committee has to do is to say whether the system could be established economically. Before it can say that, the committee is charged by its own reference with the obligation of working out the details of a complete scheme of bulk handling for South Australia. Far from being "bogged down," the committee has had experts from all over the world working on this problem. I admit they are not experts of the calibre of the member for Ridley, but they are experts who have given their lives to the study of the problems of bulk handling. They have studied it with regard to our various ports and up to the present we have not had the answer. Those experts are not wishful thinkers or people wishing to stampede the committee into the adoption of any scheme irrespective of its cost. I am not prepared to support a scheme which will undoubtedly land the wheatgrowers in terrific over-capitalization which will have to be borne by the wheat industry when eventually the price of wheat comes back to a normal level, for any scheme formulated must have regard to normal prices in the wheat industry.

Mr. STOTT—Does the chairman believe that the function of his committee is to hold up an inquiry on bulk handling when it is so evident that so many farmers want it? Is not the reason for their wanting it the fact that it is economical? Is it not a fact that Mr. O. Heinrich, of South Kilkerran, has proved on his own figures that, notwithstanding the terrific cost of the Ardrossan silo, this year he saved more than 2s. a bushel in delivering wheat in bulk as against delivering it in bags? If that does not prove that bulk handling is economical, what does it prove? After six and a quarter years of inquiring should not the committee make a progress report to Parliament and let Parliament take the responsibility from the committee?

Mr. CHRISTIAN—I can only point out that Parliament has given my committee the responsibility of investigating this matter, which it is doing, but, as I previously pointed out, it has to rely on experts to work out the details of any scheme, and those experts, some of world-wide reputation, have not found the answer with regard to shipment from our

various ports. That is the crux of the whole problem. With regard to the bulk installation at Ardrossan, I point out that the Wheat Board is levying a charge of 2½d. a bushel on farmers delivering wheat there, although at the official opening of the installation Sir John Teasdale, the chairman of the board, said that the cost of running the show would be 9.6d. per bushel. Whether the inference is that the farmers in that area are not being charged the full costs of running that installation I do not know, but I am inclined to think it is; therefore, the other farmers of the State must meet the losses not borne by the farmers delivering wheat at Ardrossan. With regard to bulk handling for the State generally, there would be no escape from the full costs, for they could not be loaded on somebody else's shoulder, as is the case at Ardrossan today, and the full cost would have to be borne by the whole industry.

Mr. STOTT—I would like to ask a further question of the chairman of the committee and, with your permission, Mr. Speaker, and the indulgence of the House, to make a brief statement.

Mr. SHANNON—On a point of order, Mr. Speaker, is a member permitted to debate the question?

The SPEAKER—The member for Onkaparinga has objected, and under the Standing Orders the honourable member asking the question may discuss it only if he has the unanimous consent of the House, which the honourable member no longer has. Therefore, he must put his question.

Mr. STOTT—Does the chairman of the Public Works Committee mean to inform Parliament that the committee does not know that the cost of interest and depreciation on the Ardrossan silo is a charge against the Wheat Board?

The Hon. Sir GEORGE JENKINS—On a point of order, Mr. Speaker, isn't there a question on the Notice Paper dealing with the charges on the Ardrossan silo? If so, is the honourable member in order in debating that question?

The SPEAKER—The Minister is quite right that the matter cannot be debated, nor can any member debate the costs, for they will not be revealed until the question on the Notice Paper has been answered.

Mr. STOTT—I am not debating the question, but using it as an illustration to get information, which is quite in order. I ask the chairman of the Public Works Committee whether it is a fact that the committee is not yet informed that the cost of interest and depreciation on the Ardrossan silo is a charge against the board that all the farmers of Australia are required to meet, and not the individual farmers around Ardrossan and, therefore, the 9½d. the chairman referred to has no relation to the problem?

Mr. CHRISTIAN—The wheatgrowers of South Australia will not escape the full cost of any State-wide installation that is established in South Australia, as is the case with the Ardrossan installation, in respect of which they escape part of the cost.

BUILDING PERMITS.

Mr. Tapping for Mr. LAWN (on notice)—

1. How many permits were granted in the City of Adelaide in accordance with section 6 of the Building Materials Act for the years 1950, 1951, and 1952, respectively?

2. How many permits have been granted up to the present within the City of Adelaide in accordance with section 6 of the Building Operations Act?

The Hon. T. PLAYFORD—Until controls over building operations were removed in February last, a special record was not kept of permits granted for demolition of dwelling-houses. Very few permits of this type were issued, but the actual number could be ascertained only after a lengthy search of approximately 90,000 files. From, and including, February last, nine permits have been granted which probably approximates the number issued in the preceding three years.

CEMENT MANUFACTURE AND USE.

Mr. FRANK WALSH (on notice)—

1. What tonnage of cement was manufactured in South Australia during the months of June, July, and August, 1953, respectively?

2. Of these amounts how much was made available for use of Government undertakings including the Highways Department, the Electricity Trust and the Harbors Board?

The Hon. T. PLAYFORD—The replies are:—

	Tons.
1. June, 1953	14,455
July, 1953	18,435
August, 1953	16,074

The above tonnages are the total sales by the two local manufacturing companies in the months stated. Over a period, sales would very closely approximate production, but in

one particular month there may be a variation up or down of several hundred tons.

	Tons.
2. June, 1953	1,955
July, 1953	2,155
August, 1953	2,111

The above figures include monthly supplies averaging 250-300 tons to Mephan, Ferguson Pty. Ltd., and Humes Ltd., for the manufacture of pipes, mainly for the Mannum-Adelaide pipeline.

EGG PULP.

Mr. JENNINGS (on notice)—

1. How many dozen eggs were pulped in South Australia during the year 1952-53?

2. What was the average yield of pulp in pounds per dozen eggs?

3. What quantity of egg pulp was—(*a*) exported; (*b*) sold locally?

4. What was—(*a*) the average local price; and (*b*) the average export price of this egg pulp?

The Hon. Sir GEORGE JENKINS—The replies are:—

1. 4,729,527doz., 6,290,270 lb (approx.).*
2. 1.33 lb. per dozen.
3. (*a*) 122,944/40-lb. tins, 4,919,760 lb.*
   (*b*) 53,448/40-lb. tins, 2,139,520 lb.*
4. (*a*) 3s. 2d. per lb.
   (*b*) 2s. 11.625d. per lb.

(* The difference between the total amounts pulped and sold is attributable to a carry-over from 1951-1952.)

RAIL CARRIAGE OF WATER.

Mr. O'HALLORAN (on notice)—What was the total cost to the railways, including the price paid for the water, of water carted from Burra to Terowie during the financial year 1952-53?

The Hon. M. McINTOSH—The Acting Railways Commissioner reports:—

The total cost to the railways, including the price paid for the water, of water carted from Burra to Terowie during the financial year 1952-53 was £22,171. The costs have been calculated on the bare running costs only, excluding station services, maintenance of permanent way, and overheads.

HOUSING TRUST HOMES.

Mr. O'HALLORAN (on notice)—How many applications to the Housing Trust for—(*a*) rental homes; (*b*) emergency homes; and (*c*) purchase homes, were outstanding as at August 31, 1953?

The Hon. T. PLAYFORD—Whilst the South Australian Housing Trust endeavours, as far as possible, to keep its application list up to date, it cannot keep abreast with the circumstances of the applicants, many of whom change their address or find suitable housing accommodation without notifying the trust. It should also be borne in mind that, in instances, the applicants are not in urgent need of housing. However, it is estimated that the trust holds approximately 12,500 effective outstanding application for rental houses, approximately 3,000 for emergency houses and approximately 3,250 for purchase houses. In instances, applicants have applied under two or more schemes and, of the emergency applicants, the majority have applied for rental houses.

BULK SHIPMENT OF WHEAT.

Mr. O'HALLORAN (on notice)—How much per bushel does it cost the Australian Wheat Board to ship wheat through the bulk terminal at Ardrossan?

The Hon. Sir GEORGE JENKINS—The State Superintendent of the Australian Wheat Board advised as follows:—

The total cost is 5.357d. per bushel made up as follows:—Shipping charges (including Broken Hill Proprietary charges and Harbors Board wharfage) 3.314d. Intake and maintenance (including all administrative costs) 2.043d.

MANAGER OF INSTITUTE ANIMAL HOUSE.

Mr. FRANK WALSH (on notice)—

1. Were any applications received from technicians now engaged at the Adelaide University for the position of manager of the animal house at the Institute of Medical and Veterinary Science?

2. If so, was one of these the successful applicant?

3. If not, who received the appointment?

4. What is the total remuneration paid to the successful applicant?

The Hon. T. PLAYFORD—The replies are:—

1. Yes. One such application was received.
2. No.
3. Denis Patrick Miles, M.B.E., formerly Deputy Commissioner of Police (H.M. Colonial Service), Lt.-Col. 2 i/c Btn. Indian Army (1944-1947).
4. Commencing salary during six months' probation—£850 actual. Following confirmation of appointment after six months' satisfactory probation—£887 actual.

AGENT-GENERAL ACT AMENDMENT BILL.

The Hon. T. PLAYFORD (Premier and Treasurer) moved——

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—

That it is desirable to introduce a Bill for an Act to amend the Agent-General Act, 1901-1949.

Motion carried. Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

CONSTITUTION ACT AMENDMENT BILL (MINISTERS).

Read a third time and passed.

DOG FENCE ACT AMENDMENT BILL.

Read a third time and passed.

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 15. Page 635.)

Mr. O'HALLORAN (Leader of the Opposition)—It will be generally agreed that the extension of the operations of this legislation for another year at least is desirable, but it should be noted that it is not proposed to extend it *in toto*. Later I will refer to the wisdom or otherwise of the proposed amendments. I make it clear that the Labor Party does not view this matter entirely from the point of view of only one section of the people affected by the legislation. We freely accept the position that since the legislation was enacted hardships have been endured by some worthy landlords, but we also realize the circumstances that made legislation of this type necessary, and we think it should be substantially re-enacted. On the balance of the actual or potential hardships if the legislation ceases to exist, we believe the argument is in favour of continuing with it, not only for another 12 months, but for probably a considerably longer period until the leeway in housing is sufficiently made up to enable those who may lose the tenancy of their homes through the repeal of the legislation to have a reasonable opportunity of securing other accommodation. As admitted by the Premier in his second reading remarks, the Bill makes important changes in the structure of the present law. In an effort to explain that the changes represented the desire of the Government to gradually get away from this type of legislation, he was ably assisted by Mr. Geoffrey Clarke with a suggestion that it was a planned withdrawal from the field. It may have been up to a point, but I have a recollection of reading in the press that a certain meeting, not without some association with the Government, held in Adelaide during Show Week carried a resolution that the landlord and tenant legislation should not be re-enacted. I can imagine the impact of the resolution on those connected with the planned withdrawal, and it may have turned it into something of a rout. The resolution carried at the Liberal and Country League conference shows that there is a fundamental difference between the approaches to this matter by the Government and the Opposition. As I have said, we are conscious of the fact that there are two sides to the question and we do not support control for control's sake, but we support a continuance of a measure of control, particularly over dwellinghouses, in order to avoid great hardship being imposed on many worthy people. The *Advertiser* of September 11 last, under the heading of "End of Rent Control Sought," said:—

> A resolution urging that the South Australian Government landlord and tenant legislation should not be renewed after December was passed at the annual Liberal and Country League meeting yesterday.

Then it said that the meeting viewed with concern the unfairness to property owners. It is noticeable that there was no suggestion of concern about the possible impact on tenants through the repeal of the legislation, which shows the fundamental difference between the approach to this matter by the Government and the Opposition. This afternoon, in order to give full consideration to every aspect of the Bill, I asked a question on notice to ascertain the number of people who could be reasonably accepted as home seekers at present. The Premier replied that, according to the best information the Housing Trust could provide, there are 12,500 applications for rental homes outstanding, 3,000 for emergency homes, and 3,250 for purchase homes, making a total of 18,750. It was explained in the reply that a considerable number of the applications were duplications, because some persons may have applied for purchase, rental, or emergency homes. I am prepared to make a generous allowance on that score, but even that indicates to me that a figure of at least 15,000 would be correct in relation to those seeking homes in South Australia. Because of that, and the potential

hardship resulting from any substantial relaxation of the provisions of the Act regarding dwellinghouses, we should pay more than ordinary attention to the provisions of the Bill. According to the figures quoted by the Premier, more houses than ever before were built in one year in South Australia last year, but the figures I have just quoted show that there are probably more people than ever before seeking homes.

If this legislation is permitted to lapse, or if the provisions which protect dwellinghouse tenants are relaxed to any substantial extent, it is obvious that very great hardship will be imposed on a large number of people, particularly those on a low priority on the Housing Trust lists. Many people are on a low priority for a number of reasons. This applies to newly married people, aged people and because a person may not have sufficient family to warrant consideration being given to his application. Some fond hopes are being expressed that as a result of the relinquishing of the control over new homes a substantial number may be built for letting purposes, but I do not share that optimism. I believe the cost of building will be a deterrent to those who may consider speculative building of homes for letting, even though they were completely removed from the controls imposed by this legislation. I am not at all satisfied that building materials are in such plentiful supply that even if the cost factor were not a deterrent it would be possible to build many homes of this type. For instance, I suppose every honourable member would have been approached by someone recently asking for information as to the possibility of securing cement. It is obvious that there is a very grave shortage, and in the country, people are having difficulty in getting galvanized iron, which is essential for water catchment. In general, the question is whether the time is opportune for the relaxation of controls beyond the point already reached in the legislation, and in that regard I am devoting my remarks to the relaxation of control on dwellinghouses. I submit that the Government has not presented any convincing proof that the housing position has improved to such an extent that the further relaxation considered by people in some quarters to be desirable can be allowed. Another aspect which must be seriously considered is the impact of a substantial relaxation of rent controls on the workers generally. If the automatic quarterly basic wage adjustment were still in operation, despite the lag which has always resulted in a loss to workers in a time of rising prices, there would be some compensation to the workers for an increase in the cost of living due to increased rents, but with the recent abolition of the quarterly adjustment there can no longer be even delayed compensation to the workers in this respect.

Mr. Dunks—In South Australia they will be able to get it through the wages boards.

Mr. O'HALLORAN—It would apply only to those workers employed under the South Australian Act, which would represent about 50 per cent of the total number. My argument would apply undoubtedly to at least 50 per cent of the workers in this State, and they would have no possibility of obtaining any compensation in the way of automatic adjustments to their basic wage as a result of rent increases. The case is therefore strong for a continuation of rent control for dwellinghouses. It is proposed under the Bill to completely exempt business and hotel premises except shops with dwellings attached. The Act would apply only to the dwelling portion. I think that a reasonable suggestion and I am not unduly concerned about the exclusion of business premises from the operations of the Act, although I realize that considerable hardship may be imposed on business people as a result. If building materials, particularly cement, were in plentiful supply and it were possible to erect all the business premises required, particularly offices, the exclusion of this type of premises would be less objectionable. On the balance of hardship, I think we should be particularly concerned with the tenants of dwellinghouses. It is also proposed that certain dwellings should be excluded; for instance, houses completed after the passing of the Bill shall be especially excluded from its provisions. I agree with that, provided it is made abundantly clear when a house is completed, and when the Bill reaches Committee I propose to ask members to accept an amendment. I have heard of cases where portion of a house was erected and after some time a sleep-out, laundry or some other structure was added and it was then claimed that that represented the completion of the house. I do not wish any such loopholes to exist after the passing of the Bill, and I suggest that the safest thing will be to take the question of tenancy as the test, that is, a house must be a new house and it must first be inhabited after the passing of the Act. I think that would be a sufficient safeguard to overcome the possibility of the position I have mentioned.

Houses not let since September 1, 1939, are also to be exempted from the Act. This might

result in some administrative difficulties. I have no strong exception to this provision except on that score, but it will be very difficult after a lapse of so many years to finally and conclusively determine whether a house was, in fact, not let since 1939. That is a point which will have to be overcome in the administration. However, there is another aspect which I think merits the consideration of the House. It is proposed that this exclusion shall apply only if the house is let as a whole. If a house is let to a number of separate tenants the Act will apply. If the owner wishes to remain outside the provisions of the Act he must let the house as a whole. The majority of houses which would fall into this category would probably be large houses. There was a time when we encouraged people with large houses to let portions of them to overcome the housing shortage. There does not appear to me to be adequate protection for sub-tenants. The owner may let his house to a tenant at a high rental on the suggestion that the tenant could subdivide and let portion of the house to a number of sub-tenants, charging them a high rental, and in that case they will have no protection under the Act. They will be in a worse position than if the owner subdivided it, in which case they would have protection. The Government should seriously consider this aspect and, if my criticism is correct, steps should be taken in Committee to eliminate the possibility of the danger I have mentioned. It is proposed that houses let as a result of a lease being agreed to for a period of three years or more shall be exempted from the provisions of the Act. That, too, may result in some hardship and pressure being brought to bear on a tenant to accept a rental which is somewhat over a fair and reasonable rent in order to get that three-year security which the lease will provide; but there is the safeguard that, if he considers the terms of the lease to be too onerous, he can rely on the protection which is proposed to be continued in this Bill.

The Act is being changed in some respects with regard to notice being given to quit, and two such amendments are included in the Bill. The first provides that additional grounds for notice where hardship must be shown shall be that a dwelling is required for the occupation of an employee or prospective employee of the owner. At present that applies only to the owners of agricultural land, but it is to be extended to the owners of all dwellings which are required for the housing of employees or prospective employees. It is also provided that non-residence by a lessee for six months shall be a ground for eviction. As explained by the Premier, non-residence by an employee is not to be interpreted as meaning that a man who, because he follows a seasonal occupation and must be away from home for fairly lengthy periods, shall be liable to eviction. Those cases are covered by another section, and the fact that his absence is due to his following a seasonal occupation can be shown to the court as a reason why an eviction order should not be taken out against him. As employees of that type are apparently protected sufficiently under the Act, I see no objection to proposed paragraph (*s*) for it will eliminate some of the abuses which I understand exist under the present legislation whereby tenants sublet their houses to people called caretakers and are able to maintain the arrangement because of the difficulty of proving anything to the contrary.

The Act at present provides that a person must own a house for 12 months before he can give notice to quit to his tenant and that hardship must then be proved. Under that provision one month's notice can be given and the court can determine the action on the basis provided in the Act. That provision was originally inserted for the purpose of discouraging speculative purchasers of homes who used all kinds of pressure in order to make the tenants leave the properties and give the owners vacant possession. I am told that, despite the protection under the existing legislation, many cases have occurred where persons, although they have not owned the property for the prescribed period of 12 months, have through some influence been able to get the tenant out and secure vacant possession. I do not disagree with the shortening of the term from 12 to six months, but I think that, when we shorten the term, we should lengthen the period of notice required from one month to three months, which would give the tenant who is likely to be affected as the result of such notice a better opportunity of securing alternative accommodation than would otherwise be the case. In Committee I will move an amendment on those lines.

I do not take such a kindly view of the amendment of the provision relating to the length of ownership—that, if a person has owned a house for five years and has given 12 months' notice to the tenant, he can secure an eviction order without proving hardship. It is proposed that the period of such ownership shall be reduced from five to two years and the term of notice from 12 to nine months. At present the

person likely to be affected by this provision has six years in which to make arrangements for housing, but under the new provision he will have only two years and nine months. I can vizualize that a large number of evictions will be made possible as a result of the shortening of this term. People who, knowing that the present provisions gave them security for a period of six years or varying periods according to the time of the purchase of the house, have been providing by saving for the building of homes, will find that the period is abruptly cut by half, and the result will be that many who thought they would enjoy protection for a further two or three years will find themselves with no further protection and liable to eviction. That is a totally unnecessary relaxation of the law and, if we are to have a planned withdrawal from this sphere of legislation and not a rout, we should reduce the term by 12 months while still retaining the provision for 12 months' notice, so that in future instead of five years the term would be four years with 12 months' notice.

I consider the following amendments are necessary to improve the Bill and give protection to the many worthy people who will find themselves in extreme difficulties if protection is removed either completely or substantially—(1) that the notice to quit should be three months instead of one where the period of ownership is being reduced from 12 to six months; (2) that the period of ownership, without reference to hardship, should be four years and not two as proposed in the Bill, and that the period of notice should be 12 months rather than nine months as in the Bill. Further, a proviso should be inserted that the proof of completion of a house shall be its occupation after the passing of this legislation. With those reservations I support the second reading.

Mr. DUNKS (Mitcham)—Although I realize that this Bill represents a definite alteration of the existing legislation and that such alteration is acceptable to many people, I still contend that the time has arrived when this legislation should be repealed or not renewed. A certain section of the community—those people who own property—have been picked out for special attention. I do not call that section the landlord class for they are not a class but are made up of thousands of people who were in the working class and who decided that instead of spending their money on enjoyment they would save it and put it into a little property in the hope that, when they were too old to work, they would have another property besides their own home which could bring them in a little income. I would like honourable members to look at that viewpoint, for there is a tendency at times to think that all those who own houses for letting are rich people and that it does not matter if we take some money from them. My point is that there are many people who have worked and saved hard and bought houses, and that they have been detrimentally affected in their income by the type of legislation we have passed from time to time. I still believe that the amount property owners receive by way of rent is not commensurate by any means with the value of their houses, and the time is opportune for another review of this question. A few years ago I was successful in moving for a committee of inquiry to investigate this important problem. I believed the most inequitable thing was that the amount of rent received by landlords at that time was out of all proportion to the value of the property they owned. When I told some people that I thought a grave injustice was being done to a certain section of the community I was told that the landlords could sell their properties if they didn't like it. I answered that in that case it would not be long before the housing of the people in this State would come under what I would almost call a Communistic scheme of things.

The Housing Trust has done much good work, particularly in the early days of the housing shortage, but it is the biggest property owner in South Australia, it fixes the rent for its own houses without challenge, and fixes the rent of other people, with a right of challenge certainly, but not with much hope of success. I admit that under legislation passed in the last few years landlords were allowed a 22½ per cent increase in rents, plus certain other allowances, but I am fearful that, even with the liberal tendencies shown under the Bill, the trust will continue to have a big housing monopoly in this State. When the building materials legislation was in existence no man could build a house to let. No-one would be granted a permit to do so. Today a man can build a house to let, for the restrictive legislation is not now in operation, but it is too late to build such houses now, for costs are so high that it is not economical to do so. Few people could pay the rent required to warrant building a house for letting. The legislation setting up the Housing Trust was very humanitarian. The sponsors said the trust would house those people on the lowest rung of fortune's ladder who could not pay a high rent. They said that one day's pay should be

sufficient to pay one week's rent, but what is the position today? The five-day week is almost universal and those on the base rate receive about £11 a week, so they can afford to pay a little over £2 in rent. A modest home costs £3,000 to build today.

Mr. Quirke—What rent should the landlord get on such a house?

Mr. DUNKS—I thank the honourable member for his interjection. What he should get and what he could get is the point. When £1 was worth 20s. it cost less than £1,000 to build a home now costing £3,000. I do not own houses for letting, and have never done so, though many people think that bricks and mortar are the best asset one can have. I have found an easier way of making money than this, but it was considered that the landlord should get 10 per cent gross on his outlay, so on a house costing £1,000 he wanted £100 a year, or £2 a week. However, I think landlords were satisfied with about 8 per cent, and they had to pay rates and taxes, interest on capital, and the cost of repairs, which were considerable but not nearly as costly as today. To get a return of 8 per cent today on a house costing £3,000, the rent would be £240 a year. I doubt whether the landlord would be able to get a tenant to occupy the house and pay such a rent.

Mr. Quirke—I know of a house built for £3,000 by the Commonwealth Government for which the rent is £3 13s. a week.

Mr. DUNKS—That shows that the Commonwealth Government is satisfied it cannot get the tenant to pay 8 per cent gross on the investment. However, the Commonwealth Government does not have to be so concerned about this question as the private owner, for if it does not get an adequate return who makes up the difference?

Mr. McAlees—You and I.

Mr. DUNKS—Exactly, the general taxpayer, but if the private person gets only 5 per cent he has not a good investment. The building restrictions have been repealed, and we say to people "If you build a house now the sky is the limit: you can get whatever rent you like." But landlords cannot get what they like, for only a limited number of people can afford to pay an adequate rent. It does not pay a man today to build a house for himself. It now costs at least £3,000 to build a small home of a minimum standard, but it costs the man who thinks he has to sustain a higher standard in the social world from £3,500 to £4,000 to build. People will not be rushing into building if they can rent a house from the Commonwealth or any other Government at £3 13s. a week. I do not agree with the contention that an older house costing £1,000, but supplied with modern amenities, should not be valued as high as one recently built at £3,000 or £4,000 with identical accommodation. They should be valued on a par, with allowances for depreciation, if any.

Mr. Hawker—Many older houses are better than those built today.

Mr. DUNKS—That is true.

Mr. Quirke—Not necessarily better.

Mr. DUNKS—Many of the houses built 20 to 30 years ago will be standing when some of the houses built today have gone. I am not going to traverse this matter too far. The Bill provides some moderation of the present legislation, but I will not be happy until it is completely repealed. Let us get back to the position we had before the war. It is all very well to talk about three year leases and then two year leases: I do not know that they are necessary. Mr. O'Halloran raised an important point when he said a large house let to one tenant could be sublet. He suggested that there should be some restriction, but if that were done the housing problem would be more acute. I would not like to prevent this subletting, because our present difficult position is due to restrictions. Many people in the metropolitan area have houses and rooms to let, but will not let them because of restrictions.

Mr. Jennings—There would be no restrictions on the rents paid by sub-tenants.

Mr. DUNKS—I think Mr. O'Halloran's point was that restrictions should apply to sub-tenancies. There is nothing in the Bill to say that they are not under control. If they remained free from control more accommodation would be available. I saw in the press that in 1939 on the average five people were in each house in the State; today there are only four. If owners of property were given greater freedom it would not be long before there would be no need for the Housing Trust to build houses. In my opinion there would be 20 per cent more accommodation in the metropolitan area than is at present occupied if people could let their properties as they wished. I favour business premises not being subject to control. This is a matter which affects me, because some of the industries with which I am connected lease premises. I do not support legislation in my own interests, but in the interests of the whole community, and under the Bill more business premises will be

available. Whether it be private or business premises, the more control there is the greater is the restriction on building.

Two things convince me that restrictions should be abolished. Firstly, rent control restricts, and secondly, it is detrimental when a man cannot occupy his own premises. A man owning a house in the metropolitan area may be sent to the country for a period, and on his return may not be able to occupy his house which was let to a tenant during his absence. The owner may be a married man with one child, whereas the tenant may be married with three children, and his wants would be considered the greater. This has often meant that the owner has had to find board for himself, wife, and child at a cost of £6 or £7 a week, whilst the tenant has lived in the house and paid a pegged rent of 25s. to 30s. a week. This has been unfair. As members know, I will be in the Chair during the Committee stages of the Bill so I must have my say on the second reading. I know what I would seek in the way of concessions, and they would be greater than those in the Bill. I would be happy to meet a few members on this side and tell them of my ideas. I suggest that if amendments are moved towards making the position a little better for the landlords, they should be accepted by the Premier. Owners of property are the people from whom members on this side get a fair measure of support. Many people represented by members opposite have written and told me of their position. One told me he had saved enough money to buy a house with a view to his income being supplemented in his later life, but that he now did not get enough return to pay rates and taxes and keep the house in proper condition. It was only a mere pittance as far as he was concerned. Is it fair that owners of houses should be picked out for special attention? Usually when a tax is imposed all people are taxed, but when it comes to keeping down the cost of living by controlling rents the landlord is picked out for special treatment. Why should he be penalized because he owns a property and lets it to another person? Why should the tenant be allowed to live in the house at an uneconomic rent, merely to keep down the cost of living?

I trust the Premier will not accept amendments moved by members on the other side in an attempt to keep down the cost of living, whilst they want wages to be always on the increase. The Leader of the Opposition referred to the lag which always takes place in the quarterly adjustment of the basic wage, resulting in workers suffering a loss for three months. He suggests that, because of a recent Arbitration Court decision, these adjustments will not now take place. By interjection I said that under State jurisdiction it was possible and probable that adjustments would be made from time to time. In the industry in which I have the honour to try to make a little profit, a living wage adjustment of 4s. was made in the last 12 months and this was in addition to the quarterly adjustments. There is nothing to prohibit workers here from going to the Industrial Court for an alteration of the living wage or to a wages board to have a marginal allowance fixed. I shall be surprised if application is not made to the Federal Arbitration Court, as was the case in the days of quarterly adjustments.

Mr. O'Halloran—I am almost certain it will be made, but it will take a long time to determine.

Mr. DUNKS—And it would take a long time under the South Australian jurisdiction. Where the Conciliation Commissioners have in many instances not decided to make an alteration, the position could be considered by the Federal Arbitration Court. So do not let us think that wages are pegged. They are not, except temporarily. Instead of an adjustment becoming automatic under the "C" series index every three months—

Mr. O'Halloran—It will become problematical every 12 months.

Mr. DUNKS—It can become problematical every three months or every six months. I think that Australian workers will get an alteration when the court considers that the time is opportune. Instead of allowing this question of rents to go to the Housing Trust we should ask some person or body that is not a property owner to fix rentals in South Australia.

Mr. O'Halloran—Hear, hear!

Mr. DUNKS—If it is fair that the Commonwealth Arbitration Court and the State Industrial Court and wages boards should fix wages and conditions in South Australian industries, is it not time that an independent outside body, such as a court, fixed rents, including the rents of Housing Trust homes? When such an outside body operates it will be an improvement on the system of control we have today. Actually, I do not believe rent fixation is necessary.

Mr. O'Halloran—If I introduce a Bill for a fair rents court will you support it?

Mr. DUNKS—If it does away with the Housing Trust as a fair rents court I will

vote for it. I have never felt that the trust, the biggest property owner in South Australia, should be the rent fixer. Suppose someone suggested that we introduce a Bill to give big property owners the right to fix rents in South Australia, but not have their own rents subject to control, what would be the reaction? No member would vote for it. Members would say, "This is a group of people who want to penalize others and yet to go as hard as they like themselves."

Mr. Hutchens—Tell us the difference between those people and the Housing Trust under the present set-up.

Mr. DUNKS—These other people pay income tax whereas the trust does not, and this enables it to keep its rents down to a low level. However, it asks a fairly high rent for a home which will house only three people, charging £2 15s. or £3, whereas a man with an ancient house with plenty of accommodation is not permitted to get more than 30s. or £2. I intend to vote for the Bill, hoping that my colleagues and possibly some of the Opposition will have some thought for those people who save money to build houses to let, and I trust they will not be picked out for special attention to have their income reduced, but allowed a little more on their investments.

Mr. TAPPING (Semaphore)—I support the Bill with certain reservations, and trust that in Committee amendments foreshadowed by the Leader of the Opposition will be accepted. If we took notice of the Premier's second reading speech we would be convinced beyond doubt that the housing position in South Australia had improved immeasurably in the last couple of years. He said that during the last financial year 9,007 homes were built in South Australia as against 7,715 the previous year, an increase of 1,292. It would appear from that that our housing position is now satisfactory, but I shall submit another story, one which cannot be refuted. This afternoon the Leader of the Opposition obtained from the Premier in answer to a question information which makes my contention very strong. The reply was that there are 18,750 applicants waiting for some type of trust home. This number included 12,500 applications for rental homes 3,000 for emergency dwellings and 3,250 for home purchases. Mr. O'Halloran predicted that if allowance were made for duplicated applications there would be 15,000 applications still to be met by the trust from people desiring homes in the metropolitan area. If we take into account that alarming number, then the figures given by the Premier in his second reading speech do not paint a very rosy picture. It is not right to modify any Act of Parliament which results in protection for the people unless it can be proved beyond doubt that the position has improved to such an extent that we can allow for modifications. Because of the large number of people waiting for homes and the hardships they are suffering it ill behoves this Parliament to make any vital modifications and thereby inflict greater hardship upon the masses in the metropolitan area. To further prove my point that the position has not improved to any extent, I shall read an extract from *The News* of yesterday which appeared under the heading "Traffic Jam Caused by Advertisement in the *Mail*." It was as follows:—

Real estate agents, J. Will Sharley & Co., know the pulling power of advertisements in *The Mail*. On Saturday night they advertised an attractive seven-roomed house in Dwyer Avenue, Oaklands Estate, and invited inspection. They expected the usual limited number of prospective buyers to turn up yesterday afternoon. Instead, more than 500 people packed the property between the advertised hour of 3 to 4 o'clock.

Some members may suggest that there would be a number of speculators amongst that 500, but even allowing for a percentage, my point is proved that there is still a great demand for homes. The fact that 500 people were interested in one home shows that the housing position is still acute. In addition, the agent received many inquiries from the country as far afield as Broken Hill.

Mr. Teusner—It was a pretty expensive home.

Mr. TAPPING—I am not concerned about the cost, but the fact that 500 people sought information about the home and that showed that the position is still desperate.

Mr. Dunks—It was a nice Sunday afternoon for an outing.

Mr. TAPPING—Some time ago there was a press statement about the dissatisfaction expressed by British migrants. Because they could not be allotted a trust home or get some other home, many have returned to England in the last two years and painted a bad picture of the State. I shall not condemn the Housing Trust because of its method of allocation, because I have always felt that the allocation board had done all that was humanly possible to make their allocations on merit. It must be admitted that it would not be fair to give a concession to persons who had been here only a short period when there were applicants who had applied five to seven years ago, but the fact that they returned to their

Motherland disgusted because they could not get a home proves that the present is not an opportune time to introduce any severe relaxation of the Act. I believe we should continue controls as long as they are necessary. I am echoing the sentiments of members of my Party when I say that rent controls in Australia are essential. Members of my Party have said unreservedly that they believe in controls only when necessary, and I would be pleased, as I believe would all other members, to be told tomorrow or next year that certain controls were unnecessary; but supply and demand must control the position and the supply of housing is nowhere equal to the demand. Any relaxation of this legislation would be to the detriment of certain people, and we must be fair to the people we represent. The member for Mitcham suggested that some members were inclined to regard themselves as representing certain sections. For instance, because I represent an industrial area, I might regard myself as representing tenants, and, because he represents Mitcham, he might be regarded as representing landowners; but it is the duty of a member to consider what is best for the people generally whether they are landlords or tenants. If the relaxations contained in the Bill become law, a great hardship would be placed on the tenants. Landlords generally have given an excellent service and possibly not more than 2 per cent have abused any privileges given them, but in view of that 2 per cent we cannot afford to throw this legislation overboard, for in so doing we might cause certain people to suffer. Members on this side are concerned with the application of the law for the good of the masses generally, and that should be the main concern of all members.

Dealing with premises other than business premises, the Premier said that because of circumstances today there was no need to continue certain controls and that shops were now being built more freely because of the greater availability of building materials which were in uncontrolled supply. In the metropolitan area dozens of shops are being constructed for the use of grocers, chemists, butchers, and others. Despite statements by members that cement supplies are insufficient to meet the demand, I can say, from a knowledge of the activities of the Adelaide Cement Company in my district, that production there has increased by 65 per cent since the introduction of the second kiln last year.

Mr. Fletcher—That cement has not reached country districts yet.

Mr. TAPPING—That may be, but the increased production is evidenced by the erection of shops throughout the metropolitan area. I agree with the Premier that there is no need to control the letting of business premises, nor is there any need to control the supply of building materials for use in business premises, for the capital required to build shops represents a restriction in itself. The Bill refers to court proceedings, and I feel, from statements made to me by constituents who have been called upon to contest actions as tenants, that the landlord has an advantage over the tenant in court proceedings. The person on the basic wage and supporting a family cannot afford the services of a solicitor to conduct his case, for such services may cost up to £25.

Mr. Geoffrey Clarke—The Law Society will provide legal assistance in necessitous cases to see that justice is done.

Mr. TAPPING—Yes, but that type of assistance would be mostly availed of by pensioners and not by a man earning £12 or £13 a week. Because he cannot afford a lawyer and the landlord can, he is often placed at a disadvantage. As it should be obvious to the judge that the owner and the tenant have their respective hardships, it should not require a lawyer to advocate on behalf of either party and ordinary commonsense should prevail, therefore I would make it impossible for a lawyer to appear on this type of case.

Under the existing legislation an owner of a holiday flat or caravan can charge any rental if he lets the flat for a period of less than eight weeks or the caravan for a period of less than four weeks. I have first-hand knowledge of exploitation by owners who are prepared to abuse this privilege by charging exorbitant rents. One can appreciate the difficulties facing a person who, evicted from his home, is in desperate straits and must take the first thing offering. I have known of many cases where people have been evicted by law and, fully realizing the consequences, have signed an agreement for occupation of a holiday flat for less than eight weeks in order to get a dwelling for a period while they looked around for a permanent abode. In many cases they have not found a home by the date of termination of the agreement and they had to leave their temporary dwelling place. Some owners of caravans have charged as much as £4 10s. a week under such agreements, whereas they would not be allowed to charge more than 21s. 6d. a week if the agreements had been for more than four weeks. Holiday

flats have been let for periods of less than eight weeks at £5 or £6 a week, whereas their controlled rentals were about £2 10s. Members should consider this important aspect in view of the abuses that have taken place.

Mr. Dunks—A holiday house is not necessarily a permanent dwellinghouse.

Mr. John Clark—It is if you have nothing else.

Mr. TAPPING—Few people desire to rent a house whose rent is £4 or £5 a week, but many people who have no home are forced to do so. If I were evicted from my home tomorrow I would not know where I could get another house in my district, and if I, a member of Parliament with many contacts in the district, cannot find a home, what chance is there for the majority of my constituents? The housing position is still desperate. Recently I was interviewed by a man who is living with his wife and three children in an iron shed, 10ft. by 10ft. with a cement floor. The Housing Trust cannot accommodate him for it has not enough houses to go around. While there is such a dearth of houses it would be unfair to relax this legislation greatly. All members look forward to the not far distant future when we will be able to relax this legislation entirely. At present it seems that this legislation, in some form or other, will be necessary for at least another 10 years. I understand that about 15,000 South Australians are waiting for homes, and, considering the number of marriages taking place each year, it will be 10 years or more before the housing lag is eliminated. The large number of immigrants has created a difficult position with which the Housing Trust has tried valiantly to cope. If within 10 years it catches up with the back lag of housing it will receive my commendation for an excellent job. I support the Bill and trust that in Committee certain amendments will be accepted so that the legislation will be impartial and fair to every member of the community.

Mr. BROOKMAN (Alexandra)—The introduction of this Bill was no surprise, for all members knew the legislation would be amended this year. As in the past, the Government finds itself in a difficult position on this matter, and it seems that members have varying views about it. However, I feel that in general the Government has introduced reasonable relaxations. I do not think legislation of this type should be continued too long, and I hope it will not be extended again. I will not attempt to forecast whether it will be, but the Premier hinted that it would. The member for Semaphore said that if we relax the restrictions we shall not be fair to the people we represent. I think he was talking about greater relaxations than those envisaged in the Bill. He then took the member for Mitcham to task for saying almost the same thing as he did. Both the member for Semaphore and the member for Mitcham have several things in common. Neither is insensitive to public opinion, or likely to give anything but objective consideration to this legislation. I thought the member for Semaphore was hardly fair to the member for Mitcham when he took him to task on that point. He also said that some people cannot afford to pay lawyers' fees, although it was pointed out that if people are completely destitute the Law Society comes to their aid. The member for Semaphore was referring to those who cannot afford lawyers' fees.

Mr. Tapping—I said the person on the basic wage, as an illustration.

Mr. BROOKMAN—I understood the honourable member to mean people who were not well off, and he said that in landlord and tenant cases coming before the court lawyers should be banned. I have no particular brief for the legal profession, but in view of the complicated wording of many of our laws it seems that lawyers are necessary in the community, and I think they are doing fairly well as a result. However, nothing would cause greater chaos in our courts than to ban lawyers in cases involving landlord and tenant legislation. I have had some experience of laymen trying to apply the law. In some military stations lawyers were not available for courts martial and the officers conducting them were in a hopeless muddle. An officer who was a lawyer in private life was brought to the rescue but he could only help one side, so things were worse than before, for the other side was under a severe handicap. Eventually sufficient lawyers had to be obtained to help both sides. It is imperative to have lawyers assisting both sides on a landlord and tenant case.

I welcome the relaxations provided by this Bill. The abolition of rent control of business premises is a particularly good one which should perhaps have been brought down earlier. There seems to be no ground for continuing the controls on houses built after the passing of the Bill and on houses which have not been let for the past 14 years, so I welcome the clauses to that effect. I do not think there will be much opposition to them. Leases entered

into after the passing of the Bill and which extend for a period of at least three years will also be exempted from the scope of the legislation. The provision I welcome most, after that of relaxation on business premises, is the amendment to section 49 to reduce the necessary period of ownership of a house from five years to two in order to gain possession. Further, the landlord will in future have to give only nine months' notice to quit instead of 12, and he will not have to prove hardship to the court in order to gain possession. I wonder whether there could be a further amendment to help not only the people trying to get possession of their own houses, but to enable other members of their family to obtain possession. I know of a country man who owned a house in Adelaide. Some years ago one of his daughters wished to get married and he wanted the house for her to live in, but she had to obtain other accommodation. A little later another daughter married, but the tenant retained possession, though the landlord had much difficulty in finding another house for his daughter.

The landlord and tenant provisions have been necessary, but they have a deleterious effect on the community in many ways. If rent control became a permanent feature there would be far-reaching consequences. During World War I. rent controls were introduced in France, and I believe they still operate, though I understand they are administered loosely. There is much corruption surrounding the controls there, and they have had the effect of greatly restricting the building of houses. The Government's policy of gradually easing controls has kept the community free, balanced and thrifty. The relaxations provided by this Bill are a signal advance, and if the Government suggests extending controls again next year I shall feel much inclined to oppose them. I support the second reading.

Mr. HUTCHENS (Hindmarsh)—I heartily agreed with some of the remarks made by the member for Mitcham, but heartily disagreed with others. Members on this side have been very concerned about the point he made that the Housing Trust is the body that fixes rents. I thought he had a good illustration when he indicated what could be done by a big property owner if he had power to fix rents whilst being a landlord himself. The Premier said that Opposition members find it convenient to criticize the trust, but I have never been a party to such criticism because in many respects I think it has done a good job. However, it is wrong that it should have the right to fix rents, and I agree with Mr. Dunks. Every member on this side is delighted to have his assurance that if we introduce a Bill to create an independent body to fix rents he will support it. I know of a number of cases where property owners have had their rents fixed by the trust. I have one lady in mind who had the rent of her property, valued for probate purposes at £3,500, fixed at £2 6s. a week, which is altogether wrong when we remember that for timber-frame houses the rent is as high as £3 5s. a week. Mr. Dunks made much of the plight of landlords. With the Leader of the Opposition I agree that some of them have suffered under the present law. That is regrettable, but when we recall the circumstances we remember that people other than landlords would have suffered if there had been no legislation. A large number of young men postponed their marriages in order to fight for Australia, and in doing so did not get the high wages received by people who stayed at home. On their return with the money they had accumulated they wanted to buy homes, but could not do so because of the shortage. They went away to fight for Australia.

Mr. O'Halloran—And to fight for the people who owned properties.

Mr. HUTCHENS—Yes.

Mr. Brookman—Some of the property owners were away fighting.

Mr. HUTCHENS—Yes. But for the war we would have had many more property owners. On their return these young men had to live under undesirable conditions. We all agree that home life has a definite effect on the nation. It was necessary to have this legislation, and unfortunately it is still necessary. Members on this side are anxious to be free of controls as soon as possible. We do not want people to be regimented unnecessarily. We would be pleased to support the abolition of all controls if circumstances permitted, and that is how I view this Bill, which continues the present legislation with some relaxations. I will not oppose the proposal to decontrol business premises. Taking the narrow view we can say there is no harm in it, but on taking the longer view we must see that there is a definite danger.

Practically all speakers on this Bill have referred to house building in South Australia, which the Premier says is now satisfactory. Present figures indicate an improvement. In the last financial year about 9,000 homes were

built, compared with about 7,700 in the previous year. Since I have been here each session until the present one I have drawn attention to the gradual deterioration in the housing position, but I am pleased that we have now had a year when the number of homes built has exceeded the number of marriages. In reply to a question on notice today, Mr. O'Halloran was told that the Housing Trust has about 15,000 applications for homes, quite apart from the applications for emergency homes. Members associated with industrial areas handle each year hundreds of requests for the trust to do something towards providing people with homes. We know of people living in back rooms and sheds who cannot purchase homes because of the shortage. Many young people starting out in life have paid a deposit on a home and committed themselves to a weekly rental which will impose a hardship on them for the rest of their lives, but they are prepared to put up with that to avoid having to live with other people. Following on the relaxation of the control of business premises more material will be used in the building of such premises, which will affect the building of private homes. Mr. Dunks showed that the law of supply and demand makes the price of a dwelling so great that its purchase is unsound economically. Few people can afford to pay the rent required to provide the owner with a reasonable return for his outlay. People with money will be only too ready to invest it on business premises because of the greater return. I fear that because of large concerns seeking more space small business men will be forced out of their present premises and will have to look for other accommodation. This will provide an inducement for money to be invested in the building of business premises to the detriment of dwellinghouses. Houses completed after the passing of this measure will not be subject to control. We need to be assured that this will not be used unfairly by unscrupulous people. An intended five room house may have had four rooms built 10 to 15 years ago, and the other may be built in the future, which will give the owner an opportunity to claim that it was completed after the passing of this measure. Mr. Dunks said that many houses built some years ago were more substantial than those built today, but that does not apply in all cases. One might say that a German waggon is more substantial than a motor car built today, but who wants to use a German waggon or to live in houses without amenities?

Subsection (6) of section 49 of the Act provides that where a person has owned a house for five years and complied with certain other conditions mentioned in that section he may give 12 months' notice to his tenant, but it is now proposed to alter the period from five years to two years. This is a very dangerous provision, because many people living in these houses now have the feeling that they have protection under the present law, and are working towards the end of building their own home. This provision will wreck their plans and place them in a very precarious position. In this respect I feel that the Government is breaking faith with many hard-working and ambitious people, and this is not in the best interests of the State. When a tenant receives notice from his landlord to leave, invariably he approaches the Housing Trust, and I know of no cases in which the trust has not made every endeavour to accommodate them provided they have the necessary qualifications. I shudder to think what will be the position when so many owners will be able to give notice to their tenants. It will mean that many people with applications of long duration will be further delayed in the allocation of a home. I am prepared to support the second reading, and hope that in Committee the amendments foreshadowed by the Leader of the Opposition will be agreed to and that the Bill when passed will not be as drastic as it now appears to be.

Mr. QUIRKE (Stanley)—I approach this Bill with a great deal of pleasure, because in the main it envisages a relaxation of the heavy restrictions placed upon owners who let premises for rent. Today we heard of the number of houses being built by the Housing Trust and the number being applied for. The position can be considered to be very good. It means, allowing for the natural increase in demand, that the time is not far distant when this legislation can be abolished. I will welcome that day. If the conditions relating to the sub-letting of homes were abolished the position would cure itself. Quite a number of people are not prepared to sublet rooms at present, but if the restrictions were abolished I believe that the number of rooms available would be such that the rent would be automatically regulated without any statutory interference. It simply means that when there are plenty of rooms available the amount of rent which can be obtained is lower than when such rooms are scarce. I have no hestitation in saying that if this law is abolished

next year, far from there being any victimization and rises in rent, competition will automatically reduce the amount charged for a room or two.

In the main I agree with the Premier's second reading speech and believe he made a very fair analysis of the position, as he has done in the past. He has not hesitated to introduce harsh legislation and when the necessity for such legislation is passed he then takes action to have it removed from the Statute Book. The way in which the South Australian Government has handled the Landlord and Tenant Act is a credit to it, and I believe that is accepted universally. When there is any increase in council rates the house owner has to meet it. From time to time the Minister of Local Government has criticized councils for not imposing higher rates, sufficient to meet the cost of local government. Some councils have now taken him at his word and there have been very high increases. In one case the rate on one house I know of has been increased from £13 6s. 9d. to £22, an increase of 70 per cent or 3s. 4d. a week. If the owner wants to increase his rent to meet some of the cost he must fill out forms and present his case to prove something which is already proved. He should have a legitimate claim for increased rent without having to apply to the Housing Trust. Any increase in council rates is outside the control of the owner and becomes an automatic charge. Many owners would rather take the knock than apply for an increase in rent. It is not fair, and I should like the Premier to consider the point that where there is an increase in rates outside the control of the landlord he should be able to make an automatic increase in rent without going through the long process of having the matter investigated by the trust. I congratulate the Government on the introduction of the Bill and sincerely hope that it forecasts the total removal of these restrictions for I cannot imagine anyone today building homes as an investment. He could not possibly get back the amount necessary to cover the total outlay and maintenance for nobody would pay the rent necessary to enable that to be done. I suggest that a close inspection be made of the subletting of houses, for I believe that, if that restriction were removed, so much room would be available that the number of rooms available would automatically control the price charged for those rooms and there would be no victimization along those lines.

Mr. GEOFFREY CLARKE (Burnside)—In supporting this Bill I mildy join issue with the member for Mitcham over his references to the concessions it provides. We should refer to its provisions not as concessions but as a restitution of rights, for the landlord's rights, developed in common law over many centuries, were taken away by this legislation. The Bill is an instalment in the orderly withdrawal from legislation which has perhaps provoked more litigation than any other in the past 15 years. It has often been vexatious to tenants in many places and has also produced great hardships for landlords. The whole spirit of the legislation has been directed against a class of people in the community who have done a great deal to restore the economy to equilibrium and keep down costs. In fact, the legislation has done more, artificially, to keep down costs than any other legislation, but it has done it at the expense of one section of the community while favouring another section. I have referred to this legislation in Address in Reply debates and on other occasions. In this year's Address in Reply debate I asked the Premier to undertake a thorough review of this legislation.

Mr. Frank Walsh—Hadn't he indicated already that he would do that?

Mr. GEOFFREY CLARKE—Perhaps, but that did not alter my view that it was necessary, and I am pleased to see that a thorough review has been made. Unlike the member for Hindmarsh, who professed agreement with the withdrawal of a number of controls and then in the same speech could find nothing with which to agree in this Bill, which relaxes certain controls, I entirely agree with the Bill, except that in some directions it does not go quite far enough. In the Address in Reply debate I made three suggestions with regard to this legislation, and whether one may take personal credit for their being reflected in the Bill is beside the point, but it is gratifying to find that these three suggestions are embodied in the Bill: firstly, houses not let previously should be freed from control; secondly, houses built after the passing of this Bill should not be subject to control; and thirdly, where an agreement has been entered into by mutual consent the rent should not be fixed by the Housing Trust. However, perhaps the term of three years for an agreement is a little too long and I would rather have seen it less. Reading between the lines in the Premier's second reading speech it would be fair to assume that perhaps the legislation may be completely repealed in less than three years; indeed, I hope that may be possible. Although there have been some relaxations of

controls many grievous hardships are still inflicted under this legislation. In one case of which I am personally aware and which must be typical of many, an estimable citizen, who has retired from a bank position on a modest pension, owns the house in which he lives and a modest cottage which he lets. He has had a number of *bona fide* inquiries from would-be purchasers of that house which he wishes to sell. He has given two years' notice to quit to the tenants, but, because he cannot give vacant possession to a purchaser he cannot get anything like a reasonable price for the house, yet he needs the money. Hardships such as that cannot be remedied under the provisions of this Bill.

The fixation of rents for flats gives much cause for criticism. It gives no cause for satisfaction to the owners of flats to find that the Housing Trust may fix the rents of its flats on present building costs whereas it fixes the rents of private flats on the basis of an alleged 1939 value. It seems to me that, if valuations are to be proper valuations, all circumstances must be taken into account. If it is proper to value the rent of a house on a 1939 basis, some other elements being considered, it is equally proper to value on the same basis for stamp duty purposes property being transferred, and for probate valuations to be made on that basis. When two completely different practices are introduced by some Government authorities I feel that it is a grave inconsistency. I welcome the removal of controls from business premises and make that statement in the full realization of the possible consequences for I am a tenant in a city building.

Mr. Davis—Why do you favour the removal of those controls?

Mr. GEOFFREY CLARKE—Because I agree with the member for Semaphore that the sooner we get back to supply and demand as a regulating factor in our economy the more stable our economy will be. If it means that I must pay 1s. or so a day more by way of rent, I shall be content to do that if it will have the effect of helping to stabilize our economy and remove hardship. I do not wish to benefit from discriminatory legislation if I know that legislation is wrong in principle, and I believe that members are big enough to view legislation as it affects not only the individual but the whole economy. I will not go into the theory of rent control as part of our economic problem. I have tried to look at the problem from a practical viewpoint and I believe that a more realistic valuation of land and properties which will more nearly approximate their real value will result from the relaxation of these controls. Supply and demand should decide the ordinary basis of our business relations, and supply and demand have been gravely interfered with by this legislation. To the extent that its provisions are repealed by this Bill it will automatically revive the law of supply and demand on housing. I agree with the member for Stanley in that respect. Where organized labour believes that the price paid for its services is inadequate and feels strongly enough on that point, it withholds its labour. Similarly, where property owners provide a service in the provision of housing but believe that the price being paid for that service is inadequate, they will withhold that service from the community. That principle applies whether labour or housing services or goods are being sought by the purchaser, and where the owners consider the payment being offered is inadequate. I believe that much more accommodation than we suspect will become available when the price available for these services is regulated in a greater degree by supply and demand.

I support the Bill which is a welcome step in the right direction, although perhaps it does not go quite far enough to please all sections. There may be a possibility of some minor modifications in Committee. After this Bill becomes law copies of the Act should be made available to the public as soon as possible, for many people, both tenants and landlords, will wish to inform themselves of the changes in the law and the rights in property which are now being restored.

Mr. TRAVERS (Torrens)—I would like to refer to several matters, some of which, I regret to say, do not come within the scope of the Bill. My subjects may be classified in two compartments: things which are in the Bill and which I think should not be there, and things which are not in the Bill and which I think should be there. It seems to me that some speakers—and this applies to speakers on both sides—have considered the abstract question of controls versus no controls, whereas that is an altogether fallacious approach to this subject. It is not the least use to consider it as an abstract question; we must look at the stark reality that these controls have existed since 1942. The essential approach is to inquire, not whether it is desirable or not to have controls, but what is the best way to ease ourselves out of them. I suggest that the Bill

does not face up satisfactorily to that problem. Controls have existed for so long that we are apt to forget what the system was before they were imposed and accordingly, I suppose, to overlook what the situation will be when they are lifted. I remind the House of the position that will obtain if and when controls are lifted. When there is a tenancy agreement, either written or oral, one inquires whether it is for a weekly, monthly, yearly or some other term. If there is no stipulation about the length of notice that must be given to terminate it, if it is a weekly tenancy a week's notice is required, and if a monthly tenancy a month's notice is required. I am now speaking mainly of the position with regard to business premises. It would probably not be an overstatement to say over the years during which controls have existed 90 per cent of the tenancies in the metropolitan area have run out, and owing to controls they were not renewed for a definite term because neither party was anxious to bind himself for a lengthy period. Therefore whereas there was formerly a three or five years' tenancy for most business premises today they are mostly weekly or monthly tenancies. I stress that if the Bill is passed in its present form there will be a grave risk of a chaotic situation over business premises in this city. It would not be so bad if the tenancies had been renewed and were for long periods, but there are few long-term tenancies left after 11 years of control.

Let us examine the law 11 years ago, before controls were imposed, and see what it will be if business premises are freed from control. If the tenancy ends after a month's notice the court will have no power to inquire into the question of hardship to the tenant or to extend the period of one month if it was a monthly tenancy. The court will simply have to say that the tenant must go. If the landlord wishes he can give way to the importunity of people clamouring for his premises. There is an acute shortage of business premises and office accommdation and many people are keen to get them and willing, no doubt, to pay high rents. If those premises are immediately released from controls the man prepared to pay 300 per cent of the true rental value can walk in and the tenant that has been in occupation, perhaps for years, will have to walk out, and his business will be ruined. Such a situation is intolerable. I am in favour of removing unnecessary controls, but surely there should be some provision for the interregnum. Instead of the court having to say the tenant given a month's notice must go at the expiration of that time, it should have the power to inquire why he has been given a month's notice to quit. It should be able to inquire whether someone else is offering three times the rental value for the premises, or whether the landlord wants not a fair rent but an exorbitant one. The court could then determine whether the tenancy should be terminated, but under the Bill the man prepared to pay the highest rent can rob the tenant who has been paying the appropriate amount throughout the war and since, and probably before, of the premises. It seems to me that the Bill is ill-considered in that respect. The problem cannot be solved by deciding between controls on the one hand and no controls on the other. We must consider what is the proper practical method of easing ourselves out of controls. That situation has not been faced.

It is almost correct to say that since landlord and tenant controls have been imposed no new business premises have been erected in Adelaide. Thousands of new homes have been built to cope with the additional population and as additional population demands additional domestic buildings, so it demands more business premises. Now we have the amazing situation that we propose to continue controls over domestic premises, where there has been a creditable attempt to overtake the shortage, but to throw the business man to the wolves and leave him without protection. This aspect should certainly be considered. There should be some safety valve, some method of properly easing ourselves out of controls.

Mr. Dunks—More business premises may be erected if controls over them are lifted.

Mr. TRAVERS—That may be true, but that is scant satisfaction to the business man thrown out into the street and having nothing else to do but stand and watch other premises being erected. We should have a provision so that those who are prepared to invest their capital in business premises may do it simultaneously with the court having some control over the method of termination of tenancy, so that the termination will not be for the mere purpose of allowing the highest bidder to get in at the expense of existing tenants.

Many people have purchased houses as an investment with the long-range view of making them available ultimately to their children. Eleven years have passed and many of those children have married and are in need of homes. The law provides for the landlord to obtain

his home under certain circumstances, but he should be enabled to obtain possession for members of his family. Again, if a tenant undertakes to keep in repair a house in which he is living and the court finds he has substantially failed to do so that tenant should lose all protection. He should be thrown back on the general law so that he must quit when the notice expires. I am also concerned about the person whose only asset is his house. If he falls on an evil day and needs the money tied up in his premises he should be able to obtain vacant possession so he can get the highest possible price; justice demands it. All these questions of landlord and tenant relationships depend ultimately on one's basic ideas of justice and fair play. Some premises that are let are not fully used under the tenancy agreement. Perhaps the house is occupied but there may be a vacant block of land alongside it, or perhaps a dwelling has as an outhouse of three or four rooms that are not being used. Under the present law the landlord cannot make use of the vacant block or the three or four separate rooms, but that is wrong. The general law should apply in such cases. If the problems in this legislation were placed before a few of those frightful people we have heard something about, the lawyers who practise in this jurisdiction, and whom some members think earn high fees—though that has not been my experience, but it may have been the experience of the member for Norwood—

Mr. Dunstan—Not mine, either.

Mr. TRAVERS—If these matters were referred to those who have had experience of the problems that arise in tenancies I believe a great many difficulties could be ironed out and a much more sensible scheme could be evolved to ease ourselves gradually out of the objectionable system of controls, but in such a way that no injustice would be suffered.

Mr. FRANK WALSH (Goodwood)—I support the second reading, but that does not necessarily commit me to all its provisions. I may seek to move amendments in the Committee stage.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr. FRANK WALSH—I was particularly interested in the remarks of both Mr. Travers and Mr. Geoffrey Clarke. Mr. Travers made out a good case for those who would be affected by the abolition of the control of the rents on shops and offices, and I agree that there is some justification for his contention, particularly if we consider the impact this measure would have on the small business man who is selling mainly goods still under price control, as he is working on a limited margin of profit. If this legislation becomes law, it could easily happen that a more lucrative business could be conducted in goods not subject to price control in that particular shop. In the other case he cited, similarly, a well-established business conducted on the premises for many years could, on application to the court, be thrown out overnight. The honourable member, with his legal qualifications, should be able to draft an amendment that would safeguard people in such cimcumstances.

Although Mr. Clarke gave his blessing to the legislation he was not wholly in step with Mr. Travers. In addition to the cases cited by Mr. Travers, there may be another kind of business which could be affected seriously, and another measure on the notice paper concerning building materials could have a vital bearing on this Bill. Mr. Clarke, during the Address in Reply debate, mentioned three points in connection with this legislation which he suggestion should be considered I asked by way of interjection, whether he had had a preview of the proposed legislation prior to the Address in Reply in debate, and I am fortified in that view by a letter handed me by one of my constituents addressed to him from Parliament House and signed by the Hon. W. W. Robinson. I propose to submit this letter as further evidence in support of my view. It reads:—

This day, the 29th June, I had an interview with Mr. Staples of the Housing Trust and he informs me that your application has reached the stage where it would be advantageous for you to arrange an interview with him. I would advise you to take advantage of the position and make your claim. The Landlord and Tenant Act will be coming up for review during this session of Pariament and one amendment proposed is to reduce the term for an owner to secure his premises for his own use from five years to three. It is only a matter of ringing Mr. Staples and arranging the interview.

I am acquainted with a person who has been a tenant of a house for the last 18 years and who suffers from arthritis to such an extent that he is confined to a wheel chair at most times. I have taken up his case many times with the Housing Trust and it has been indicated that he is the type of applicant who would be considered for a house that had been previously occupied. In addition, not long ago he received notice of eviction and had to defend his case before the court, and the magistrate's decision went against the owner. Following that he has to suffer the further humiliation

of having to be carried upstairs to the Housing Trust office for an interview which proved abortive. Many such cases would be affected by the proposal to reduce the term of ownership to two years and the notice to quit to nine months. In view of the Premier's statement, in reply to the Leader of the Opposition as to the number of applicants registered and waiting for Housing Trust homes, will we relieve the housing shortage by relaxing present conditions? Can we say that the position now merits the complete lifting of controls? Would it not be more appropriate to continue the legislation for 12 months? If Mr. Travers is considering amendments to afford protection for tenants of shops and offices, he might well consider including house tenants. I am not supporting the relaxation of controls of dwellings that have been tenanted with the approval of the trust or some other authority, but new dwellings never previously let might be freed from the provisions of the Landlord and Tenant Act. This legislation is of the nature that it is customary for this Government to introduce. It is trying to work under a system of one form of control for one section and another form for another section.

The SPEAKER—I ask members not to converse aloud. Their conversation is quite audible to me.

Mr. FRANK WALSH—Mr. Speaker, it is quite audible to me, too. There may be an object in their talking. Perhaps they feel they can talk loudly enough to drown my remarks, but let them try. It seems to me that there is much talk going on about a proposed wheat agreement. Returning to the Bill, there have been a number of applications for rent increase from owners of shopping premises. In a group there may be three lock-up shops and one place used as a shop and dwelling-house. The latter may be larger than the lock-up shops. How will its rent be fixed? Will the rent of the dwelling be fixed irrespective of the value given to it through having a shop attached? I hope the Premier will clear up this point. Regarding three-year leases, much representation may be made to tenants by owners, resulting in their being forced into agreements. How will the Government view these agreements? Will the Housing Trust review them and fix the rents before the agreements become operative, or will the agreements be entered into at present rentals?

The SPEAKER—I again ask members not to converse aloud.

Mr. FRANK WALSH—Will the Premier indicate whether the Housing Trust intends to enter into three-year agreements? If the Government intends to carry out its promise to provide homes for aged people it will be necessary to review the legislation which deals with the averaging of rents by the Housing Trust. It is an important matter in relation to this Bill. No more cheap rental homes will be provided by the trust. Considerable complication will follow the bringing into the averaging of rents the rental of £3 5s. a week charged for the all-timber houses, which are now being let because they cannot be sold. Because of the averaging of rents, the rental of 12s. 6d. a week charged for houses built in 1938 is now about 27s. 6d. a week, and when the rental of £3 5s. a week is considered in the averaging there will be a further increase. Is the Government sincere in its desire to provide cheap rental homes for aged folk? Not much is being done in that direction at present. The erection of the Goodman Flats was an indication that the aged folk were being considered, but what consideration are they getting if they have to pay a rental of about £3 a week? Will the homes for these folk come under rent control? The Government should consider adjourning this debate in order to get information on the various matters I have brought forward. In Committee members will be able to get further information on matters about which they have some doubts. It seems to me that members opposite had a preview of the legislation before they made their Address in Reply speeches, but if that was not the position some of them must have received information which was not available to other members. I support the second reading.

Mr. HAWKER (Burra)—I support the Bill, which is a step in the right direction, but it might have gone a little farther. Many members have mentioned the number of houses which have been built in recent times, but I do not know to what extent it has a bearing on the Bill because the existence of the landlord and tenant legislation does not make more houses available. In fact, it is inclined to have the opposite effect, because many people are chary of letting houses, at least temporarily, because of the difficulty in getting rid of tenants when they want to occupy their houses. Regarding owners being penalized under this legislation, I support Mr. Geoffrey Clarke who said that many house owners are

thrifty working men, who bought houses out of their savings with a view to having something to live on in their old age. I have personal knowledge of such cases. Rents from houses are the sole income of many persons, and under this legislation they are being penalized. Since 1942 the basic wage in South Australia has risen by 145 per cent but rents have only increased by 22½ per cent. If it is necessary to have lower rents for South Australian economy the house owners should not be forced to bear the cost. It should be borne by the whole State.

Mr. Davis—How do you suggest it be done?

Mr. HAWKER—It is something which must be worked out. The cost should not be borne by the thrifty citizens who have purchased houses for investment purposes. If people who built houses in the past had realized that this legislation would be introduced pegging rentals during a period of rising costs not many houses would have been erected. I agree with Mr. Dunks' suggestions relating to modernized old homes. Mr. Hutchens said that a person would not expect to pay the price of a motor car for a German waggon, but metaphorically speaking, under present legislation people can buy a motor car for the price of a German waggon and that is where this Bill is unfair.

Mr. Davis—I will swap my German waggon for your motor car.

Mr. HAWKER—But would you pay the difference? That is my complaint—a person will swap his German waggon for a car but will not pay the difference. If a house owner can provide suitable alternative accommodation for his tenants he should not be restricted in obtaining possession of his home even though he may have only just purchased it. The Bill does not affect country people very much but recently I had referred to me the case of a shearer who had purchased a house in the country. He was renting a house and the lessor was prepared to permit the shearer's tenant to occupy it but the tenant would not shift. The shearer had to own the house for 12 months before he could give notice to quit. The tenant could have had reasonable accommodation straight away and the shearer should have been able to obtain possession of his house. At present the owner of a house on a property used for primary production can give a lessee notice to quit if he requires the home for another employee but the machinery to carry that out is long and sometimes cumbersome. Firstly, 30 days' notice must be given and then a court order must be obtained. In some towns the court sits infrequently. At Burra, for instance, it only sits once every two months and it frequently means that a tenant can remain in a home for three months.

Mr. O'Halloran—The owner would still have to get a court order to remove him.

Mr. HAWKER—Yes, but he should not be required to give 30 days' notice to quit.

Mr. O'Halloran—Where do you get the 30-day period from?

Mr. HAWKER—It is provided in the Act.

Mr. O'Halloran—It depends on the length of tenancy.

Mr. HAWKER—I doubt whether that is so. If the tenant leaves the employ of the owner of the house and it is required for another employee the owner should be permitted to put him out without 30 days' notice.

Mr. O'Halloran—A court order would still be required.

Mr. HAWKER—Yes, but where the court sits infrequently, if it was not necessary for 30 days' notice to be given the tenant could be put out much sooner. Mr. Travers was perturbed about business premises being excluded from the provisions of the Act and suggested that it would create chaos. I fail to see his point. If a man has occupied business premises for a long time at a low rental he should not have preference over a man who is prepared to pay a fair rental and who has not been able to obtain premises.

Mr. Travers—I was referring to the man who, through necessity, had to pay an unfair rental.

Mr. HAWKER—Why should the man who has never been able to obtain business premises be prevented from getting them? He should be permitted to go on to the open market for them. On several occasions members opposite have opposed control for controls' sake but those who have criticized the Bill have done so where controls have been removed. I support the second reading.

Mr. FLETCHER (Mount Gambier)—I support the Bill with certain reservations. I was pleased to hear Mr. Travers refer to business premises because I have in mind four persons at Mount Gambier who will lose their present business premises and their livelihood if this measure becomes law. They started in a small way and over the years have built up successful businesses. The premises have been sold and with the advent of this legislation they will be forced out. Mr. Dunks said that there were plenty of business premises available. That is not so: business premises are at a premium. There is nothing to prevent big

firms from offering higher rentals for business premises and that is one aspect we should carefully consider. The small man appears to be getting it in the neck all the time. I know of a hairdresser with no assistants whose rental has increased by 50s. a week in the last two years. It is becoming almost impossible for him to continue his occupation. His are rented premises on one of the best sites in Mount Gambier. It would be to the advantage of a big firm to rent that property and under the Bill he would be excluded and forced elsewhere. Renovations and improvements have been made to country business premises, but there has been no increase in the number of premises constructed and I do not know whether the relaxation of controls will be responsible for any increased construction. This legislation was introduced to protect tenants but they are abusing it. The abolition of control over houses which have never been let and its non-application to new houses built after the passing of the Bill will result in more houses and parts of houses being available for rental. Because of the abuses landlords have suffered in the last few years a number are refusing to let their dwellings, because once they get a tenant in it is almost impossible to get him out. Many tenants abuse their privileges and knock a house about, thus reducing its value. A friend of mine and his wife, who are pensioners, bought a house in the metropolitan area about two years ago and he told me that he is still endeavouring to get possession. It was occupied by two returned men and their mother whom the Housing Trust had offered a home and for whom the War Service Homes Commission was prepared to build one, but because they were paying such a low rent they refused to move, thus penalizing the owners. That is the type of case which has been largely responsible for this legislation. I will wait until the Bill is in Committee to see whether it is possible for something to be done to assist the smaller people who, if the Bill goes through in its present form, will get a raw deal.

Mr. DAVIS (Port Pirie)—I support the Bill, although I am not very happy about it. Like the member for Torrens, I do not favour the clause which removes the control from business houses, as it will result in much injury to business men. I know of a person at Port Pirie who was driven out of his business premises because of increased rent. This was prior to control, and if controls are now lifted that will happen again. He was paying £5 a week rent and was told that after a certain date it would be increased to £14. He thus lost his livelihood. If the controls are lifted on business premises it will encourage people to build shops instead of houses. One honourable member referred to working people building homes for letting, but I have met very few such people. My experience is that it takes them all their time to build a home for themselves. I agree with other honourable members that it is not fair that an exorbitant rent should be imposed for old renovated homes and cheaply built homes. Controls should be policed. I know of cases where rent has been fixed at £1 a week, but on occupation the rent is immediately doubled. I can take the Premier to such places if he so desires. In one instance the rent was fixed at £1 2s. 6d. and then the landlord raised it to £2 12s. 6d. I join with the member for Torrens in asking the Premier to give further consideration to the lifting of controls on business premises.

Mr. STEPHENS (Port Adelaide)—The Bill will require much attention in Committee. I listened to the latter part of the speech of the member for Torrens and I think there is much in what he said regarding the powers of the court being extended so that it could take other things into consideration; it should not be limited in its inquiries. I do not like agreements being binding, because in some instances people have been forced through circumstances to agree to anything to enable them to get a roof over their head. I know of some awful cases at Port Adelaide. In one instance an eviction order was issued, and the tenant had a limited time to find another house. The firm concerned has been known to do many good things, but it wanted the premises because it was being compelled to remove from other quarters. I received a ring from the bailiff who had to put these people into the street and he asked whether I could do something to help them. One of the children was very sick at the time and the bailiff said he hated to put the family out on the street. I took the matter up with the bailiffs at Port Adelaide and Adelaide, the solicitor acting for the company, also the firm itself as well as the Housing Trust. Luckily at that time a temporary trust home was vacant and I believe this family was allotted it. I know of other people living in homes unfit for human habitation. In one case a doctor addressed a letter to the trust asking that his patient should not be removed because it would be detrimental to his health. Another case concerns a returned man suffering

from war injuries who is now in Daws Road Hospital. It was brought under my notice by a member of the Legislative Council and he, together with a soldiers' committee and myself, are fighting the case. The doctor said it would be fatal for him to return home, so we tried to get a place for him. I understand the Housing Trust has said that he must wait his turn for a home and that, as no more temporary homes are being built, he will have to wait until a temporary home is vacated. The Premier said the housing position had improved, but, although that may be true in some parts, I have at least 100 letters from people wanting temporary homes, some of whom are living in stables, sheds, or leaky caravans. More temporary homes should be built, but I have been told that their erection is not a matter for the Housing Trust, which merely administers the temporary homes scheme. With so many people wanting a home something more should be done to house these families. When people come to me asking for a home it is hard for me to tell them the truth because it hurts, but there is no possible chance of their getting a temporary trust home until a vacancy arises through a tenant's leaving. The Government should do more to house the many ex-servicemen and their families who are still waiting for homes.

I agree with certain remarks in this debate about bad tenants, for some tenants are not fit to be tenants in any home, but we must not, because of their misdeeds, condemn all tenants. This legislation was not introduced to deal with the good landlord or the good tenant, but with the bad landlord and the bad tenant. One of the main causes of the housing shortage is the shortage of building materials, and I blame the Government for that shortage. For many years I have asked it to manufacture cement so that the Housing Trust could build more homes. I trust that even at this late stage the Government will decide to manufacture cement so that more homes can be built, thus obviating the necessity to enforce the provisions of this legislation dealing with evictions. I support the Bill and trust that in Committee members will remember that they must make laws for the bad landlord and the bad tenant, at the same time inflicting as little hardship as possible on the decent landlord and the decent tenant.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Exemptions from Act."

Mr. O'HALLORAN—I move to insert after "passing" in paragraph (*a*) the following:—and which or any part of which has not been used for the purpose of residence at any time prior to the said passing.

I indicated in my second reading speech that I was not happy about the inclusion of paragraph (*a*) unless it included some substantive definition of the "completion" of a dwellinghouse. I pointed out that it would be possible for somebody to add a laundry, sleep-out, or any other part to a dwelling which had been erected for some time, in which case the house might be legally considered to have become completed after the passing of the Act and therefore excluded from the provisions of the Act, whereas the test should be its occupation. The acceptance of my amendment will inflict no hardship on anyone who is *bona fide* entitled to the exemption.

The Hon. T. PLAYFORD—I have no objection to the amendment.

Amendment carried; clause as amended passed.

Clause 5 passed.

Mr. HAWKER—I wish to move an amendment to clause 6 or clause 7, but, as the Parliamentary Draftsman has not yet prepared it, I ask that progress be reported.

The Hon. T. PLAYFORD—I move that clauses 6 and 7 be deferred and taken into consideration after clause 18.

Motion carried.

Clauses 8 and 9 passed.

Clause 10—"Consideration by court."

Mr. BROOKMAN—I move—

To insert after paragraph (*b*) the following new paragraph:—(*b*1) By inserting after "lessor" first occurring in subsection (6) "or the wife, husband, son or daughter of the lessor."

Under the legislation the only person who can regain possession of a house is the lessor. I have already instanced the case of a man who had two daughters. When they married he could not obtain vacant possession of his house for either of them. My amendment will rectify that position. I submit it is reasonable and not far-reaching in its consequences, and will make the legislation fairer.

The Hon. T. PLAYFORD—Some people would benefit, but others would be adversely affected. Why is it necessary to include wife and husband in the amendment? It does not seem necessary to provide two households, one for the husband and the other for the wife.

Mr. Travers—The husband may be working at Radium Hill, and his wife living in Adelaide.

The Hon. T. PLAYFORD—If the man owns the house he is already covered by the provisions of the Bill. The amendment would open the door for many evictions that would not be in the best interests of many tenants. However, there is some merit in adding "son or daughter."

Mr. BROOKMAN—I am concerned mostly about the son or daughter of a lessor getting possession, but there may be cases, such as when the husband is working in the outback and leaving his wife in the city, where it would be desirable for the wife to get possession. The house would have to be required as a dwelling.

The Hon. T. PLAYFORD—I will be happy to accept the amendment if the honourable member will delete "husband or wife."

Mr. O'HALLORAN—That would not meet my objection to the amendment. We should insist that the son or daughter be married. I have known bachelors to live in houses for many years.

Mr. Shannon—That may be desirable.

Mr. O'HALLORAN—Yes, in certain circumstances. If the honourable member amended his amendment to provide for a married son or daughter getting possession it would have much merit.

Mr. BROOKMAN—I ask leave to amend my amendment by deleting "wife, husband,".

Leave granted.

Mr. BROOKMAN—I am not prepared to alter my amendment as suggested by the Leader of the Opposition. Whether married or not a son or daughter of the lessor still has a right to the house, and may desire to run a household.

The Committee divided on the amendment as amended—

Ayes (18).—Messrs. Brookman (teller), Christian, Geoffrey Clarke, Dunnage, Goldney, Hawker, Heaslip, and Hincks, Sir George Jenkins, Messrs. Macgillivray, Michael, Pearson, Playford, Quirke, Shannon, Teusner, Travers, and White.

Noes (12).—John Clark, Corcoran, Davis, Dunstan, Fletcher, Hutchens, Jennings, McAlees, O'Halloran (teller), Stephens, Tapping, and Frank Walsh.

Pairs.—Ayes—Messrs. William Jenkins, McIntosh, and Pattinson. Noes—Messrs. Lawn, Riches, and Fred Walsh.

Majority of 6 for the Ayes.

Amendment as amended thus carried.

Mr. O'HALLORAN—I move in the third line of subclause (*c*)—

To strike out "two" and insert "four."

Honourable members will see that subclause (c) reduces the term of ownership from five years to two years and provides that after two years' ownership the owner can secure possession of the house without having to prove any of the reasons set out in section 42 of the Act. In effect, it means that a person who has owned a house for two years and, as provided subsequently in this clause, gives nine months' notice, can secure possession. The Act originally provided for five years' ownership and 12 months' notice, so in effect, to obtain the benefit of this section it was necessary for a person to own a house for six years. Under this clause it will be necessary to own a house for only two years and nine months to obtain the benefit of this section. We have now further widened it by accepting Mr. Brookman's amendment under which possession can be secured for the use of a son or daughter of the lessor under these conditions, and this is taking too great a bite out of the cherry; if we permit it to happen there will be very little of the cherry left, and I have good reason for making that statement. Provision for the five-year period has been the law for a considerable period and many tenants have made their dispositions believing that they were secure in their tenancy for the period provided in the Act; they were probably saving to acquire a block of land, and making provision to build a home on the expiration of the period of protection they enjoyed. Now it is suggested that in one fell swoop this protection should be reduced by more than half, and I am of the opinion that if we do this there will be a spate of evictions and no possibility of the people affected being able to obtain alternative housing. No reason need be given and no hardship proved; nothing except ownership for two years, and nine months' notice to quit.

The Hon. T. PLAYFORD—And *bona fide* living in the house.

Mr. O'HALLORAN—Yes, but it is only necessary for him to live in the house for 12 months to escape the penalty if he desires to let the house to anyone else. To reduce the period from five years, plus 12 months' notice, to two years, plus nine months' notice, is too great a change to make now. If we make the period four years, and retain the 12 months' notice, when the Bill comes forward next year we could seriously consider reducing

the period to two years, because in the meantime people would have had notice that this type of protection was being gradually withdrawn and would have the opportunity to provide against the consequences of the withdrawal.

The Hon. T. PLAYFORD—Like the previous amendment, this one is important. One of the big complaints the Government has had about the legislation is that people wanting to live in their own homes cannot get possession. I come up against these cases frequently. For instance, a school teacher occupying a departmental house may have purchased a home in which to live after his retirement, but after having done so he may find that under this legislation ordinary laws do not apply and therefore he cannot get possession. Whenever a benefit is provided for some people under this legislation, others suffer. The Government has tried to hold the balance fairly and squarely between landlord and tenant, but looking back I believe that the tenant has probably had a slightly better deal. On the whole, the landlord has not had a particularly good deal. I think it is necessary fundamentally to get back as quickly as possible to the conditions associated with the Real Property Act. An owner is at a disadvantage when he cannot occupy his own house. The proposal in the Bill cuts down by about half the period which must elapse before he can get possession of his property. I do not regard that as unfair. At present it is possible to get a house built more quickly than previously, and the period of nine months will enable a tenant to get a house built. In the circumstances I oppose the amendment.

Mr. Shannon—These are not ordinary house owners.

The Hon. T. PLAYFORD—They are people who want to occupy the houses they own.

Mr. O'HALLORAN—Notwithstanding the Premier's moderate opposition I hope the Committee will realize that the substantial justice of the case decides itself more in favour of my suggestion than the proposed provision. I doubt whether it is easier to build now. Country people complain that they are unable to obtain cement or galvanized iron. The question of galvanized iron does not seriously affect metropolitan building, but it is essential for water catchment purposes in the country. However, the shortage of cement does affect metropolitan building. Even if it is easier to build nowadays, the question of finance is involved. A person may be saving as much as possible in order to provide the necessary deposit on the erection of a home at the expiry of his period of protection. Mr. Travers interjected that this Bill was limited to 12 months. The provisions are limited to 12 months and just as we knew last year, when we extended the legislation to December 31 this year, that we would be compelled to extend it a further 12 months, so most of us clearly realize that about this time next year similar circumstances will compel us to provide for a further extension for 12 months. This section was first inserted in 1950 and since then the legislation has been the subject of an exhaustive inquiry by a special committee, but the results of that inquiry did not cause any alteration to this provision. It ran the gamut of the inquiry in 1951 and was renewed last year and I suggest we should not bring about the sweeping changes proposed.

Mr. QUIRKE—No matter how one works the pros and cons of this legislation someone will be hurt. We have to forget the terms of statutory enactments and think more in terms of first principles. One of the first principles of democracy is that a man shall be entitled to own property and we are now discussing the right of a person to enter his own property. I have always believed that a man is entitled to the possession of his property. Because of the war and its aftermath we have been forced to depart from that principle. It has been suggested that houses can be built easier now, but tenders were called for the erection of a house at Clare and the lowest tender was from a highly reputable builder who lived just outside the metropolitan area. People have purchased houses with the knowledge that this legislation existed, but have been prepared to wait for five years. That has been the attitude of a tenant able to build his house. He knew that the owner had to wait for five years and he was prepared to sit back and wait for the effluxion of time before he attempted to build. I have no sympathy for such a man. Some hardship might be caused by this proposal, but two years is ample time to enable a person to build.

Mr. O'Halloran—The two years will be up when this Act is passed.

Mr. QUIRKE—Perhaps it will. If a man cannot build now and has no intention of building he will still be without a house in another three years. If he cannot build a house he cannot remain in permanent occupation and the position should be brought home to him. Under this proposal it will be brought

home to him earlier than normally. If a person owns a home and needs it to live in he should be entitled to obtain possession. One cannot depart from that principle. If one does, the fundamentals of a democratic State are broken down. We had to do these things in the past, but the sooner we get away from them the better it will be for the social structure of the country.

Mr. FRANK WALSH—I agree with the Leader of the Opposition that many of these notices could take effect almost immediately. I quoted tonight a letter concerning a case in which a Government supporter in my district considered that the period would be reduced from five years to three years.

Mr. Hawker—He was not particularly accurate.

Mr. FRANK WALSH—He was so near to being accurate that there was some justification in his suggesting a longer period than is now proposed. I am convinced that the case I mentioned is not an isolated one. The demand for houses is so great that the Housing Trust, in its wisdom or otherwise, refused to consider the application of certain persons who were prepared to take a rental home or a timber home, or to provide an emergency home which would be near their place of employment. I ask that progress be reported.

Progress reported; Committee to sit again.

ROYAL ADELAIDE HOSPITAL: NEW NURSES' QUARTERS.

The SPEAKER laid on the table the report of the Public Works Standing Committee on the Royal Adelaide Hospital, Northfield Ward (New Nurses' Quarters), together with minutes of evidence.

Ordered that report be printed.

ADJOURNMENT.

At 9.36 p.m. the House adjourned until Wednesday, September 23, at 2 p.m.