

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**FRIDAY, 20 OCTOBER 1961**

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) took the chair at 11 a.m.

QUESTIONS

STATE RENTAL HOUSES AT GROVELY

**Mr. LLOYD** (Kedron) asked the Treasurer and Minister for Housing—

“Has the Department of the Army advised the Queensland Housing Commission that it no longer requires the tenancy of State rental houses erected at the Grovely housing project? If not, how many tenancies will the Department be requiring during the present year of houses (a) being erected and (b) already erected?”

**Hon. T. A. HILEY** (Chatsworth) replied—

“No. The allocation for the Department of the Army for 1961-1962 is twenty-one houses which will be met from houses to be erected at Gaythorne.”

EMPLOYMENT OF YOUTHS IN INDUSTRY

**Mr. HANLON** (Barooka) asked the Minister for Labour and Industry—

“(1) Has his attention been drawn to a statement this week in the House of Representatives by the Commonwealth Minister for Labour, Mr. McMahon, that the number of youths entering the workforce late this year or early next year was estimated at not more than 95,000 and that this would be a small increase on the number who were ‘readily absorbed’ in the current year?”

“(2) Is it not a fact that his Department’s experience in this State in the current year was that such youths were far from ‘readily absorbed’ and that 818 school-leavers from last year were still unemployed in August?”

“(3) Is he yet in possession of an approximate estimate of the number of school-leavers who will be seeking employment at the end of this year and early next year?”

“(4) In view of his assurance that every State Minister and departmental officer is making every effort to combat this problem and that such efforts could be seriously undermined by the casual approach of the Commonwealth as instanced by Mr. McMahon’s remarks, will he urgently put before Mr. McMahon the factual position so that the Commonwealth Government might play its full part in absorbing the already alarming number of unemployed youths into industry?”

**Hon. K. J. MORRIS** (Mt. Coot-tha) replied—

“(1 to 4) In part (4) of this question, the Honourable Member has, I hope quite inadvertently, so phrased the question to suggest that I believe only a casual approach is being made by the Commonwealth towards the very worrying problem of unemployment. I would most certainly not be associated with such a suggestion because to my knowledge not only Mr. McMahon, but other Members of the Federal Government are not only deeply concerned about it, but are using all their efforts to try and overcome it. Further, it is not necessary for me to personally bring these matters before the Honourable W. McMahon because employment exchanges are under the administration of the Federal Government. As recently as yesterday, Mr. McMahon was speaking to me on the telephone in relation to this problem and I am certain that whilst retirements at the end of December will undoubtedly create vacancies for a great number of school leavers, additional efforts will be made to place all in employment.”

#### INCREASED SPEED LIMITS OF MOTOR VEHICLES

**Mr. AIKENS** (Townsville South) asked the Minister for Labour and Industry—

“(1) When he recently announced that the speed limit had been increased from thirty to forty miles per hour in built-up areas and from fifty to sixty miles per hour in the country areas, was he aware that every authority competent to express an opinion on the subject rated speed as the greatest single contributing factor to the awful toll of the road?”

“(2) In press statements announcing the increased speeds, did he say that the great majority of motorists were already driving at such speeds and that his action merely gave official recognition to an existing practice?”

“(3) If so, and he thus admitted that he had official knowledge of this systematic defiance of the law, what action did he take, if any, as Minister in charge of the Police Force, to insist that the law should be observed?”

“(4) Is it a fact, as reported in the ‘Telegraph’ newspaper of October 18, 1961, on page 7, that one motorist in ten fails to yield right of way?”

“(5) Is it a fact that he issued orders to the Police Force some time ago that offenders were not to be prosecuted for traffic breaches unless they were involved in an accident or collision?”

“(6) If not, why are prosecutions against traffic offenders, who were not involved in a collision or accident, so rare as to be almost non-existent?”

“(7) If the maximum speed of thirty miles per hour in built-up areas and fifty miles per hour in the country was not or could not be enforced, how is it proposed to enforce the increased speeds?”

**Hon. K. J. MORRIS** (Mt. Coot-tha) replied—

“(1) I Study all aspects of this problem. Unfortunately the Honourable Member does not appear to correctly interpret the word ‘speed’ in the context he quotes. Speed is relative, and, whilst ten miles per hour is excessive in some circumstances, sixty miles per hour is not excessive in others.”

“(2) As it applied in certain areas, Yes.”

“(3) A reference by him to reports of the Traffic Courts adequately answers this question. Whilst prosecutions are frequent, I recognise that he desires persecution. It is my belief that, in the aspect of road discipline, Queensland’s record is better than the Australian average.”

“(4) The figure used was the ‘Telegraph’s,’ not mine.”

“(5) Certainly not, and the Honourable Member is only encouraging law-breakers by making such suggestions.”

“(6) The Honourable Member’s deduction indicates conclusively that he has a deplorable lack of knowledge of his subject.”

“(7) By the exercise of commonsense and modern methods. Having had some considerable Parliamentary service, he should know by now that, generally speaking, the public will co-operate fully with reasonable laws, but that this co-operation does not exist where laws are not reasonable. The success being attained in Queensland is illustrated by the fact that, whilst registrations of motor vehicles have increased by approximately 40,000 in the past two years, road deaths have not increased. Also, that, whilst the speed limits were raised on July 24, 1961, road deaths were, from that date, to September 23—for 1959, 73; for 1960, 58; and for 1961, 57.”

#### ESTABLISHMENT OF DIABETIC CLINICS

**Mr. TUCKER** (Townsville North) asked the Minister for Health and Home Affairs—

“Will he give serious consideration to the setting-up of a series of diabetic clinics throughout the State and particularly in Townsville to cater for people suffering from this complaint who undoubtedly require specialised care and treatment?”

**Hon. H. W. NOBLE** (Yeronga) replied—

“Any person who suffers from diabetes can receive free treatment at any hospital. At Townsville there is a visiting specialist physician who undertakes the treatment of such patients.”

## PAPERS

The following paper was laid on the table, and ordered to be printed:—

Report of the Fish Board for the year 1960-1961.

The following paper was laid on the table:—

Regulation under the Traffic Acts, 1949 to 1960.

## VAGRANTS, GAMING, AND OTHER OFFENCES ACTS AMENDMENT BILL

## INITIATION

**Hon. K. J. MORRIS** (Mt. Coot-tha—Minister for Labour and Industry): I move—

“That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Vagrants, Gaming, and Other Offences Acts, 1931 to 1959, in certain particulars.”

Motion agreed to.

## LABOUR AND INDUSTRY ACTS AMENDMENT BILL

## INITIATION

**Hon. K. J. MORRIS** (Mt. Coot-tha—Minister for Labour and Industry): I move—

“That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Labour and Industry Acts, 1946 to 1960, in certain particulars.”

Motion agreed to

## LANDLORD AND TENANT ACTS AMENDMENT BILL

## INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

**Hon. A. W. MUNRO** (Toowong—Minister for Justice) (11.9 a.m.): I move—

“That it is desirable that a Bill be introduced to amend the Landlord and Tenant Acts, 1948 to 1957, in certain particulars.”

The proposed Bill covers four main principles which may be shortly stated as—

(1) The exclusion of all business premises from the operation of the Landlord and Tenant Acts;

(2) A revision of the general basis of the rental controls by reference to capital values more in conformity with present-day costs;

(3) Provision for an interim general increase of 15 per cent in lawful rentals pending determination by the court; and

(4) A limitation of a lessee's right to recover rent overpaid to the total amount of excess rent for a period of 12 months.

Dealing first with the proposal to exclude business premises from the operation of the Act, it may be mentioned that the application of rent control to business premises is a survival from war-time conditions and at present there remain only some 136 business premises to which Part II of the Act relating to determination of rents applies. Generally, the policy has been gradually to exclude business premises from the operation of Part II, and it appears that the time is now opportune to exclude this class of premises from all provisions of the Act, including Part III relating to recovery of possession.

As a general principle it may be said that artificial control of rentals of business premises can be justified only in extraordinary circumstances, such as in war-time or during an acute shortage of business accommodation, as in an immediate post-war period. In the light of experience during the last four years I am quite satisfied that, in present circumstances, the controls on business premises are not operating fairly and that no good purpose would be served by continuing the control in this sphere.

From inquiries that have been made, it would seem that there is no serious shortage of business accommodation at present but rather that a process of rearrangement of accommodation has been going on for some time. The higher-priced accommodation of the Brisbane central city area is forcing some types of business to seek alternative premises in the perimeter areas, but this may ultimately prove to be advantageous rather than otherwise.

The second important feature is that the Bill makes provision for the replacement of the present arbitrary basis of “capital value” of premises as used in making rental determinations by providing a new basis for determining “capital value” which generally will be present-day actual value less 20 per cent.

Considerable relief and some measure of justice were given to landlords by the 1957 amendment of the Act, which changed the general basis for capital value in rental determinations from 10 February, 1942, to 1 July, 1948. Consistent with the policy of a gradual rationalisation of artificial controls, and bearing in mind that since 1 July, 1948, building costs have greatly increased, it is considered that the formula for determining capital values should be further revised to bring it more into line with present-day values.

**Mr. Newton:** Because of no price control; that is why. It is still under the charge of your department.

**Mr. MUNRO:** The hon. member says that the increase in building costs since 1 July, 1948, has been because of no price control. That is not a serious interjection because, in the first place, I might point out that during the first nine years of that period a Labour Government were in power with a fairly complete operation of price control. Furthermore,

the general trend towards increased building costs has been reasonably uniform throughout Australia. As the hon. member made that interjection, I should like to mention that the increase in building costs in Queensland was very much greater in those early years—1948, 1949, 1950, 1951, 1952—when price control operated than it has been since.

**Mr. Duggan:** That is only because of the unemployment position.

**Mr. MUNRO:** One interjection is made, it is proved to be completely fallacious, and the Leader of the Opposition then changes it round to something altogether different. We are used to that, but it really is not very effective.

**Mr. Newton:** Why have you held an inquiry into the timber industry since you have been elected to office?

**Mr. MUNRO:** The timber industry is a matter that does not come within the scope of the Bill.

Taking all factors into account and adopting a positive approach in line with present-day conditions, it is considered that "capital value" for the purpose of determining rentals should generally be defined as present-day actual value less 20 per cent. The exception to this is the case where a dwelling-house has been built since 1 July, 1948, and where the value as at date of construction, after making allowance for depreciation, is greater than the generally defined net capital value. The construction date net capital value will then apply. This approach will even out inconsistencies that have arisen in applying arbitrarily a capital value based on a particular date which is remote both in time and in substance from present-day values.

**Mr. Bennett:** How do they fix that 20 per cent.?

**Mr. MUNRO:** The 20 per cent., which is a diminution, is a somewhat arbitrary allowance, but a fair and reasonable one, to reduce what otherwise would be the impact of a very substantial increase in certain rentals. I think hon. members opposite will recognise that, because these adjustments in getting away from the war-time economy necessarily involved fairly substantial increases in rental in some cases, it is a fair thing to cushion that effect on the tenant by giving him the benefit of a 20 per cent. allowance by way of reduction in the capital value.

**Mr. Houston:** Is this the sugar coating to a nasty Bill?

**Mr. MUNRO:** No, this is not a sugar coating to a nasty Bill. It is an eminently sound Bill and is consistent in that respect with the other Bills that I have introduced. The Bill has an eminently fair approach, and consideration has been given to its effects on all parties.

**Mr. Hanlon:** Will houses untenanted before 1957 and not now under control under the last amendment to the Act be brought under this control?

**Mr. MUNRO:** No. There will be no alteration in regard to those houses that are not under control.

**Mr. Hanlon:** How do you justify that?

**Mr. MUNRO:** That can be amply justified. If the hon. member would like me to depart from what I intended to say and justify it now, I should say that the action taken in 1957, in terms of which new construction was made free from these harsh rental restrictions, has made a tremendous contribution towards solving the housing problem.

**Opposition Members interjected.**

**Mr. MUNRO:** Since 1957, and directly as a result of the very wise legislation then introduced, there has been a tremendous increase in the number of flats built in Brisbane for rental purposes. That has been a most material contribution to the relief of the housing problem. It is the sort of thing that has helped to get away from the terrible state of affairs under the previous administration, with housing settlements in Victoria Park.

As in the 1957 amendment, reasonable notice will be given before the new basis becomes operative, and it is considered that the most convenient date for operation of the new basis will be 1 March, 1962, which corresponds with 1 March, 1958, on the occasion of the previous amendment.

The third principle is that, in order to avoid the congestion which could occur if every increase in rent due to the change in the "capital value" basis were to be determined in the Court, a transition procedure similar to that which followed the 1957 amendment, will be adopted. The Bill therefore will make provision so that, pending any application to the Fair Rents Court, a landlord of premises which existed at 1 July, 1948, will be entitled to increase his lawful or recoverable rental, after 1 March, 1962, by 15 per cent. after giving fourteen days' notice in writing to the lessee.

In this connection it must be recognised that there are a number of factors, other than the defined capital value, which affect rental determinations. It follows from this that, when cases are determined by the Court the actual increases will not be uniform, although generally the increases will tend to remove anomalies and will result in rentals which will be more consistent and more uniform than at present.

The fourth principle is that there will be a limitation of a lessee's right to recovery of over-paid rent to the total amount of excess rent paid for a period of 12 months.

At present, where a sum has been over-paid on account of rent, whether or not the lessee had agreed to pay a rental in excess of the determined rent, such sum is recoverable in any court of competent jurisdiction as a debt from the lessor.

**Mr. Houston:** Why is this alteration being made?

**Mr. MUNRO:** The reason is that under the present law it could mean that rent is a debt, that is excess rent paid over a period of six years could be recovered. It is apparent that consideration must be given to restricting the recovery of excess rent to the amount paid for a definite period.

**Mr. Bennett:** Why have a different principle in the Bill from the principle embodied in the Statute of Limitations?

**Mr. MUNRO:** That can be explained too. The unfairness of the present law in relation to this matter is best explained if I give an example. For instance, where a lessor has not applied for a fresh determination of the rent and, by reason of alterations to the premises, the lessor has charged a rent higher than that determined many years previously. In such a case, if an application had been made for a fresh determination, the rent might have been increased to an amount equal to or greater than that actually charged. So the position is that while under the present law quite substantially there is provision for retrospectivity in the recovery of an amount that technically might be regarded as overpaid, there is no provision for retrospectivity in the determination to decide what is a fair rental.

**Mr. Bennett:** If he has been charging a higher rental he has been acting dishonestly. Why should you give consideration to that?

**Mr. MUNRO:** That is not so. It might be merely a technicality or it might be merely on account of an application not being made.

There is one other amendment which I should mention at this stage and that is in the nature of a clarification of one of the amendments made in 1957. That amendment gave parties who entered into a new lease agreement after 1 December, 1957, a right to agree in writing that Part III of the Acts should not apply to that lease. The 1957 amendment provided that any such agreement should be "for the purpose of that lease of the said premises only and for no other lease of the said premises." Recently, it has been suggested that the legal effect of the phrase quoted could be that the amendment does not permit of any subsequent agreement within the terms of the 1957 provision. This certainly was not the intention and it is very clear that such a restriction on subsequent agreements would not be justified. Accordingly the provision is now being rephrased to remove any possible doubt as to interpretation and to give full legal effect to the intention at the time of the 1957 amendment.

The remaining provisions of the Bill are merely in the nature of machinery measures giving legal effect to the principles which I have outlined.

**Mr. DUGGAN** (Toowoomba West—Leader of the Opposition) (11.27 a.m.): There are one or two general observations I should like to make before proceeding to a consideration of the measure. Firstly, I feel that the Premier, as Leader of the Government, might give some consideration to the disability under which the Opposition operate in regard to notice of the following day's legislation. The position is bad enough when the normal hours of sitting are till 5 o'clock and we are then told of the legislative programme for the following day. Last night we were told at twenty minutes past 10 that the Landlord and Tenant Bill would be considered today. That is completely unreasonable. The Government know their legislative programme very well. They have skilled public servants to supply information on Bills for Ministers, but members of the Opposition have only a limited time in which to consider important legislative enactments.

I make my appeal to the Premier. I have raised this matter before but, apparently because this is the practice in other Parliaments and because the wishes of the Government, when in Opposition, were not met by the previous Government, this Government do not propose to depart from it. The least that could be done would be to make a copy of the Bill available to the Leader of the Opposition, and to indicate the order of business some time prior to the following day's legislation.

When the first intimation is given at 20 past 10 at night there is little time to consider the matter. We go to our homes and next morning certain routine matters have to be attended to. There are interviews, correspondence, telephone calls and many other things, all of which make it impossible for us to do the amount of work that is necessary.

It may be argued that this measure has been on the Business Sheet for sometime and that we might speculate as to the order in which it will be presented. That, too, is unfair. Very many duties devolve upon members of the Opposition and it would be a waste of time to prepare material that may not be needed for two or three weeks.

I think my request to the Premier is a reasonable one and I hope that some cognisance will be taken of my complaints.

This may be a suitable occasion to indicate the Opposition's general attitude at the introductory stage of a Bill. Generally speaking, we share the view that we should not oppose the introduction of a Bill, as that course could deny us the opportunity of knowing precisely what is in it. If we opposed its introduction on the ground that we opposed the general measure, our views could be misconstrued, as was the case with the Liquor Acts Amendment Bill.

**Mr. Aikens:** You are squaring-off now.

**Mr. DUGGAN:** I am not squaring-off, and I do not want the hon. member to make my speech for me. I have not yet indicated our attitude to the Liquor Acts Amendment Bill. Indeed, to do so would be quite wrong, in the light of experience. It would be highly dangerous to commit ourselves at the initiatory stage, because a Minister either inadvertently or deliberately can mislead hon. members, as was done with the Industrial Conciliation and Arbitration Act Amendment Bill. The Government had abundant evidence about the abandonment of cost-of-living adjustments and certain other important principles in that measure. We asked by way of interjection what the Government's intentions were and we were given certain replies that were not in accordance with the measure.

**Mr. Aikens:** You mean you have not got your orders from the Trades Hall.

**Mr. DUGGAN:** I do not mean anything of the sort. I do not want the hon. member to make my speech. If he wants to defend the Liberal Government, he may do so.

**Mr. Aikens:** You voted with them the other day.

**Mr. DUGGAN:** And that is going to be our general attitude on the introduction of Bills. We took that attitude in regard to the Liquor Bill. We may agree with some of its provisions but, if we voted against its introduction we would not be able to indicate our attitude to those provisions later on.

My statement applies to all Bills and to this one. There are many Bills on which the Opposition and the Government may share a measure of agreement. As a matter of fact our policy on many matters, laid down by our triennial convention, may oblige us to give consideration to certain proposals that come before the House so that we can ventilate our views, and to vote against the introduction of a measure would prevent our offering views in this Chamber. It is the responsibility of the Opposition to determine what it does, including whether it should oppose or not oppose the introduction of a Bill.

Having said that, I want to make it abundantly clear that generally speaking the Opposition's attitude is that we will await the introduction of a Bill before we declare our final attitude to it. That attitude is taken because of the misleading information given on many occasions by Ministers. We are not going to commit ourselves irrevocably until we see what is in a measure. However, in regard to this Bill I indicate here and now that we think it is completely undesirable that it should be introduced, and I indicate on behalf of the Opposition that we intend to oppose its introduction. We will vote accordingly.

Why should we do so? There is abundant reason. The Minister made the unsupported claim that owing to the actions of this Government in freeing certain provisions of the Act some years ago many additional flats had been erected for the people of Brisbane that otherwise would not have been erected, and he said the result of all these things had been a reduction in building costs compared with a previous comparable period. I contradicted him and said that one of the reasons why building costs have become stabilised for the moment was that, owing to the credit squeeze competition in the building industry is now so intense that people are quoting very often for houses and buildings—in order to retain staff—prices for the projects that do not return anything near a normal profit. In order to keep their organisations intact and keep men in employment, they are taking that action. Further, with the closure of certain firms, they can purchase goods at more competitive rates than formerly, because the firms that are in difficulties have to meet certain commitments and, in order to do so, are offering substantial discounts in certain cases. Only at 10 o'clock this morning I left business premises where certain building hardware was for sale. Because some firms in the South have tremendous surplus stock they are flooding the Brisbane market at under cost to dispose of it. Obviously that will be reflected immediately in lower tender prices in the building industry.

What do the figures for rents reveal? The quarterly summary of Australian statistics, March, 1959, No. 235, of variations in the retail price index, under the "C" series index, in respect of rent in capital cities, from June, 1957—approximately the time when we vacated office in the State—to March, 1959, shows that increases were as follows:—

City	June, 1957	March, 1959	Increase
	Points	Points	Points
Sydney ..	113·5	125·5	12·0
Melbourne ..	123·3	134·8	11·5
BRISBANE ..	111·0	142·2	31 = 28%
Adelaide ..	124·8	145·7	20·9
Perth ..	169·2	184·5	15·3
Hobart ..	151·9	173·8	21·9

Base of Index : Year 1952-53 = 100

There has been a 28 per cent. increase during the period the present Government have been in office, yet they have the colossal impertinence to suggest they have been responsible for reducing rents. How confusing the picture becomes and how appropriate it is that the trade union movement should view this Bill with suspicion. The position under the new Consumer Price Index, taken from the Quarterly Summary of Australian Statistics, dated June, 1960, No. 240 relating to variations in the group

index numbers—housing group—for the capital cities from June, 1957, to June, 1960, is as follows:—

City	Year ended June, 1957	Year ended June, 1960	Increase
	Points	Points	Points
Sydney ..	120.0	133.8	13.8
Melbourne ..	122.8	135.8	13.0
BRISBANE ..	118.4	132.6	14.2
Adelaide ..	129.2	140.0	10.8
Perth ..	123.6	133.5	9.9
Hobart ..	133.3	148.5	15.2

Base of Index : Year 1952-53 = 100

Those figures depict the true situation. It is abundantly clear that with the C Series Index there was a 28 per cent. increase, as recorded by the statistician. Those figures do not fairly represent the actual costs in those areas. They are more on the low scale than the high scale.

What happened when Victoria dealt with rent control? I quote now from the Taxpayers' Journal, and an editorial in a Sydney newspaper "Daily Mirror" of 21 July, 1960, which says—

"The increase of 18s. in the cost of living in Victoria, as disclosed by the Commonwealth Statistician's quarterly figures, is largely contributable to the lifting of rent control.

The Bolte Government abolished control of rent from April 1 last.

As a natural consequence, rents have risen. It is estimated the increases accounted for 11s. 5d. of the Victorian 18s. cost-of-living increase."

That is what happened in Victoria, and from the figures I have given we know what happened in Queensland from 1957 to 1960. Superimposed on that is this flat principle of current values less 15 per cent. and the option of 14 days' notice to pay the increase, or get out. We saw what happened in Sydney where, despite a more substantial measure of protection for landlords than in other States, a magistrate only this week, fined a landlord £250 because he shut out on the footpath a pregnant married woman with two children who was paying £8 a week for a two-roomed flat. They were locked out and were obliged to remain out on the footpath. The magistrate said it was one of the worst cases that had come to his notice. It is obvious that we should oppose this measure very strongly.

As far as prices and rent control are concerned the Minister should have the Premier's agreement in changing the name of his portfolio. It used to be said facetiously in the Chamber that the Attorney-General was neither an Attorney nor a General. The present title of the portfolio is still a misnomer; the Minister should be called not the Minister for Justice but the Minister for Injustice.

According to the "Brisbane Telegraph" of 27 November, 1957, the Minister said that the average rent increase would be not more than 27 per cent. but the court itself granted

an immediate rise in rents up to 40 per cent. for flats and 65 per cent. for houses. On that occasion the landlords were able to increase rents by up to 20 per cent. without court permission and in innumerable cases they increased them far beyond that margin. Frightened tenants accepted it because they knew they had no alternative place to go. Very often people have had to accept the situation for reasons like that.

A survey by a Brisbane research worker, the result of which was published recently in "The Courier-Mail", indicated that high rents of substandard housing appeared to be the direct cause of some mothers working. The figures disclosed by the survey, published in "The Courier-Mail" of 16 August, 1960, indicated that the great majority of those women, who should be at home looking after their children, were not working because of their desire to augment the family income to enjoy a higher standard of living but because it was impossible, on the wages their husbands were receiving, to pay the astronomically high rentals obtaining in the capital city and in most of the provincial cities of the State.

It is all very well for the Minister to talk about the availability of homes and other accommodation on the basis he suggests. There was a time when it was generally regarded that one-fifth of the family income might be absorbed in rent but today it is impossible to get a reasonably habitable flat in Brisbane for under £5 a week, and many cost as high as £7, £8 and £9 a week. It is impossible to get a private home in Brisbane under £5 a week. People have come down from Toowoomba, compulsorily transferred, have tramped around real estate agents' offices and looked at many houses in an endeavour to get in Brisbane a house comparable with that which they had in Toowoomba for not more than £5 a week. It is a very ordinary house indeed that they can get for that figure. On the old basis they would need an income of £25 a week to meet that obligation. Today it would be more to the order of one-third of the family income that is taken up in rent.

It seems to be fashionable for Liberal Ministers and other Liberal spokesmen to say that these matters are not very important because the facts do not support the allegations of Labour speakers and trade union representatives and others who speak on behalf of the ordinary people in the community who, because of conditions, are not able to own their own homes.

A bulletin issued by the Commonwealth Statistician in March, 1959, had this to say—

"Higher rents have been the most significant factor in increasing living costs in the last six years."

He went on to say that,

"Although all-over living costs had risen by 19 per cent. since 1952-1953, rents had risen by 37.4 per cent."



Despite this, the Federal Liberal Minister for the Navy, Senator Gorton, had the gall to tell the Senate that so many people owned their own homes that he did not think it necessary to take rents into account when introducing a new index for the cost of living. Let me quote the report that appeared in "The Courier-Mail" of 24 August, 1960—

"So many Australians now owned their own homes that it did not seem necessary for rents to be taken into consideration in the cost of living index, the Navy Minister (Senator Gorton) said yesterday."

This situation is crying aloud for some condemnation by members of Parliament in this Chamber.

Let us see what the Treasurer had to say on this matter, not 12 months ago, but as recently as February of this year. In initiating the State Housing Acts Amendment Bill on 21 February, in Volume 229 of "Hansard," page 2191, he said that Queensland needed 8,000 homes a year. In the same volume of "Hansard," at page 2264, speaking on the same Bill he had this to say—

"I hope it has been made abundantly clear from statements I have made inside and outside the Chamber that the Government view the matter of an increase in interest rates for this field of housing (Housing Commission) with real concern. We are doing all we can to resist any increase in the rates. There is no way in which increased rates will not quickly be reflected in increased rents, and in our judgment rents are high enough. I want to make the position quite clear. The matter was raised, and properly raised, and I think the Committee is entitled to such a declaration."

Yet here, without any excuse and without any reasonable explanation, the Minister says that forthwith he is going to give the landlords, without any obligation on their part, the opportunity to increase rents by 15 per cent. on top of the present high rents. He admits quite bluntly that the Court will be flooded with applications. If he were conscious of his obligations he would see that there was sufficient staff to cope with the demands made upon the Courts, whether in criminal jurisdiction or civil jurisdiction, because that is his job. But to avoid congestion, and so that these people can get an increase prior to the operation of the orderly processes of law, he is giving them the opportunity of increasing rents by 15 per cent. immediately, rents which the Treasurer said in this Chamber were already too high.

Right through the Budget that the Treasurer presented recently, emphasis was placed on the inflationary spiral and the cost factor. This Bill will do nothing but accelerate the spiral. It will make further demands for wage increases absolutely imperative. Who will bear this burden? The ordinary people in the community, who can least afford it.

We find that the Housing Commission gives preference to people with a £250 deposit priority in the allocation of rental houses, irrespective of their housing requirements. A person may have a very high points' priority rating in Brisbane or a provincial city, yet still be waiting months and months to get into a sufficiently high bracket to warrant the allocation of a house to him. Somebody else who contemplates marriage, who may be in very affluent circumstances and well able to finance building operations outside the ambit of the Housing Commission, may come along and get a house immediately because he can produce £250. Priority in the allocation of houses is given to people such as that in order to avoid, as the Treasurer said on one occasion, the principle of State landlordism in the community. People who have not got their own homes will be called upon to pay these increased rentals. Why does not the Minister be consistent and say to all lending authorities, "We think the value of houses had increased by 15 per cent. since the contract with the builders was made, so we will give you the opportunity of recouping from the borrowers the increased payments represented by the 15 per cent. increase in values since the house was built"? The Government do not do that, but they do it to the person who cannot afford it, the person on the lower-wage bracket in the community. By their legislation they prevent him from using this increase to get an alteration in wages, because quarterly adjustments in the cost of living are no longer operative. The person on the ordinary wage who will be hit by this impost will have the opportunity only once a year of having the union's advocate ask the court to take into account this increase in rent.

I think it is a shocking state of affairs. I do not know why the Minister should have introduced the Bill. There may have been some justification for the adjustment made previously, but I cannot see the reason for this one. Take insurance policies. I have three or four maturing in the next three or four years. Does the insurance office come to me and say, "You took out an insurance policy, 25, 30 or 35 years ago. Because of the depreciation in the value of money today, we are going to give you 50 or 60 per cent. more than the sum assured"? Did the Government say to people outside in receipt of superannuation benefits, including widows of some members of Parliament, "We take into account the difficulties you have to meet with the rising cost of living and therefore we are making some adjustment in your pension"? If I have £100 in a savings bank account the bank does not say, "We know that the amount in your account has now only half the purchasing power it had when you banked it" and make an adjustment accordingly. No, the bank says, "You deposited £100; we will pay you simple interest on £100."

**Mr. Smith:** Has not your house increased in value?

**Mr. DUGGAN:** That is because I have spent quite a sum of money on it. Any money I have spent on my own home has been for the convenience of myself and family, not for any speculative purpose at all. If there is any upward movement in the value of a home it is of no value to most people because generally they do not purchase a home for sale later on. They buy a home because it is convenient to their place of employment or for some other private reason.

**Mr. Smith:** Would not your home have increased in value if it had been maintained in its original condition?

**Mr. DUGGAN:** That may be, too. Would there have been the same disposition on the part of the Government had there been a decline in value? Would they have said that they were going to reduce rents by 15 per cent.? That has never been done before by Liberal people in my experience.

I am indicating in a general way that the provisions expounded by the Minister are undesirable. They outrage decent people's sense of fairness in such matters. They will constitute a very heavy burden on a great number of people throughout the State. They will add to the cost spiral. They will be reflected in higher governmental charges. In New South Wales where quarterly basic wage adjustments still apply increased rents have been reflected in the demands for higher wages to the extent of £3,250,000. The Queensland Government, of course, try to dodge their obligations by abolishing quarterly adjustments. Whatever way they are looked at the provisions are unfair and unreasonable.

I have not dealt with business premises. They have a case for protection. I would not mind if the Minister said that buildings constructed on such-and-such a date shall be free of rent control. People would go in with their eyes open. But they have built up businesses, worked hard to develop them and obtained an equity in them only to find that renewal of their leases will be contingent upon their paying increased rentals that are not subject to any court authority. For the reasons I have advanced we propose to vote against the Bill.

(Time expired.)

**Hon. P. J. R. HILTON** (Carnarvon) (11.53 a.m.): I oppose the legislation as outlined by the Minister. I am amazed that such a Bill should be brought down at this stage when obviously it is going to have the effect of increasing the cost of living—and the basic wage in due course—thus putting the Government in a greater financial mire than they are in at the present time. To my mind it seems that in giving undue weight to the principle of capital gain the Government are bringing down legislation to benefit a few but which will make the position difficult for a great many. In doing that they are going

to deteriorate the already serious financial position they are in with the Consolidated Revenue Fund. We all have some appreciation of the manner in which many people have benefited by way of capital gains in the value of their property in recent years. That has been going on apace since the end of World War II. when controls were lifted. If a person sells a house purchased a few years ago he gets the advantage of the increased market value. He gets an increase free of tax in his capital. Why allow him to further exploit his position by permitting him to increase his rent substantially because of the capital gain he has already made by virtue of the inflated value of his property? As I understood the Minister when he introduced the Bill, that is the guiding motive of the Government in bringing down this legislation. We have had experience of how the inflationary spiral has accelerated in Queensland since the removal of the wide controls exercised by a former Government. Are we to continue to allow this sort of thing to happen, in the final analysis giving benefit to nobody but creating a most difficult position for the Government? It is beyond my comprehension why the Government, already in a great financial mess, should bring down legislation that will undoubtedly increase their difficulties throughout the State.

**Mr. Hanlon:** Particularly as it will not be reflected in the consumer index as it was in the "C" Series index.

**Mr. HILTON:** This will be reflected in the consumer index in due course. I appreciate that, with the consumer index, the position will be much more difficult for the ordinary person who has to pay rent. Despite the fact that in Queensland there is the highest percentage of home-ownership, there is still a great number of people who, because of their callings in life and other factors, will have to pay rent. There will always be that substantial body of rent payers. Because of that, rent will be reflected in the basic wage in due course, although not as it should be in the present index considered by the Government when reviewing the cost of living.

I consider that, if people are benefiting by their capital gains, that should be sufficient. It is not at all fair that the Government, in order to cater for a few people, should allow them to gain advantage because of their present capital gains. In America, there is a special tax on capital gains. That has never applied in Australia. Perhaps the time is coming when the position will force some action in that direction. It might be a good thing for the economy of the country as a whole when that occurs.

Whilst we hear much talk about many aspects in America, we should bear in mind that for many years a severe capital gains tax has operated there. Such a tax does not operate here and people who are fortunate enough to purchase a house at a price much below what its value will be in a few years

time, should be content with the profit they will eventually reap without being given increased rental to further enhance their profit.

I think a wise system of price control exercised in this State in relation to rental and other commodities, is essential in order to at least restrain to some extent the spiral of inflation that has operated to our detriment generally and to the detriment of workers particularly in recent years.

For those reason I strongly oppose any legislation that is calculated to accelerate the spiral of inflation that is seriously affecting the workers of this State and placing strain on the finances of Government. I oppose this Bill.

**Mr. AIKENS** (Townsville South) (11.59 a.m.): First of all, I wish to join with the Leader of the Opposition in expressing my concern at the short notice given of the introduction of this Bill. While agreeing with the Leader of the Opposition now I remind him that when his Government were in control of the Treasury benches they played exactly the same tricks. I do not want to embarrass you, Mr. Taylor, by asking you to remember this, but they never let us know what Estimates were to be discussed after the Estimates then under discussion were disposed of.

**Mr. Bennett:** Did you ever ask?

**Mr. AIKENS:** Yes. If the hon. member for South Brisbane, who is making one of his rare appearances in the Chamber, will go through the columns of "Hansard" he will find that I was threatened on one occasion by the Speaker because I objected to the Labour Government's doing the very thing that the Premier did last night.

**Mr. Bennett:** Because you were engaging in disorderly conduct.

**Mr. AIKENS:** The hon. member should be the last to talk about unprofessional conduct.

I agree with the remark of the Leader of the Opposition that the Minister for Justice is Minister for Justice in name only; he is not really a Minister for Justice. I tell the people quite frankly that he is the Minister for profiteers, racketeers, and drunken killers, and in saying that I said the lot.

**The CHAIRMAN:** Order! I cannot allow the hon. member to make such a statement. I ask him to withdraw his last remark.

**Mr. AIKENS:** Very well, I will withdraw it, and I will justify it before the bar of public opinion.

**The CHAIRMAN:** Order!

**Mr. AIKENS:** As I was very interested in the contents of the Bill or as much of its contents as it pleased the Minister to disclose in his opening remarks, I wanted to listen very carefully to what he was saying. The Minister is somewhat softly spoken. He

adopts what we might term an oily type of speech, and wraps his words around with quite a lot of sophistry, hypocrisy, and casuistry, but I was unable to hear what he was saying because of the hideous babble in the Chamber—not a very good example for the school children in the gallery. I was so interested, Mr. Taylor, and you would have noticed it, that I walked from my accustomed place to sit behind the Minister. I referred to babble and now we have it again. Every time anyone stands up to speak, the hon. member for Merthyr starts to chatter like a monkey picking fleas off his castanets.

**An A.L.P. Member:** That is a reflection on the Chair.

**Mr. AIKENS:** The Chairman has tried time and time again—

**The CHAIRMAN:** Order! I think the hon. member has expressed himself sufficiently on that point.

**Mr. AIKENS:** I cannot even hear what you are saying for the babble, Mr. Taylor.

**The CHAIRMAN:** Will the hon. member please address himself to the Bill? I think he has said enough about other matters.

**Mr. AIKENS:** I was forced to go and sit behind the Minister. Listen to the babble now, Mr. Taylor. Immediately I start to speak, it starts. You threatened to throw him out last night, Mr. Taylor, and I am sorry you did not.

**The CHAIRMAN:** Order! I will have to ask the hon. member to retire from the Chamber if he does not address himself to the Bill.

**Mr. AIKENS:** I am very happy that the children are listening to all this. The man who is protesting is going to be ordered out of the Chamber.

However, I wanted to say that I was sitting behind the Minister. Despite the babble, I was able to hear something of what he said and what I did not hear him say—because of the babble—I will ask him to explain during the progress of my speech. First of all, with regard to business premises, at the present time, as I understand it, unless the business premises has been declared to come under the Landlord and Tenant Act there is no control of rent or leasing conditions, but the landlord of a business premises has no power to summarily eject or evict his tenants; if he wants repossession of his business premises, he must under the law as it stands, go to the Fair Rents Court, if the tenant or lessee objects to vacating, and receive an eviction order from the Fair Rents Court. I ask the Minister if that provision is to be retained to protect tenants or lessees against eviction by a landlord of business premises.

**The CHAIRMAN:** Order! I ask the hon. member to proceed with his speech.

**Mr. AIKENS:** I thought the Minister might pay me the courtesy of a reply but he is adopting a typical attitude. I will ask him the question again.

**The CHAIRMAN:** Order! The Minister has the opportunity of replying when he closes the debate.

**Mr. AIKENS:** Very well. It is obvious from the Minister's reluctance to reply that now the landlord of a business premises will have the right to summarily evict a tenant or lessee. That is something we should consider seriously because we know what is happening. We know what has happened in Townsville where people have bought business premises and for reasons best known to themselves they have gone along to their tenants or lessees, and said, "We want you out immediately." Sometimes the lessees or tenants have been bluffed out, but on other occasions they have sought legal advice, or my advice—which is better than legal advice—and I have assured them that even though the business premises are not subject to the Landlord and Tenant Act so far as rental and other conditions are concerned, they are subject to the Landlord and Tenant Act with regard to repossession by the landlord. Cases have been heard before the Fair Rents Court in Townsville for the repossession of these business premises and because of the safety provision in the Act the tenants and lessees have been protected and given a reasonable time to vacate the business premises. It is obvious now that that provision is to be thrown to the wolves, and it is obvious that any unscrupulous predatory landlord of business premises can go along to his unfortunate tenants or lessees, who, as the Leader of the Opposition said, over a period of years may have laboured hard to build up their business and establish good will, and the landlord can now say, "I want possession of my premises for no particular reason. Out you go within 14 days." Or within the time limit provided in the Bill.

The Leader of the Opposition cleaned up something that I proposed to ask the Minister and which, I have no doubt, he would have treated with the contempt that he treated my previous question.

**The CHAIRMAN:** Order!

**Mr. AIKENS:** I understood the Minister to say that as a result of the revaluation of old dwellings and premises a landlord would be able to go to the Fair Rents Court and secure an increased rental based on either 1948, or present-day values. I could not hear what the Minister said, and I am not sure that he knows himself what he said, but it is obvious that after the passage of this Bill a landlord can go along to the Fair Rents Court to secure a huge increase in rental based on some modern value of an old dwelling or house. I understood the Minister to say that until

the case came before the Fair Rents Court a landlord could say, "Well, while we are waiting for the case to be heard I now have the legal power to increase your rent by 15 per cent." The Leader of the Opposition cleared that point up for me. As he is directly opposite the Minister he was able to hear what the Minister said although it is possible that with the noise in the Chamber the Leader of the Opposition might have misconstrued it. I should like to point out that only a couple of years ago, the Minister for Justice—if I may term him such—introduced his first amendment to the Landlord and Tenant Act and he provided for a statutory rise of 20 per cent. in the then existing rent of all houses that had been rented prior to 1 December, 1957, so tenants are paying 120 per cent. of the original rental, and this 15 per cent. will not be 15 per cent. of 100 per cent., but 15 per cent. of 120 per cent. That will be the case if the Fair Rents Court does not increase values further than the 15 per cent. provided for in the measure.

**Mr. Houston:** He expects them to go up further.

**Mr. AIKENS:** Yes, and he will be bitterly disappointed if they do not go up further.

In some respects the Minister is a likeable fellow, but I have never known anyone so viciously anti-working class. He seems to get an unholy pleasure in doing things that will bring misery, discontent, pain, poverty and destitution to the workers. He said that old houses are to be revalued—and I was waiting for the Leader of the Opposition to clear up a point for me—on the 1948 value. Some of the houses in Townsville are 50 years to 70 years old. I know houses in my own locality in Townsville that were built for £150 to £200 and very little has been done to them since. The tenants are already paying £5 a week, or £250 a year, for houses that cost £150 or £250 to build. Already the landlord, if he is the original landlord, is getting a 100 per cent. return each year from his original investment and now, according to the Bill, the rent will rise another 15 per cent. As the Leader of the Opposition said, who can truthfully say that the present incumbent of the office is a Minister for Justice?

I do not know what the position is in Brisbane. We listened to the usual highfalutin' phrases used by the Minister for Justice. I think he must have practised in front of a mirror before he delivered the speech in which he said that, as a result of the last amendment to the Landlord and Tenant Act, there has been a whole spate of building in Brisbane; houses have been erected; flats have been constructed; apartment houses have risen like Phoenix from the ashes, and consequently the recent amendment to the Act was responsible for a superabundance of accommodation. I

should like to hear the views of some of the metropolitan hon. members who represent working-class people on that statement of the Minister for Justice, if we may term him such; but I can speak for Townsville and say that the housing position there is tragic.

Only a couple of weeks ago I asked the Treasurer, who at least has some concern for the working class, what was the position with applications for rental Housing Commission houses in Townsville. I am speaking only from memory but I think there were 192 applicants in one category alone. With all the categories added together, I think there were about 300 or 400 people in Townsville waiting for Housing Commission houses to rent.

**Mr. Hanlon:** A total of nearly 6,000 all over the State.

**Mr. AIKENS:** Yes, and most of them would be in Townsville. As the Leader of the Opposition said, people wait patiently, living in sub-standard conditions, some of them in shocking conditions, to get a Housing Commission house or flat to rent. Then, just when a house is becoming vacant for rental, along goes someone with a £250 deposit, puts it down on the purchase of the house, that house is given to the purchaser and the prospective tenant has to wait again. I know, and I think the working-class representatives in this Chamber will have had the same experiences as I have had. I cannot imagine any widow with two or three children going along to the home of the Minister for Justice and asking him to interest himself to secure a rental house for them. I am firmly of the opinion that if a working-class kiddie went along to his home he would smartly ring the police and have them arrested as vagrants. But almost every day people come to my home and say, "Mr. Aikens, can you help me get a home? We have been along to the estate agents and the only houses that are available are, in some cases, humpies and the smallest rental we are asked to pay is £7 a week." How can a widow living on a widow's pension—how can a woman who is married to a man receiving, say, a couple of pounds over the basic wage, £15 or £16 a week—afford to pay £6 or £7 or even £8 a week for a house? Go into the Parliamentary library and have a look at the columns of "The Townsville Daily Bulletin" in the advertising section and you will see flats, some of them little more than dog kennels, advertised quite openly for rental at 9 guineas and 10 guineas a week. Yet the Minister for Justice will assure you that as a result of the previous amendment to the Landlord and Tenant Act there is a plethora of houses and flats available for tenancy throughout the State.

I should like to know from the Minister for Justice what he is going to do about the unscrupulous landlords who are backed by

their estate agents. I had a case the other day of a widow whose husband was tragically killed and the moment he was killed—they were both pensioners—one of our biggest landlords in Townsville advised her that he wanted her house. She had been a tenant of it with her late husband for 30-odd years and she went along to pay her rent to one of the biggest real estate firms in Townsville and was told that he would no longer take any rent from her. Naturally, she was nonplussed. She did not know what to do and, very fortunately, she came to me. I said, "Go and get a money order for the rent that you owe and for the next fortnight's rent and send it by registered post to the estate agent." She did that, and the estate agent promptly sent it back to her by registered post and said, "I am no longer authorised to collect the rent for your particular home," although he was authorised to do all the other business for that big landlord in Townsville. The Bill that we are now debating had not become law, so I sent the unfortunate widow and her relatives to the C.P.S. and he has protected her from being thrown out into the street by an unscrupulous landlord, acting in concert with his estate agent.

**Mr. Bennett:** Who was the estate agent?

**Mr. AIKENS:** The estate agent was C. J. Knobel & Company, one of the biggest in Townsville. Unlike the hon. member for South Brisbane, I will spill the beans. If I want to tip anything, I will tip the tin, the horse, the cart, and everything.

The C.P.S. at Townsville, acting under the present law, protected the widow. I am very sorry that I have had to mention that the C.P.S. protected the widow from this unscrupulous landlord and his estate agent because I am satisfied that, now that the Minister for Justice knows what the C.P.S. has done, that will be the end of promotion for the C.P.S.

**Government Members** interjected.

**Mr. AIKENS:** That is my honest opinion of the Minister, and I have the guts to express it.

**Mr. Ramsden:** You have not much intelligence.

**Mr. AIKENS:** If that remark had been made by any other hon. member in the Chamber, it might have merited a reply. Fancy the hon. member for Merthyr questioning the intelligence of any other hon. member! As a matter of fact, if the 78 members of this Assembly were all of the same mental calibre as the hon. member for Merthyr, the Speaker of the Assembly should be Dr. Stafford, the Director of Mental Hygiene in Queensland. I ask the Minister, if he will graciously condescend to reply to my question in his speech in reply, "What is going to be done in cases such as that, where unscrupulous landlords, acting in concert with their estate agents, try to throw

widows out into the street after they have paid rent on a house for upwards of 30 years? What will happen to the widows?"

I have more or less vaguely intimated that I am opposed to the Bill. If I did more than vaguely intimate that I was opposed to it, I should probably be called to order or I should provoke some asinine interjection from the hon. member for Merthyr or men of his calibre. But I will say this: this is the sort of Bill that I would expect the Minister for Justice and the Government to introduce.

A member of the Federal Parliament whom I have known for many years was talking to me the other day and speaking of his prospects of being re-elected on 9 December. He is a metropolitan member. He told me he proposed to seek the assistance of some State Liberal members of Parliament in his campaign. I said, "Look, I think you are a pretty decent fellow. I have known you for years. If you want to stand the bolter's chance of being re-elected on 9 December, keep the State Liberal members off your platform because it will be a political kiss of death. Because of the Traffic Bill, the Liquor Bill, and various other Bills that they have introduced, I have never known a Government to degenerate into such bad odour in such a short time with not only the people who really matter—we know, of course, that the people who really matter are the working class—but also other people who normally might be inclined to vote for the Country Party-Liberal Government."

**The CHAIRMAN:** Order! The hon. member is departing from the Bill.

**Mr. AIKENS:** That is my attitude. I am unequivocally opposed to the Bill. It is the type of Bill that I would expect Shylock to introduce.

**THE CHAIRMAN:** Order! The hon. member is repeating himself.

**Mr. AIKENS:** Am I, Mr. Taylor? I did not think I had called the Minister, Shylock. If Shylock were alive, and if such a person existed, we know he would touch anybody for anything. We know that he exists in the pages of Shakespeare, and if Shylock were alive he would take off his hat to the Minister for Justice.

**Mr. LLOYD (Kedron) (12.20 p.m.):** The Bill is typical of much of the legislation the Minister for Justice has introduced relating to fair rents, price control and other matters affecting departments within his administration. It is not only a callous piece of legislation but it is deliberately discriminatory on behalf of property-owners of Brisbane and Queensland. When the first amending legislation was introduced by the Minister in 1957 he said quite seriously, but unrealistically, that after the Bill was passed there would be more happy families living under decent housing conditions than there

were under the previous Government. Now, four and a-half years later, he is introducing more amending legislation to further increase rentals by 15 per cent., and again giving discriminatory treatment to the many property-owners who are utilising property to exploit the present housing shortage. When he made that statement in 1957 he said that as a result of the legislation he was introducing more houses and flats would be built; that we could overcome the housing shortage only by that move to relinquish control over the rentals charged by private landlords, by allowing owners of property to convert to flats, and encouraging people with capital to invest in the building of flats and homes for rental. At the same time as he introduced that legislation the Treasurer laid down the policy of the Queensland Housing Commission to refuse to rent any new house erected under the Commonwealth-State Housing Agreement. Since that time, as far as possible, every house erected by the Housing Commission has been sold. If it were not possible to sell a house in a country area, or at Inala, it was rented, but wherever possible every home erected since 1957 has been sold to people able to afford to pay the deposit. The effect of that policy has been to divert applicants from the Queensland Housing Commission to private property-owners. Consequently there has been an increased demand for privately-owned homes, in the metropolitan area particularly. The net result has been that very few homes anywhere near the inner city area can be obtained by tenants at a rental under £6 or £7 a week. The Leader of the Opposition mentioned £5 a week, but in many cases that rental applies to homes 50 or 60 years old, or homes in remote parts of Brisbane where it is almost impossible to travel to work from one side of the city to the other. The ordinary wage-earner is being forced to pay £5, £6, £7, or £8 a week.

The Minister said that there were safeguards in the legislation. That is how he is trying to indicate to us that there will be safeguards against exploitation. The safeguards are worthless. They are not worth the paper that was wasted in the printing of the Bill. Every tenant going into a home, whether it was occupied prior to 1957 or not, signs a tenancy agreement. They are asked to pay the maximum rental the owner thinks he can receive for the property. They are obliged to sign an agreement that they can be thrown out at a fortnight's notice. It is all very well for the Minister to say that they are protected under the legislation. They are protected, but very few tenants signing agreements realise that the protection exists for them. Every day many of us, particularly those representing metropolitan electorates, hear about people who are sharing accommodation, perhaps with in-laws, or living under overcrowded conditions. In many instances large families are occupying houses with one bedroom and a lounge, or a small flat, for

which they are paying seven guineas a week. When they make application to the Queensland Housing Commission for a rental home they are told that as they are already accommodated they cannot be considered as prospective tenants. The very fact that they have been forced into overcrowded unsatisfactory accommodation by the legislation introduced by the Minister for Justice means nothing to the Queensland Housing Commission. Even though they have been forced into paying seven or even eight guineas a week for rent the Commission considers them to be adequately housed. Regardless of the rental they are paying they are told they have no case. They have no priority with the Housing Commission. Sometimes they have been informed by the owner of the home that it is required for his own purposes and they have to vacate. They go to the Housing Commission and again they are told that they have no priority under the order of priorities laid down by them. The very fact that they have signed an agreement that the Housing Commission considers is illegal, it is sufficient to prevent them from getting any priority.

Is it any wonder that so many wives are at the moment forced to go to work? Every hon. member in this Chamber would know of cases of young couples forced into paying high rentals and the only way they can live is for the husband and wife to work. Immediately a family arrives they are in financial difficulties, yet the Minister comes along today and repeats many of the arguments he used in 1957. He tells us that, because of his lifting of fair rent controls he will encourage a further expansion of the housing programme. The same set of circumstances will exist subsequent to the introduction of this legislation as obtained after the introduction of the 1957 legislation when the Government claimed that they set a record in the number of homes being constructed. They will then sell not only the homes newly erected by the Housing Commission but the older ones being vacated by tenants. Again, Housing Commission homes, built for rental purposes, will be thrown on the open market with the heavy private demand that already exists.

It is impossible for any young couple at present to consider living in decent conditions as promised by the Minister in 1957, unless there is some form of tight control over exploitation by private landlords.

I particularly mention the clause in the Bill providing for a 12 months' limitation on the recovery of excess rents that have been paid. The Minister said that if the landlord had been underpaid during that time there is no opportunity for him to recover, but the rent has been assessed by the Fair Rents Court and if there is a case for an increase, whether for increased local authority rating or improvements to the property, it is the landlord's obligation to apply for it. It is not the obligation of the tenant to do so.

Since the 1957 legislation was introduced, every owner of property has been trying to exploit the workers of this State who rent homes. The average rental paid is £6 6s., £7 7s., or £8 8s. a week. If hon. members of the Government saw some of those houses, as I have done, they would be shocked at the rental being charged. Many of them are small homes, 60 or 70 years old. I have seen some for which £6 10s. a week is charged merely because they contain a few sticks of furniture.

Surely the Minister should be more realistic about this matter, and consider not only repealing his 1957 legislation, but imposing harsher restrictions upon landlords in relation to rentals charged. Housing should not be a matter tied up with investment or profit-making by people who have the capital to build flats and homes for rental. It is a social problem that, in an enlightened community, should be overcome purely and simply by giving people in the average wage group in the community the opportunity to own their own homes by advancing them money at reasonable rates of interest. Because the Government have failed dismally to overcome the housing problem and to create circumstances by which the people of Queensland can secure homes under reasonable conditions and at a reasonable rental, this is the only alternative they have. They have to try to persuade the Committee that they are encouraging an expansion in building so that plenty of accommodation will be available to meet the demand. While landlords are able to charge the high rentals they are now charging, accommodation will be made available, but the Minister would be in all sorts of bother if the rentals charged by those landlords were controlled.

At the moment the average person has an impossible task in meeting current rentals. The Treasurer said on one occasion that workers had at least received an increase in the basic wage under the present Government, and he charged us with having used rent control to prevent increases in the basic wage. I remind the Minister of the Treasurer's statement and also of the fact that since the Government assumed office the basic wage has advanced from £12 1s. to £14 14s. a week, or 17.8 per cent., and some proportion of that is attributable to the lifting of rent control. The Treasurer on one occasion said that the increase in the basic wage gave the working man the opportunity of paying the rentals now being charged by owners. Although the increase in the basic wage has been 17.8 per cent., the first permissible increase under the 1957 legislation was 20 per cent., and further increases not visible have occurred since that time, making a total increase of at least 100 per cent. No doubt rents will be higher when the effects of the present measure are felt.

The fallacy in the argument that the higher basic wage gives workers the opportunity to pay current rentals is apparent when we realise that the Government and the Industrial Court now accept the Consumer Price

Index rather than the "C" Series Index. At one time rental was taken as representing one-fifth of the basic wage. One-fifth of the present basic wage would be £2 16s. a week, and can any hon. member suggest that a rented home can be obtained in Brisbane or anywhere in Queensland for £2 16s. a week?

The Queensland Housing Commission, after the recent increase in interest charges, will have to ask £5 a week for homes built under the new agreement. Outside rentals overall will now be increased by 15 per cent. The average person will have to pay at least £7 a week for a home in which to live. Average rentals throughout the community are not taken into account in cost-of-living adjustments based on the Consumer Price Index. Under the Consumer Price Index only interest and redemption payments on housing loans are used, a most unfair development in the assessment of the basic wage. I admit there is a high proportion of home ownership within the community, but not to such an extent that the basis under the Consumer Price Index is justified. Some people are fortunate enough to be able to purchase a home through the Commonwealth War Service branch. They may be able to secure an advance of £2,750 with monthly repayments of not more than £11. Repayments on Housing Commission loans may be £15 to £16 a month, that is, less than £4 a week, whereas outside rentals at the present time are £7 a week.

**Mr. Aikens:** For shacks.

**Mr. LLOYD:** That is so. Many flats being offered at the moment comprise one bedroom, a small kitchen and, if the tenant is lucky, a bathroom that he has not to share with someone else. That is the type of place in which the average person is asked to live, but the Minister and Liberal Party members are not concerned about the situation they have created by the introduction of the 1957 legislation. Now there is to be a further relinquishing of control.

The hon. member for Townsville South and the Leader of the Opposition said it was very difficult to hear the Minister's introduction. I do not think I am unintelligent, but at one stage of his speech I found it impossible to understand his explanation of a formula that he somehow grabbed out of the air, for control of rental of homes built prior to 1948.

**Mr. Aikens:** He only got the Bill from the Real Estate Institute yesterday.

**Mr. LLOYD:** That may be correct. On the last occasion he introduced amending legislation he said he had discussed the Bill with the Property Owners' Association. The Minister made that statement when he introduced the 1957 legislation. No doubt we will find that the Property Owners' Association in Brisbane is again dictating the policy of the Government on rents control. It is most unfortunate that a Rental Payers' Association has not been formed amongst the working community in

Brisbane, which could develop into a pressure group to insist that the Minister give its members something, instead of giving everything to the owners of the property. By this measure the Government are taking away some pounds a week from the people who are trying to raise families and save a few pounds to build homes of their own. It is all very well for Cabinet Ministers to say, "When we were young we used to save a few shillings a week from our pay. We were able to save enough to pay a deposit on a home, or for the building of a home of our own." But they were never on £15 or £16 a week having to pay £7 or £8 a week in rent. They had the advantage of one-fifth of the basic wage being assessed as reasonable rental.

We find that the Government are displaying callous disregard for any people who work for a living. Recent industrial events disclose that the Government are operating in the interests of only one section in the community, the people who put them where they are, for whom they must cater, or lose their friends, and once they lose their friends at the top of the tree they lose the confidence of all the people of the State. These little pieces of legislation are all sops for the benefit of the Property Owners' Association and the present measure has been introduced for the benefit of the Property Owner's Association who have proved that they have been exploiting the worker and have been deliberately discriminating against the working class. This is callous legislation. I hope that hon. members in the Liberal Party representing Brisbane seats will rise and tell the Committee about the conditions of people living in their electorates—such as in the Windsor electorate—who share accommodation and live in over-crowded circumstances. If hon. members opposite are not completely blind to the plight of people coming along to them asking them to find Housing Commission homes for letting, they will give their honest views on this measure.

**Mr. HOUSTON (Bulimba) (12.38 p.m.):** I completely support the arguments advanced during this debate by my Leader and Deputy Leader.

**Mr. Smith:** What about the hon. member for Townsville South?

**Mr. HOUSTON:** He has taken care of himself on many occasions, and I daresay he is able to do so on this occasion. I do not intend to couple him with the remarks of the Leader of the Opposition or the Deputy Leader.

When the Minister introduced the Bill on this occasion, we found that he completely changed the argument he used in 1957. On that occasion he said the Government were bringing down the legislation to encourage people to build more homes to live in, and more homes for rental, and on this occasion he said that the main reason was to dispense justice. This Bill will not affect



the rental charged for any new premises. Any flats or houses that are built from now on will not be affected by this Bill. The 1957 legislation took care of houses and flats in that category. This legislation also does not affect houses or flats rented for the first time since 1 December, 1957. The present legislation is only to give a higher return to owners who rented premises prior to 1 December, 1957. In fact, we are allowing this Parliament to be used for the benefit of those who have invested in houses for rental purposes—to inflate their investment value. If those same people had invested their money in shares or in any other way in 1949, 1950 or 1955—whatever the year—their shares would be worth a certain amount and they would be getting their return from year to year.

**Mr. Houghton:** Some of them would not be.

**Mr. HOUSTON:** Those who invested wisely would. Their shares would hold their investment value. They certainly would not rise by the enormous amount the Bill allows rents to go up. The Bill takes the present value. It is a fact that in 1948-1949 some first-class residences were built for £1,000 each in Brisbane and in other parts of the State yet today they could with truth be valued at £3,000. That means a 300 per cent. improvement in the investment. I would not mind if that investment improvement was not to the detriment of some other person. That is my main argument. In this case the increased return does not come about through increased labour on the part of the investor but rather from the misfortune of the unfortunates who have not enough capital behind them to enable them to build their own homes. They are the people who are being taken for a ride by the Bill.

It is true that we have in the community many hundreds of families without the financial backing to purchase a home. Unfortunately many young people marry before they are financially secure. I do not wish to enter into a debate on the rights or wrongs of that. The ways of the world and the ways of human beings are rather complex at times and I do not set myself up to be a judge. However, the young people who marry today without any great financial security are not acting any differently from us or those before us. They marry and their families arrive—and everyone will agree that natural increase in population is highly desirable. But in present conditions they will never be able to own their own homes. Indeed the position will worsen. The 15 per cent. increase will mean at least 3s. in the pound. These people have to battle from day to day to make ends meet. I know hundreds of them. It is no good saying they could do better. They cannot. They are in permanent employment and they receive the pay the court has laid down for the type of work they do.

The increase could make a difference of 6s. a week in their rent, in some cases 9s. and even 12s. So they will be hit and hit very hard.

It is wrong for any Government to introduce legislation that, while not greatly improving the position of landlords—because the capital value of their property has already increased—will certainly detrimentally affect those unfortunate enough to have to live in rented homes.

**Mr. Davies:** They have no option.

**Mr. HOUSTON:** That is so. Many of them go along to the Housing Commission. I have plenty of cases in mind of people who are living in sub-standard accommodation and paying high rents. If they go along to the Housing Commission and say, "I want a Housing Commission home because the rent is too high where I am living now," the Housing Commission officers just laugh at them and tell them they have a D priority or some other low priority. It never gets any higher. It is no different for those living in unsuitable or condemned houses. They go along to the Housing Commission and they are on a B priority, a very high priority, but they never get out of that priority. All the time there is someone else coming along with an eviction order. As I said once before in a debate on the Housing Commission—and I do not want to transgress by canvassing that now—it is a fact that, while that system is in operation, this legislation is harder on those people.

**Mr. Windsor:** That points allocation must be fair, because your Government started it.

**Mr. HOUSTON:** There is an old saying that times change. When the points priority system was introduced under legislation brought down by a former Labour Government, the Commission was handling many cases below top priority and everyone knew that eventually he would be catered for. Under this Government, the Commission is not even handling those with top priority, let alone those on lower priorities. If hon. members opposite doubt this, let them apply for a home for any constituent who has not been evicted. I assure them it is impossible to get a house under present conditions, because the Housing Commission is not building homes for rental. It is the Government's responsibility to ensure that people are fed and that their health is cared for, but it is also their responsibility to see that the people are properly housed.

If I had the time, I think I could prove quite clearly that home-building is not wise from the point of view of pure investment, that money can be used much more effectively in other forms of investment. An investor who seeks a high return on his money will not enter the housing field. The

only ones who will be assisted are those who do not require any assistance at this stage.

Hon. members opposite may doubt my statement that many buildings of a low standard will earn advantages under this legislation. There is nothing in the measure to say that the accommodation is to be first class. It just determines the value. If today's inflated prices of land are taken into account people will be paying rent for the privilege of living on the ground, not for living in a shack.

Earlier this year, no less a person than His Grace Archbishop Duhig spoke on this subject, and the following report appeared in "The Courier-Mail":—

"The Government should investigate the high rentals paid for indifferent accommodation in Brisbane, Archbishop Duhig said at St. Stephen's Cathedral yesterday.

"His Grace said he found that the rent for this accommodation was the prime cause of the hardship being suffered by poor families."

How true that is, yet Government members do not take that into account. They are interested only in increasing returns to those disgruntled supporters who have been put off side by other legislation they have introduced. This is an attempt to bring them back on side.

It is the duty of the Government to see that the people are provided with suitable accommodation. As the Leader of the Opposition said, in many families, in an endeavour to overcome the high rentals being charged today and to get accommodation that they believe they and their families are entitled to, wives are now going to work. I do not subscribe to the idea that the great majority of women who go to work do so just for the sake of being able to buy an extra hat, an extra dress, or a fancy motor-car. I believe they go to work not for the pleasures that they can obtain with the extra money but to obtain the necessaries of life. Many wives go to work to get extra money so that they can educate their children, of course, but many others go to work so that they can pay the high rentals now being charged. Under former Labour Governments people who went into houses and flats knew that their rent was £2 or £2 10s. a week, and on their income they were quite prepared to pay that amount. This Government allowed an increase in rentals of 20 per cent., or 4s. in the £1. Together with all the other increases brought about by the abolition of price control it has allowed the situation to deteriorate to the stage where the wife has had to seek either part-time or full-time employment. As my Leader said earlier that leads to social problems that I believe are not desired by this or any other Government.

When the 1957 legislation was brought down a booklet was published by the Minister entitled, "Justice for Landlord and Tenant." He made one statement on the front page that I thought was rather funny at the time.

He said—

"The fact is that not only does the housing problem still exist, but the situation today is worse than it was three years ago."

That was a statement made by the Minister in 1957. How true it is today! It is more true today than it was in 1957. I hope that if the Minister decides to publish a similar booklet again he will include the same words. It was also stated that the Government had a comprehensive plan. The booklet referred to, "The building of houses by the State with a view to home-ownership and rental." It was all included in the one paragraph. I am sure that the word "rental" will not appear in any future publication of that booklet. It refers to—

"Encouragement of the building by private enterprise of houses and flats."

In 1957 a total of 7,688 houses were built; in 1958, 8,100; in 1959, 9,500; in 1960, 10,700. Of course, no-one denies there has been an increase in home-building, but the population has increased considerably over the same period. Government members have had statements published in the Press recently that the housing position in regard to land is critical. Many newspaper headlines could be used to substantiate that. Although there has been an increase in the number of houses built the cost has increased considerably. The average cost of a brick home has increased from £3,829 in 1958, to £3,900, with the latest figures for January-June, 1961, being £4,497. With costs going up naturally values are going up, including the value of old homes. We will finish up, even allowing for the interim adjustment, with wage-earners in Queensland having to pay a minimum of £5 or £6 a week for rent. I say most emphatically that no person on ordinary wages can afford such an increase. One of two things will happen: either there will be such a demand for State rental homes that people will get into them and refuse to pay the rent, or many more womenfolk will have to go to work. The result, of course, will be a deterioration in our youth problem. This Bill has been contemplated for some time but no move was made by the Government to introduce it until the basic wage had been tied up.

The Government are to be condemned, first of all for advocating the tying-up of the basic wage for 12 months and, secondly, for doing so, knowing full well that they contemplated a statutory increase in rents. Had they been sincere in introducing this legislation they would have allowed the basic wage to be increased in the normal way.

Last but not least, I should like to support my Leader in his condemnation of the Government's attitude towards the Opposition in

introducing legislation. Hon. members of the Opposition wish to assist the Government in every way possible when legislation is introduced by drawing attention to any defects in it. It is our duty to study legislation and to offer suggestions for its improvement. Although we know that any opposition we may offer will be overcome by weight of numbers, we must do the best we can. We can only do that when we have sufficient notice of its introduction. The Opposition should be informed several days before a Bill is introduced of what the Minister has in mind, particularly when, as far back as the 12th of this month, "The Courier-Mail" was able to publish virtually every detail given by the Minister today. Do the Government consider it more important to inform the Press than to tell hon. members of this legislature? This is where the information should be given and debated.

**Mr. Aikens:** The Minister did not have the information himself then. It was given to "The Courier-Mail" by the Real Estate Institute.

**Mr. HOUSTON:** I do not doubt that the Real Estate Institute framed the Bill. According to the Press, the Minister gave them the information. I leave further comment to my colleagues who will voice their objections as strongly as I have endeavoured to do.

**Mr. SHERRINGTON** (Salisbury) (2.15 p.m.): The Leader of the Opposition adequately summed up the opinion of Opposition members and their utter contempt for the legislation. The Government have Ministers with dual portfolios such as Labour and Industry. The introduction of the Bill suggests to me the desirability of renaming the Minister's portfolio, to give him the dual title of Minister for Injustice and Inequity.

**The CHAIRMAN:** Order! The hon. member will not speak in those terms. He will address himself to the Bill.

**Mr. SHERRINGTON:** I am happy to do so, and I am expressing my attitude to the Bill. The Minister's argument that relaxation of rent control for certain homes built after a specified date has solved the housing problem is completely fallacious. The earlier legislation has resulted in the construction of palatial and luxurious apartments and blocks of flats such as Torbreck, but it certainly has not solved the housing problem for the average person in the community.

The Minister mentioned temporary housing at Victoria Park, but we have the same conditions today, the only difference being that at the present time two and three families live in the one house.

**Mr. Hanlon:** Out of sight, out of mind.

**Mr. SHERRINGTON:** How true, as the Member for Baroona so rightly interjects. In claiming that they have solved the housing

problem they are emulating the ostrich who buries his head in the sand and assumes all is well around him.

According to the Minister the principles of the Bill include the principle of a transitional procedure to allow landlords, pending determination of rent by the court, to increase it by 15 per cent. I cannot see any justice in that proposal. Such action would amount to anticipation of the court's decision, and who is to say the court would not reject the application for an increase? The legislation will allow a landlord to predetermine the rent of his property, and I fail to see how such legislation can be linked conscientiously with a department known as the Department of Justice.

**Mr. Houston:** If it takes more than 12 months to get the determination, the tenant will lose the excess rent he pays.

**Mr. SHERRINGTON:** That is correct.

The Minister said the Bill was designed to remove existing anomalies. What anomalies? Is he referring to anomalies as they apply to the landlords or to the tenants? From his outline of the Bill it is clear that he claims the anomalies react against the landlord. This Bill does not dispense justice to the tenants of these homes. The legislation brought down by the Government in 1957 rewarded landlords in this State for their expenditure on housing. They were liberally treated by the Government but the imposition of a further 15 per cent. in rent is completely unjust and iniquitous. Where is the justice in the principle that recovery of excess payments of rent is determined by a set period? I bring to the Minister's attention that a landlord can sue for arrears of rent extending over any period. If the principle is established that a tenant cannot sue beyond a certain period for excessive rent, then the same principle should apply to a landlord to say that he may not sue for arrears of rental beyond a certain time. This is just another instance of a one-sided principle in a one-sided Bill.

Following on the decontrol of rent introduced by this Government, some people living in privately-owned homes have been forced to pay extraordinarily high rentals. I know of several instances of families paying £7 10s. to £8 a week for a home that is 20 years old. I recall a case of a family that did not have priority for a rental Commission home and occupied a home on a share basis. The rent was £7 10s. a week for the house. One of the tenants decided that domestic relations were somewhat strained with two families living in the same home and she decided to leave. The tenant who was left had to pay the rent of £7 10s. a week out of a wage of £14 7s. 6d. a week. One needs little imagination to envisage what happened. The tenant had four children and she gradually fell into arrears of rent and was evicted from the

home. When she was evicted she automatically forfeited any right she may have had to a Housing Commission home because in no circumstances will the Commission entertain applications from tenants evicted for arrears of rent. When I made representations to the Housing Commission, I was amazed to be told quite frankly that that was the policy—the circumstances of the arrears are not considered. Where can these people go who are displaced through no fault of their own? They become like a nomadic tribe, and wander from flat to flat getting into arrears each time and forced to seek alternative accommodation because they are not entitled to a Housing Commission home. We must prevent such happenings for there is no doubt that with the present economic circumstances there will be an ever-increasing demand for rental Commission homes.

The hon. member for Bulimba pointed out that the State should be responsible for housing its people just as it is responsible for providing education and health facilities. This legislation gives the green light to landlords to charge exorbitant rentals. If tenants are evicted because they cannot pay the rent they are debarred from obtaining a Housing Commission home. Where can they go from there?

The Treasurer said that he did not agree with a resurgence of State landlordism but I say we must return to State landlordism because, under the agreements initiated by the Chifley Government, people were able to obtain homes to rear their children in decency at an economic rate calculated on one-fifth of their income. The Bill is a complete negation of that principle. Rents will be allowed to climb higher and higher. I sound a note of warning. The Government have shown that they are prepared to sacrifice the interests of the ordinary people and, whether it be in the provision of homes or in the provision of goods and services, they will protect with one-sided legislation not the ordinary people but those who seek to grow rich quickly. As long as that trend continues we will not have a stabilised economy in the State.

I challenge the Minister to deny that the Bill is the first shot being fired in a campaign to increase the rentals of Queensland Housing Commission homes. There can be no doubt about it. The Treasurer has clearly indicated his attitude. In his hunger for additional money he will delve into any pocket for more funds. I cannot imagine that the Queensland Housing Commission will be satisfied with the economic rents it receives today while private landlords are allowed to charge ever-increasing rents. I am sure the Bill was designed to bring into the open the present sly practice of the Queensland Housing Commission since this Government's election to office of raising the economic rent of a house whenever the occupier relinquishes possession. The average rental increase of Housing Commission homes to

the incoming tenant on vacation by an outgoing tenant is 13s. a week. I cannot imagine that the Queensland Housing Commission will be satisfied with the present rentals received from State rental homes compared with the rich rewards to be reaped by the private landlords so I challenge the Minister to deny that this is the first move towards an overall increase in the economic rent of Housing Commission homes in Queensland.

**Mr. Duggan:** What is sauce for the goose will be sauce for the gander.

**Mr. SHERRINGTON:** How very true! On that ground alone I could not but be alarmed at the introduction of legislation of this type. Eighty per cent. of the homes in my electorate are Housing Commission homes, in the main occupied by ordinary working people who are called on to pay exorbitant fares to travel from Inala, Cooper's Plains or Acacia Ridge to their places of employment in the city. I could not but be alarmed at the implications in the measure because it will eventually lead to the re-assessment and raising of the economic rents of Queensland Housing Commission homes. On that score alone, I wholeheartedly support the opposition so adequately expressed by my leader and express my disgust at the introduction of legislation such as this.

**Mr. HANLON (Baroona) (2.31 p.m.):** The Minister has advanced very few arguments in favour of the legislation. No matter what arguments he advances in favour of it in his reply, one thing stands out as the hon. member for Redcliffe would stand out in a joint meeting of the Government parties—that the Minister could not have chosen a worse time to introduce a measure of this type, having regard to the personal distress that will result in many instances. I know that the Minister will argue that he looks at these matters broadly, but he must know of individual cases in which distress will result. At present there are over 16,000 unemployed, many of whom are in my electorate and other metropolitan electorates and are known to me. With the advent of Christmas, that number will be increased by children leaving school and seasonal workers being laid off, and many of these people whose income will be reduced from £18, £16, or £14 a week, or whatever it may be, to the social service payment of about £6 a week will be faced with an increase in rent of 10s., 15s., or £1 a week under this legislation. As I said, whatever arguments the Minister may advance in support of the legislation, I think the timing of its introduction is very inopportune when one considers the many people who will have to attempt to carry on on the meagre benefits they receive from the Commonwealth Department of Social Services.

The Minister claims that the orderly relaxation of rent controls—he uses a similar phrase in relation to prices—under this Government since 1957 has resulted in a

spate of new building that has already produced a record number of houses and apartments each year and helped not only to meet the State's requirements for housing the people who marry each year but also to overtake the backlog. I agree with the Minister that to a degree there has been a spate of building, particularly of flat and apartment buildings, since the Government took office in 1957. If one goes to "Torbreck" in Brisbane or "Kinkabool" and other luxury apartments on the South Coast, one finds not only that they have been built but that even the very wealthy cannot afford to tenant them or buy them. There is a call for funds of any description for buildings of this type, and large sums of money have been spent on their erection. It is a tragedy that when 6,000 people are lined up at the Housing Commission waiting for rental homes we should be able to go out and gaze on empty luxury apartments to the value of £4,000, £5,000, or £6,000 in Brisbane and on the South Coast. In fairness to the hon. member for South Coast, I should say that the provision of these apartments and flats is all right for tourists, and it would not be so bad if they were tenanted. But the Government have produced a policy of not catering for the people who require houses, but encouraging building flats and apartments that have not been accepted by the people for whom they allegedly have been built. In other words, people who would be interested in buildings of this type should not, in our opinion, have priority over people who are living 15 or 16 in a house or crammed into one-bedroom or two-bedroom flats with two or three children. Hundreds of thousands of pounds, in some cases millions of pounds, have been devoted to the building and furnishing of these luxury flats and apartments over a period of years, and half of them are still empty. They cannot sell them; they cannot let them. What is the use of the Minister's telling us that his Government's policy has assisted in overcoming the housing shortage when these premises are vacant? When the Treasurer assumed office his argument was that he did not care who built the houses or what sort of houses they were, as long as the result was more houses and more apartments. He said that if somebody shifted out of a house at Ascot into an apartment at "Torbreck" somebody else would shift into the Ascot house. I do not care how many apartments are built as long as people requiring houses get first priority. I object to apartments being built as a first priority when the needs of the person who requires help are not met. It is even worse when the apartments are left untenanted. I offer that as an answer to the claim that the Government have provided so many new houses. The figures quoted include second houses for some, people like the hon. member for Ithaca who might build a second house. Good luck to him if he can!

**Mr. WINDSOR:** I rise to a point of order. I have not got a second house.

**Mr. HANLON:** I am glad to know that the hon. member for Ithaca recognises that it is selfish to build a second house while others are waiting for a first. It was not necessary for the hon. member for Ithaca to take a point of order. I merely picked on him because I thought it might wake him up if I mentioned his name. It certainly did.

**Mr. WINDSOR:** I rise to a point of order. I never go to sleep in the Chamber.

**Mr. HANLON:** It is very easy to draw up statistics to show an increase in the number of houses built. But if many of them are only to be used part-time as a second house or to be let to tourists, although it might be good from the point of view of the tourist trade, it does not reflect any relief for the people seeking houses to live in. As I interjected when the Minister was introducing the Bill, the Government are being quite illogical in their approach on this occasion. In 1957, in one of their initial approaches to the problem, they decontrolled a number of houses. Not only new houses constructed after December, 1957, but any house 10 years or 100 years old that had not been tenanted for three years before December, 1957, could be let after the 1957 amendment, without any control on it at all. Having introduced that amendment in 1957 the Minister now brings in legislation to maintain what he says is going to be a form of control on another group of houses, by fixing the rent on the basis of present-day value less 20 per cent. If it is necessary to maintain that form of control—if it could be called control—why is it not equally necessary to include every house he released from control in 1957? If he seriously considers that under today's conditions he is obliged to retain the form of control he envisages on houses tenanted before 1957, why should he not logically maintain the same control on the houses alongside? Under the Government's present approach we will have the ridiculous position of A living in a house controlled under the Act and B living in a house not controlled under the Act. The controlled house could have been built comparatively recently, and the decontrolled house, possibly the worst case of overcharging of rent, may be 100 years old and falling apart. There may be no control on that house because it was not tenanted for three years before 1957. The landlord has the opportunity to get the maximum rent from people who are obliged to accept accommodation there because, as has been pointed out by the hon. members for Salisbury and Bulimba, the Queensland Housing Commission are not able to offer rental accommodation. I think also that the Minister has not given us the information we are entitled to have on a measure of this kind. The Deputy Leader of the Opposition raised the point of what effect this measure will have on the wages bill of the Government, quite apart from its effect on the wages bill of private enterprise. It was pointed out that the cost of living will in future be assessed by the court on the new consumer index which will not reflect increases in rent to the

same degree as the "C" Series Index had it been maintained. The ordinary citizens of this State are on the wrong end of the stick in this regard.

When rents were substantially controlled the "C" Series Index was used and no regard was taken at all of increases in the capital value of houses, of their market value or of the cost of building a house. That position obtained from the war until a few years ago when the cost of building, if it has not come down, has certainly not risen to the extent that it did between 1939 and 1955. As I say, the Index at that time ignored increases in capital values of houses, ignored increases in the cost of building them, but now, with the accent swinging, through this Government's policy, to increased rents, they switch from the "C" Series Index to the Consumer Index which, had it been operating since 1939, would have taken account of those things but which does not take account so much of rent increases as the "C" Series Index did.

I think we are entitled to know, firstly, whether these increases in rents will be fairly reflected in the wages of the workers. The Treasurer told us when the Landlord and Tenant Acts were originally amended that the Government were giving justice to the people who had been deprived of higher wages because of artificial rent control.

**Mr. Duggan:** The estimated cost in New South Wales is £3,500,000.

**Mr. HANLON:** The Leader of the Opposition points out that in New South Wales the estimated cost was £3,500,000. The Minister should not introduce a Bill like this with a brief explanation of it and not tell us what it will cost the State or whether the householder will be compensated for any increase in rents. If the Minister is not able to tell us because it is not his responsibility, he should have the Treasurer here to tell us.

If it is to cost £3,000,000 or £4,000,000 the Treasurer should be here to tell us exactly what it will cost.

When the Labour Party advocated for three weeks' annual leave there were howls not only from the Government, but also from the Q.L.P. about its exorbitant cost. I recall the famous stand by the Q.L.P. about the cost of three weeks' leave. They boasted of their attitude.

If rent is to be decontrolled as a matter of Government policy was not three weeks' leave also Government policy when the Labour Party occupied the Treasury benches? We are entitled to know what it will cost. If the Minister cannot tell us, he should have the Treasurer here to tell us.

The Minister's attitude is to give a brief explanation of the Bill, in a very confused fashion that was very difficult to follow. The Leader of the Opposition has often pointed out how difficult it is to follow the Minister even when one listens very carefully to

him. How much more difficult will it be for the unfortunate tenant to understand why his rent is to be increased? He will not know the avenues open to him to get justice in the matter.

The Minister is confused, as he was on the subject of liquor. He is not quite sure what it is all about. As I said on another occasion when he introduced a measure of this type, he is like the boy who for the first time has to swim a length of the baths, and is told to jump in at the shallow end and swim to the deep end. The Minister thinks that as long as he can get out of the pool he will be all right. It does not matter to him what he tells the Committee. He has adopted that attitude because in his opinion it is the safest one for him. We are certainly justified, on the grounds of personal distress, in opposing the Bill, but we are also justified in opposing it because of the lack of information from the Minister.

**Mr. RAMSDEN (Merthyr) (2.46 p.m.):** I support the Bill. It has received the approval of the Government parties. I shall speak briefly because I do not want to delay the passage of it. I support the Minister. It is not necessary for anyone on this side of the Chamber to come to his defence. He is very able and quite capable of defending himself. He does not need any assistance from back benchers and my purpose today is not to reply to the points of hon. members opposite. If they take heed of him, they will get the complete answer to their criticism. I rise merely because of charges made against back-benchers that we sit quiet and say nothing when the Government introduces a Bill because we are not in sympathy with it or with the Minister or that we are not prepared to back him up. That is an obvious untruth. I do not know what happened in the Caucus meetings of the Labour Party, but legislation introduced by the Government has the approval of the joint Government parties before its presentation.

**Mr. Hanlon:** You have seen the Bill, have you?

**Mr. RAMSDEN:** No, but I am aware of its principles.

I should like to comment very briefly on the wail of despair of the Leader of the Opposition because the Government do as their predecessors did before them, by giving what he is pleased to call insufficient notice of the proposed time of introduction of a Bill.

**Mr. Davies:** His protest was quite justified, too.

**Mr. RAMSDEN:** I am pleased to hear the hon. member's objection. I ask why the Leader of the Opposition did not complain about the practice initiated by the Labour Government and ruthlessly pursued by them. I cannot understand his reason. He probably complains now because he is on the colder side of the Chamber.

The hon. member for Townsville South always adopts the exaggerated viewpoint, but on this occasion he bitterly attacked the Leader of the Opposition for decrying a practice condoned by the Leader of the Opposition when he was on the Government benches.

The Leader of the Opposition referred to inordinate rentals of £5 a week for homes. He subscribes to the theory that there should be a home available for anyone who goes to the Housing Commission with £250 in his pocket and says, "I want a home," and that rental homes should be available for those in less fortunate financial circumstances than the man with £250.

**Mr. Sherrington:** That is true.

**Mr. RAMSDEN:** I am not going to argue that point. The whole approach of the Leader of the Opposition to the problem shows he is not in favour of giving people any incentive to save to own their own home.

**Mr. Houston:** How can they save on the basic wage?

**Mr. RAMSDEN:** The hon. member for Bulimba is most vociferous in his interjections and wants to know how they can save on the basic wage. The electorate of Merthyr has probably a higher concentration of flats than any other metropolitan area.

**Mr. Duggan:** They may not thank you for your speech today.

**Mr. RAMSDEN:** They may not thank me for my speech? The people of Merthyr know me and know that what I say is right, and the truth. The same interjection came from the Leader of the Opposition or one of his supporters on the last occasion that this subject was under discussion, and the only reaction from the electors of Merthyr came in the form of two letters, one from a landlord protesting that we had not gone far enough, and one from a tenant complaining we had gone too far.

With your permission, Mr. Taylor, I will develop that theme. I have been asked how on earth a man on the basic wage, or slightly above it, can do anything about getting his own home. In the first place, I ask how does the man with £250 get it in the first place? What makes him any different from the man without it? For many years the State Government have had a self-help scheme. The Government cannot take credit for it because it has been in existence for many years past. It is the Home Builders Deposit Trust Fund. For eight and a half years whilst I was Assistant Secretary to the Services Canteens' Trust Fund I used to send people to the Queensland Housing Commission to take advantage of this opportunity presented for home ownership. The Queensland Housing Commission had a scheme to assist would-be home-owners which pays interest on deposits like a savings bank.

**Mr. Houston:** How well do they advertise?

**Mr. RAMSDEN:** If the hon. member will wait just a moment I will tell him.

They pay interest on deposits, 4 per cent. for investments up to £500, and when the £500 is exceeded they pay bank interest on the balance of the money for a period not exceeding seven years.

I refer to my own electorate again. It is remarkable the number of people I met when I was concerned with the trust fund, and since I have been in Parliament, who have not put first things first. That is the bitter truth we have to face. If I prefer to own a motor-car, a television set, or a washing machine, before I own a home, whose fault is that? If I want to own one of those things before I own a home, surely I cannot blame the Government. In the last four years, starting from 30 June, 1958, credits to the Home Builders' Deposit Trust Fund were as follows:—

Year	Amount
30 June, 1958 . . . . .	£7,223
30 June, 1959 . . . . .	£4,690
30 June, 1960 . . . . .	£3,158
30 June, 1961 . . . . .	£5,121

For the information of hon. members opposite 48 people are contributing to that fund now which will help them to obtain their own home.

**An Opposition Member:** What is the average amount deposited?

**Mr. RAMSDEN:** When the Leader of the Opposition was speaking the other day during another debate he gave a few figures and I asked him the total and I got the very rude answer, "You can add up." Might I suggest the same thing to the interjector now. I have given the figures and the hon. member can surely work it out arithmetically.

**Mr. Houston:** That kills the whole of your case, you know.

**Mr. RAMSDEN:** It does not kill any of my case.

**Mr. Houston:** You are not very well briefed.

**Mr. RAMSDEN:** In spite of what hon. members opposite say about the previous amendment of the Landlord and Tenant Act, it did, as the Minister said, give a measure of relief and justice. It meant that people with cash who were able to invest in building for tenants, did so. Prior to that, if somebody had enough capital to build a house he would not build; he would rather put it into some form of Government-secured loan because there at least he received a moderate return on his investment. Following the last amendment of the Landlord and Tenant Act the construction of new flats and new houses went ahead apace and more flats and home units were available. I say, and I challenge anyone to deny the truth of it, that for

the first time in New Farm since I have been there—and it has one of the heaviest concentrations of flat-dwellers in the city—there are signs up reading, “Flats to let”, “Home units for sale”. Let me develop that argument.

**Mr. Mann:** How can the workers buy the home-units, you idiot? Why don't you talk sense?

**The CHAIRMAN:** Order!

**Mr. RAMSDEN:** Let me enlighten the hon. member for Brisbane, who will shortly be faced with exactly the same problem in his own beloved Spring Hill. Let me tell him that a landlord or a land investor does not build a house or flats or a home unit for the sheer joy of seeing his money tied up indefinitely for no return.

**Mr. Houston:** What return do you think he should get?

**Mr. RAMSDEN:** The hon. member can make his own speech in his own time. Apparently the hon. member for Brisbane cannot take it; he is leaving the Chamber. But what the landlord does is invest his money. He builds his flats or his home unit expecting very shortly to get some return on his investment. The return he gets is dependent on the supply. I know that when flats were at a premium in New Farm, when people walked the length and breadth of the suburb looking for a flat but could not get one, rents were higher than they are now when there are vacant flats and landlords are forced to reduce rents because of the adequate supply.

I am very glad the hon. member for Townsville South is back in the Chamber because I sincerely regret the level of debate set by him.

**Mr. Aikens:** It goes down all right at the Regent.

**Mr. RAMSDEN:** That is probably the only place where it would go down. The hon. member for Townsville South so hates the Minister for Justice, a man highly respected in this Assembly and outside, a man of honesty and integrity, that every time the Minister rises to speak in the Chamber he is defamed and insulted by the hon. member for Townsville South.

**Opposition Members** interjected.

**Mr. RAMSDEN:** I am being serious. If hon. members opposite will sink to the depths of standing by while a decent man is defamed it may be all right with them. It is not all right with me. I say this hon. member is particularly vicious in his opposition not to the legislation as such but to the Minister for Justice himself.

**Mr. Aikens:** Who wrote this out?

**Mr. RAMSDEN:** I wrote it myself. Let me remind the Committee of an incident

while the hon. member for Townsville South was speaking earlier today. Hon. members will recall the story he told about the widow who had to go, on his advice, to the Clerk of Petty Sessions in Townsville for, he said, protection.

**Mr. Aikens:** That will be the end of him as far as promotion is concerned.

**Mr. RAMSDEN:** The hon. member is repeating his defamation now. He went on to say, “Now the Minister knows what he has done, that will be the end of promotion for the C.P.S.”

**Mr. Aikens:** He will be transferred to Birdsville as a junior clerk.

**Mr. RAMSDEN:** I think that is a gross abuse of Parliamentary privilege, which is given to members of this Chamber so that they can reveal injustices outside it, not to give people of the type of the hon. member for Townsville South the right to say things of that sort.

**Mr. Aikens:** Do you think I should say only what you think I should say?

**Mr. RAMSDEN:** No. On every occasion that the hon. member for Townsville South rises to his feet when the Minister for Justice is involved, he vomits forth his venomous spleen from a warped and twisted mind tortured by his inordinate and obsessive hatred of the Minister. Whenever he speaks on any matter concerning the Minister and his department, his normally perceptive mental processes are prevented from taking their normal sequence. I had hoped that hon. members on both sides of the Chamber, whatever their political differences, would feel with me a deep disgust for the type of attack made by the hon. member for Townsville South on the Minister for Justice today and when he introduced the Liquor Acts Amendment Bill and also the type of attack he made on the Judges.

I should like to say in conclusion that if the hon. member for Townsville South were one-tenth the man the Minister is, this Chamber would be the richer for his presence. I deprecate this line of attack to discredit not only the legislation but the Minister. Having said that, I shall resume my seat.

**Mr. HART (Mt. Gravatt) (3.2 p.m.):** I should like first to agree completely with the concluding remarks of the hon. member for Merthyr in vindicating the conduct in this Chamber of an honourable man. I think it is a very bad thing for hon. members to abuse their privilege, because privileges that are abused are often lost. It behoves every member of this Chamber to see that other members do not abuse their privileges.

**Mr. AIKENS:** I rise to a point of order. I am rather amused by the exhibition of the hon. member for Merthyr and the hon. member for Mt. Gravatt, who are attacking



me because of remarks that I made about the Minister for Justice and who are now abusing me in the foulest possible terms. I wish they would apply their own style of criticism to themselves.

**The CHAIRMAN:** Order!

**Mr. AIKENS:** As a matter of fact, I think that his remarks—

**The CHAIRMAN:** Order! The hon. member is not making a speech.

**Mr. HART:** Much as I prefer to ignore the hon. member who has just interrupted, I felt obliged to support the hon. member for Merthyr in his remarks.

Dealing with the Bill, I believe that many hon. members opposite have spoken in this debate with their tongues in their cheeks. They think that this is a very good bandwagon to get on because whatever they say in opposing the Bill will get them votes.

**Mr. Bromley:** What do you say?

**Mr. HART:** I say that the primary duty of hon. members is to introduce legislation that is just and in the interests of the State. Let us consider the position of landlords and tenants and the housing position that existed when the Government came into office.

Hon. members opposite asked a metropolitan member of the Government parties to give his own experience in regard to the Landlord and Tenant Act. When I first was elected to Parliament I had the largest electorate in Queensland numerically, and I think the largest electorate ever represented by any hon. member in Queensland. It contained seven Housing Commission areas, and in the main I think it could be described as a working-class electorate. Every morning my heart was nearly broken at the number of women, many of them with young children, who came asking whether I could help them get a house. That state of affairs was brought about by the legislation of the Labour Government. Because of their legislation no-one would build a house for rental purposes. They refused to introduce the magnificent legislation that has since been used by the Queensland Housing Commission. They refused to introduce the co-operative housing societies legislation. In the south millions of pounds had been poured into housing through this field but the Labour Government would not introduce enabling legislation in Queensland. Mr. Hilton was the sinner who would not introduce it. I do not know their reasons; maybe they did not understand it. People will not build houses for rental if it is not economic. The previous government made it uneconomical to build houses for letting. Out of all the people in the community to legislate against they chose the landlords. By their sectional legislation they legislated against the landlords saying, "You should bear the whole burden of the

community because if we give you any relief at all the costs of government will go up. Therefore we will give you no relief whatsoever." Of my own knowledge I know what the position was. I know what the position was in my own electorate. When the present Government assumed office they knew that something had to be done about it. The first legislation to give landlords a measure of relief was introduced in 1957. It said, "You may charge rents on the 1948 basis. You can let houses built in the future without the burden of rent control." We have had positive admissions from the hon. members for Bulimba and Baroona that that legislation has resulted in a great increase in the number of houses and flats built in the State. The only way they have attempted to refute that has been by saying that many of them have been built at the seaside and that no-one can afford to occupy them. When I asked the hon. member for Baroona the obvious question whether they were going to remain unoccupied he would not answer me. The obvious answer is that they will ultimately be let and occupied. The desire of the Minister for Housing will be achieved. There will be more houses until the stage is reached where the supply exceeds the demand, when rentals must come down.

The hon. member for Salisbury asked me whether I believed in private home ownership. I believe in it implicitly. Because I do I have been instrumental in the forming of a group of housing societies. Through that channel we have poured hundreds of thousands of pounds into the community, money that otherwise would not have been available. A huge amount of money is going out, and there will be a great deal more. The money is just starting to flow through. I was able to give some practical help in that direction. We are helping to increase the number of houses in Queensland. We are helping to do that because we wish to enable both young and old people in this State to own their own homes. That is a vital matter.

**Opposition Members interjected.**

**The CHAIRMAN:** Order! It must be perfectly obvious to the hon. members for Bulimba and Salisbury that the hon. member for Mt. Gravatt is ignoring their interjections and making his speech. To persist in yelling the same question over and over again will get them nowhere. No hon. member is obliged to take any notice of interjections.

**Mr. HART:** The result of the Government's housing legislation has been an increase in the number of houses. When we came to office the then Labour Government had many people living in sub-standard accommodation in various parks. Legislation introduced by the Government has since greatly improved the housing position but unfortunately we do not get a balanced point of view from the Opposition. They do not work out whether legislation is good or

bad; they simply get up and blindly abuse all landlords because they think it is good for them politically.

Because of our attitude many houses and flats have been built and will continue to be built. This legislation will not affect people living in their own homes, the great majority of the people in this State; it does not affect people whose homes were built since 1957 but it does affect a minority of the population who owned houses and let them before 1957, and are still letting them. Those people are still bearing the burden.

One hon. member opposite said he had five or six insurance policies. I do not know how the hon. member will take it if I suggest that he and his colleagues in this Chamber surrender half of their insurance policies to provide houses for people who have not got them. I should imagine their cries would go to high heaven. The Labour Party, in their policy, have chosen to put the whole burden on those landlords who still own houses built prior to 1957. Is that fair?

Hon. members opposite have referred to the hardship on people on the basic wage and those living in rented houses. It is a definite hardship. I know many of those people and I agree that it is a hardship. On the other hand, this Bill, which is a just one, also recognises a hardship but it has not said, "We will throw these basic-wage earners in rented houses on the scrap heap by making them pay the full rent." It asks them only to pay the rent on a basis of the house value being fixed at 20 per cent. less than present values which is just to both parties.

The hon. member for Carnarvon spoke about capital gains made by some people. I suggest that, under Labour legislation as it existed, capital losses were being brought about. It is well known that many people, to provide for their old age, bought houses as a form of investment. People do not do that these days and it is bad for the community. They did not do it because of the way they were treated by the Labour Government. Instead of putting their money into houses, they invested it and got 7, 9 and 10 per cent. Houses were not a good investment. But many people in former times put their money into houses, and they still have the houses. Those investments were their nest egg for their old age. Assume it cost £500 to build a house in those days. The same house and property would now be worth £3,000 and, if the owners could get an economic rent for it, it would be of great assistance, but when the Labour Government were in office rents were pegged to 1942 values, and the rent for the house would be £2 a week. They simply could not exist on that return. I ask hon. members opposite if that is their idea of justice.

Labour legislation did not provide for justice. What we need is a balance. We must not throw people to the wolves by

increasing their rents suddenly and letting them struggle along as best they can. What we should do is what the Minister is doing, that is, recognise that they are in a privileged position and give them the benefit of the 20 per cent. reduction.

**Mr. Aikens:** Spoken like a true landlord. You are one of the biggest landlords in Brisbane and one of the most unscrupulous.

**Mr. HART:** I ask that that remark be withdrawn.

**Mr. Aikens:** I said it.

**The CHAIRMAN:** What was the remark?

**Mr. HART:** He said I was one of the most unscrupulous landlords in Brisbane.

**The CHAIRMAN:** Did the hon. member for Townsville South refer to the hon. member for Mt. Gravatt as one of the most unscrupulous landlords in Brisbane?

**Mr. Aikens:** To put the record right I said he was one of the biggest landlords in Brisbane and one of the most unscrupulous.

**The CHAIRMAN:** That is a reflection on the character and integrity of the hon. member for Mt. Gravatt and I ask the hon. member for Townsville South to withdraw it.

**Mr. Aikens:** Very well, I withdraw it.

**Mr. HART:** The hon. member for Salisbury said that the 1957 legislation had gone far enough. I think the hon. member for Bulimba was also inclined to the same view. He said that by the 1957 legislation the Government provided for further building, and there is therefore no need to go further. That is an admission that the Labour Government were wrong in maintaining their previous legislation. That does not remove the obligation on the Government to go further and give justice to landlords who have not been allowed to increase rents at all.

**Mr. Sherrington:** Why are you defending the private landlord? You just said you believed in home ownership.

**Mr. HART:** I believe above all that the people of this State should be housed. That is our primary duty. The Government believe that as many people as possible should own their own homes, but for some people it is not convenient to own a home. Some people do not have the money to buy a home. We have a responsibility to those people also, but we are not going to get homes for them by being unjust to landlords.

I was asked if I thought young people could get together sufficient money to build a house. I am in a position to give first-class evidence on that matter. A great number of young people have sufficient money to get a home. They come to our housing societies and place before us their financial position. We require them to do that. I must

say I am full of admiration for the sacrifices made by many of them and the way in which they have saved the money to get a home. I know of my own knowledge that many young people, if they are careful and watch what they are doing, can get together sufficient money. I recognise also that there is the other class. I recognise also that we should not say to people, "As you have not saved money or you have not done the things you should have done when you were young, you cannot get a home now that you are older, have a family and have pressing burdens." We do not say to these people, "You are not entitled to have a house." We still oblige them and the Housing Commission provides them with houses. We also provide houses if we encourage landlords to build houses in the community. The hon. member for Baroona said that there are houses and flats that cannot be let. Do hon. members opposite think they will remain unlet? Ordinary economic laws will reduce the price of houses in Brisbane and the rental charged.

I congratulate the Minister on the way he has handled this measure, although the Leader of the Opposition would suggest that we would kill the goose that lays the golden egg.

**Hon. A. W. MUNRO** (Toowong—Minister for Justice) (3.21 p.m.) in reply: When one has lived some 40, 50 or 60 years one becomes very tolerant, and for that reason I am very happy that we have had such a spirited debate. We have had many varied opinions expressed in the Chamber. After one or two introductory remarks I propose to confine myself to objective consideration of what I regard as the main principles enunciated in opposition to the Bill. Before doing so, there are one or two brief remarks I wish to make by way of comparison of the speakers, whom I have classified in three categories. My preliminary remarks about the first category are prompted only because of the most unfair and unjust accusations that the hon. member for Townsville South levelled at the hon. member for Mt. Gravatt while he was speaking.

**Mr. Aikens:** How do you know they were unfair and unjust?

**The CHAIRMAN:** Order!

**Mr. Aikens:** How do you know that? Since when have you been your brother's keeper? Just stick to the matter of dealing with the drunken killers. They are your meat.

**The CHAIRMAN:** Order! If the hon. member for Townsville South continues to interrupt I will have to ask him to retire from the Chamber.

**Mr. MUNRO:** I make my remarks not because of any feeling of animosity for the hon. member for Townsville South, because I have none for him. As I have said before,

it just grieves me that we have in this House a man with the capacity and attainments of the hon. member for Townsville South who puts his capacity and attainments to such poor use. In my heart, I know—as I am sure the hon. member for Townsville South knows—that he has not even the slightest reason for thinking that the hon. member for Mt. Gravatt is an unscrupulous landlord. I know, as every hon. member in the House knows, that when any such interjections are made from time to time they damage the reputation of hon. members of the Chamber, sometimes on this side, and sometimes on that side, and sometimes members of the judiciary, but there is not—

**Mr. AIKENS:** I rise to a point of order. No man in this Chamber over the years has been more abused and vilified than I. I object to the Minister for Justice presuming to tell the House what I know and what I think. How does he know what I believe and what I think? I ask you, Mr. Taylor, to ask the Minister for Justice to state the facts.

**The CHAIRMAN:** Order! The Minister has made no accusation against the character and integrity of the hon. member.

**Mr. MUNRO:** You are quite right, Mr. Taylor. I have not.

I am referring to a number of similar incidents in recent times. No hon. member has the right to shelter behind the privilege of this Chamber and say he believes something when in his heart not only does he not believe it, but he has no reason for coming to such a belief. If I know the facts and I know there is nothing to justify him in forming that belief, then I say he is false to his trust.

Now I come to the second category of speeches.

**Mr. Lloyd:** If you were quite sincere in your argument about the hon. member you would oppose him at every election. We do, you know. It is a pity the Liberal Party does not put up a candidate to oppose him.

**Mr. MUNRO:** It is a little apart from the point but I think there might be a great deal in what the Deputy Leader of the Opposition has said.

I do not want to take up too much time on the second category, broadly, speeches from the Opposition side. I have listened carefully to every word and generally hon. members opposite have been sincere and honest in presenting the case as they see it; but it is noticeable that every one of them pleaded a case for the tenants and not one word for the landlords. It might be a little uncharitable to suggest that that style of attack could be influenced by the fact that in each of their electorates there are more

tenants than landlords and obviously more votes. I do not suggest for one moment that that is the main reason for that line of attack. I think it is possible that we all see things according to the experience we have gained in the world, and those hon. members who have spoken have seen something of the hardships to tenants and, as I say, quite honestly and sincerely they have pleaded their cause. I do not say one word in criticism of that although objectively I will deal with the arguments that have been put forward.

The third category comprised only two speeches, that of the hon. member for Merthyr and that of the hon. member for Mt. Gravatt. Apart from some introductory remarks, which might not have been completely relevant to the Bill but which were completely justified by recent happenings in the Chamber, in each case there was an endeavour to weigh objectively the merits of the case from the points of view of the respective rights and interests of landlord and tenants. It is a pity that we do not have more often in the Chamber that objective approach to problems of this kind.

As I indicated, I have listened carefully to all the speeches. Obviously, I have not enough time to comment on anything like all the points that have been put forward but it seemed to me that there were four main criticisms directed against the Bill.

The first was that, in the interests of tenants, it is desirable that rentals be as low as possible and therefore any action to permit any increases in rentals is wrong. Taking the first part of the proposition, let me say that that is completely right; I agree with it. If we view the matter from the point of view of the tenants, every one of us would like to see housing provided at as low a cost to them as could reasonably be expected. The second part of the proposition is not merely wrong but is, on analysis, completely absurd. It is absurd to say that no action should be taken at any time to permit increases in rentals, and I will make that quite clear as I go along. That argument completely overlooks the fact that we are in a world of changing money values and the substance of the argument put up by every Opposition speaker was to the general effect that, if rentals at present are based on capital values as at 1 July, 1948, we should accept that and never do anything to change it.

**Mr. Houston:** Do you believe that shares should go up in value?

**Mr. MUNRO:** I cannot spare the time to deal with that interjection, particularly when it is not relevant to the Bill.

When I refer to figures, I shall be careful to quote from publications that every hon. member can see if he likes to go to the Public Library. To indicate the change in money values since 1 July, 1948, I quote from page 353 of the Queensland Year Book

1960, No. 21. It shows that as from 2 August, 1948, which is just one month later, the State basic wage for males in Queensland was £5 17s. a week. The latest figure shown in the same publication as from 1 August, 1960, is £13 13s. a week. Yet hon. members opposite are arguing that they are satisfied to leave rentals fixed on a basis comparable with a basic wage of £5 17s. as at 2 August, 1948, at a time subsequent to 1 August, 1960, when the State basic wage is higher than £13 13s.

**Mr. Houston:** Why did you take 1948 when the amendment was made in 1957? Why did you not take 1952 or some other year?

**Mr. MUNRO:** We took 1948 four years ago because we hoped to do something to lessen the injustice. We wanted to do it in gradual steps, and we are now taking steps that are consistent with our action four years ago to further lessen the injustice, or, as I said at that time, to give some measure of justice to landlords.

**Mr. Duggan:** Is this the final phase, or merely the second phase?

**Mr. MUNRO:** This is not the final phase. Of course it is not. I have made it clear that these arbitrary controls on landlords are the product of wartime conditions. If the former Government had been worth their salt we should have got away from that artificial state of affairs many years ago.

**Mr. Houston:** When do you intend to take the next step?

**Mr. MUNRO:** I am not in a position to say that. It may be many years hence, because the Government sees both sides of the question. Let me say again what I said in 1957—that the whole burden of rent has been borne by a very few people. I said—

“Upon the shoulders of one section of people in the community there has been a financial burden which cannot be justified on any rational, economic or moral ground.”

**Mr. Houston:** That is the tenants.

**Mr. MUNRO:** I am referring to the people who have invested their savings in houses. I went on to say—

“The third class of people, consisting mainly of elderly people who have invested their life savings in rental houses, have suffered grossly unjust treatment by the operation of the rental clauses of the Landlord and Tenant Acts.”

The second criticism put forward by hon. members opposite is that we should do everything possible to assist those who need homes. Of course we should. Every member of the Committee completely agrees with that. Let me tell members of the Committee something about what we have done. I summarised this

four years ago, also, when I outlined the four-point plan that has been put into operation.

The four points of the plan were—

1. Building of houses by the State with a view to home-ownership and rental;
2. A generous policy of State guarantees to facilitate finance for home ownership;
3. Encouragement of the building by private enterprise of houses and flats;
4. Encouragement of the conversion of private houses to flats, and of the letting of houses which so far have not been made available for letting.

Every one of those four parts of our plan has been applied. It is encouraging to know that it has made a very considerable contribution to the welfare of the people of the State.

The third criticism was generally along the lines that the provisions of the 1957 Bill for exemption of premises constructed after 1 December, 1957, or let for the first time after 1 December, 1957, have not assisted in the building of houses and flats for rental. In reply to an interjection I said off the cuff that that action had materially assisted in the building of flats. Since then I have been able to look at some figures. I am indebted to the hon. member for Ashgrove for bringing into the Chamber from the Parliamentary Library the Quarterly Bulletin of Building Statistics. As far as I know there are no accurate statistics available of the number of houses built for rental purposes, but there are accurate statistics covering flats.

**Mr. Houston:** You know that the Queensland Housing Commission numbers have gone down over the years.

**Mr. MUNRO:** We are not discussing the Housing Commission at the moment. I should not say that I know that either. It requires a little qualification. On page 8 of the Quarterly Bulletin of Building Statistics No. 54, a publication of the Commonwealth Bureau of Census and Statistics, we find figures of the number of flats completed in Queensland in various years. I am sure every hon. member would like to hear these figures. First let me take the four years prior to the 1957 amendment of the Landlord and Tenant Act, and then the four years after that amendment. The total figures for the four years, ending 30 June, prior to the passing of that amendment are 839; the corresponding figure for the four years ending 30 June, 1961, are 3116—very close to four times as many.

**Mr. Houston:** The figures include motels.

**Mr. MUNRO:** Do not let us worry about little details. I am endeavouring to be fair. In placing those figures before the Committee let me make a qualification so

that hon. members will not get a false impression. Over that period I should say that there has been an Australia-wide tendency towards the building of flats, so it is not unnatural that there would be an increase, and a very material part of that increase is merely due to the changing times. Nevertheless it does indicate that the change in the law that we made has had some material effect. Let us look at the figures for each of those eight years separately. There you get figures as close to proof of my contention as any figures possibly could be. I first take the figures for the four years ending 30 June, 1957. Taking them year by year they are 156, 309, 200, and 174.

**Mr. Houston:** Those figures are different from those appearing here.

**Mr. MUNRO:** This is the one from which I am reading.

**Mr. Houston:** These are the Queensland statistics.

**Mr. MUNRO:** That one is on the basis of 31 December; this is on the basis of 30 June. Those figures show substantially the same story as these. I have seen those but I do not wish to quote figures on the basis of both 31 December and 30 June, particularly as 30 June, 1957, covers the half-year prior to the introduction of the 1957 Bill.

I wish the hon. member would listen instead of being so noisy. The figures for the four years ending 30 June, 1954, to 30 June, 1957, inclusive, are, I repeat, 156, 309, 200 and 174. There is no indication of any increase at all. In fact, they indicate a position of stagnation and in the last three years they were declining.

Taking the four years ending 30 June, 1958, 1959, 1960 and 1961, the four financial years after the Government came to office and after we made this change in the law, there is a uniform and consistent increase. Taking the four years in the order I mentioned, the figures are, 331, 651, 922 and 1,212. If anybody, in the face of those increases, can suggest that the amendment we made in 1957 did not have the substantial effect we claimed it would have, then I say they are not giving fair consideration to it.

**Mr. Houston:** You have not proved that those figures refer to rental as against sale. Secondly, how many building workers were out of work during that first four-year period?

**Mr. MUNRO:** I should have to be something by way of an encyclopaedia to answer all sorts of questions not relevant to the Bill, but as far as statistical evidence is concerned, the figures I have quoted have amply proved the claim I made on a previous occasion.

The fourth main criticism was that the provision to permit increases in rentals is

inconsistent with the position of people who own their own homes. One hon. member of the Opposition even suggested something to the effect that, to be consistent, we should take action to correspondingly increase the liabilities by way of loan on people who own their own homes. That might appear superficially to be right but, on analysis, it is found to be completely absurd. The case of a tenant and the case of a person who owns his own home are not comparable. The man who owns his own home has at least put something into it. Most of them put a great deal into it. They put something of their savings into it. Many put their life's savings in and, if anybody suggests that the person who owns his own home should be put in precisely the same position as a tenant, then he is not being fair.

**Mr. Houston:** You must admit that some tenants do work around a place and improve the value with gardens, paths, and painting.

**Mr. MUNRO:** That is quite so. I am quite sympathetic to tenants. I am just as sympathetic to tenants as the hon. member for Bulimba is, but we have to consider economic facts and, however much we might like to make houses available to tenants at extremely low rentals, it is not within the financial capacity of the Government to do it completely for all people who want it, and it is not within the economic capacity of the community to bear it. We must put these things on an economic basis and the best we can do for tenants in the future is to create a sound economy so that people will be prepared to construct houses, to put their savings into houses with some expectation of a reasonable return.

The other points were mainly incidental, and I do not wish to take up much time in dealing with them. Capital gains were referred to. As an accountant and one who has made a study of the economy of these things, I point out that most stories about capital gains are most misleading. They overlook the fact that in 1948—and I take that year as an illustration—we had a financial ruler, the £1, which had about 12 inches in it, and today, comparatively speaking, we have a financial ruler, again the £1, that is only half the size.

**Mr. Houston:** That is again due to the Federal Government.

**Mr. MUNRO:** Do not let us draw red herrings across the trail. Let us accept the fact that the £1 today has not the same value as in 1948. If hon. members opposite are suggesting that a person has made a capital gain if he bought something for £500 in 1948 and sells it for £1,000 today, they are only misleading themselves and everybody else.

**Mr. Houston:** What about the chap who bought a £500 bond in a Commonwealth Loan in 1948?

**Mr. MUNRO:** I have quoted from the Year Book the statistics for 1948 and 1961. Does the hon. member suggest that the basic wage today should be what it was in 1948? Of course he does not.

**Mr. Houston:** I am not suggesting it should, but the same relationship should apply to houses and bonds.

**Mr. MUNRO:** Other references were made to the effect of applying present-day actual values to a very old house built 80 years ago. The case was put up that we were going to apply to a dilapidated old house built 80 years ago the measure of value that would be applied to a house of the same size built today.

**Mr. Houston:** But you would take land value into account.

**Mr. MUNRO:** The Bill does not deal with land values. I wish the noisy hon. member would make interjections relevant to the Bill.

**Mr. Houston:** You take land values into consideration in assessing values.

**Mr. MUNRO:** The Bill alters the basis only in relation to the dwelling house, the construction. The law relating to land values is not altered. The present-day value of a house built 80 years ago would be so very small that it would be almost nil, but we are not even applying the present-day value. We are giving the tenant the benefit of present-day actual value less 20 per cent. Hon. members opposite have not dealt with that allowance.

**Mr. Hanlon:** Present-day values could be higher than actual values.

**Mr. MUNRO:** No. The present-day value follows very closely present-day building costs, after making a reasonable allowance for depreciation.

I have already indicated the action the Government are taking and I have given figures to prove that more houses are being constructed. We are pursuing that policy to the maximum of our capacity. It has made more houses and flats available, and that is the most effective way of bringing rentals down to a moderate level.

There was one final point. Regrettably there were references to unscrupulous landlords, which were quite uncalled for. Among any section of the people we can find persons who are unscrupulous. We can find a few unscrupulous landlords and a few unscrupulous tenants, but I do not think that matter should come into a discussion of a Bill of this kind, because the vast majority of landlords and tenants are honest and deserving people, and it should be our endeavour to give a reasonable measure of justice to both landlords and tenants.

Question—That the motion (Mr. Munro) be agreed to—put; and the Committee divided—

AYES, 29

Mr. Camm	Mr. Low
“ Campbell	“ Madsen
“ Carey	“ Morris
“ Chalk	“ Müller
Dr. Delamothe	“ Munro
Mr. Dewar	“ Nicklin
“ Evans	Dr. Noble
“ Gaven	Mr. Ramsden
“ Gilmore	“ Smith
“ Hart	“ Sullivan
“ Herbert	“ Tooth
“ Hiley	“ Windsor
“ Jones	<i>Tellers:</i>
“ Knox	Mr. Hughes
“ Lonergan	“ Row

NOES, 22

Mr. Baxter	Mr. Inch
“ Bennett	“ Lloyd
“ Bromley	“ Mann
“ Byrne	“ Marsden
“ Davies	“ Melloy
“ Dean	“ O'Donnell
“ Donald	“ Thackeray
“ Dufficy	“ Wallace
“ Duggan	<i>Tellers:</i>
“ Gunn	Mr. Aikens
“ Hanlon	“ Sherrington
“ Houston	

PAIRS

Mr. Fletcher	Mr. Hilton
“ Hooper	“ Adair
“ Pizzey	“ Diplock
“ Richter	“ Newton
“ Hodges	“ Graham
“ Wharton	“ Tucker
“ Pilbeam	“ Burrows

Resolved in the affirmative.

Resolution reported.

#### FIRST READING

Bill presented and, on motion of Mr. Munro, read a first time.

### AUCTIONEERS, REAL ESTATE AGENTS, DEBT COLLECTORS AND MOTOR DEALERS ACTS AMENDMENT BILL

#### INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

**Hon. A. W. MUNRO** (Toowoong—Minister for Justice) (3.58 p.m.): I move—

“That it is desirable that a Bill be introduced to amend the Auctioneers, Real Estate Agents, Debt Collectors and Motor Dealers Acts, 1922 to 1960, in certain particulars.”

The object of the Bill is to provide a greater measure of protection for the public by increasing the fidelity bond cover required to be obtained by real estate agents.

Hon. members will recall that the Auctioneers, Real Estate Agents, Debt Collectors and Motor Dealers Acts were amended last year increasing the then fidelity bond cover of £2,000 and providing that

the amount of cover required would differ according to the status of the licensee. For example—

A corporation must secure a bond of £6,000;

Each partner in a partnership must secure a bond of £3,000; and

An individual must secure a bond of £4,000.

However, these amendments made no distinction between the types of business conducted by the licensee and, having regard to the greater volume of trust moneys handled by a real estate agent than by the average motor dealer or debt collector, it is considered that the fidelity cover required to be obtained by the real estate agent should be increased. In some recent cases, the amount of compensation that is being claimed exceeds the amount of the fidelity bond and it follows that there may be cases where claimants can be compensated only on a pro rata basis. The Bill will substantially relieve this position and thus afford greater protection to the public.

**Mr. Duggan:** Can you give any general indication of some of the amounts that have been outstanding? Have they been large amounts?

**Mr. MUNRO:** I cannot produce particulars to the Committee. There are cases that have caused us some concern, but the figures are incomplete at present and I cannot give them accurately. The cases that are incomplete or in course of investigation do justify an increase.

The Bill therefore provides that—

A corporation carrying on the business of real estate agency must secure a bond of £9,000.

Each partner in a partnership carrying on the business of real estate agency must secure a bond of £4,500.

An individual carrying on the business of real estate agency must secure a bond of £6,000.

The proposed increase in the amount of the fidelity bond required to be obtained by a real estate agent is in general conformity with the recent increase in the maximum amount of compensation payable from the Fidelity Fund established under the Queensland Law Society Acts, 1952 to 1961. In this connection I may mention that it was in the course of the consideration of the amendment of the Queensland Law Society Act that the hon. member for Windsor first directed my attention to the desirability of there being an increase in the amount of the bonds in terms of this Bill.

Although not directly covered by the terms of the Bill, hon. members may be interested to know to what extent this 50 per cent. increase in the bonds will involve additional premiums. In this connection I am happy to be able to report

that my colleague the Treasurer has advised me that the premium rate will be reduced from £1 5s. per £1,000 to £1 per £1,000. This means that the 50 per cent. increase in bond cover will be obtained with only a 20 per cent. increase in cost.

**Mr. DUGGAN** (Toowoomba West—Leader of the Opposition) (4.3 p.m.): I think all hon. members will agree that it is desirable that there should be adequate guarantees given by people engaging in business with the public in which money passes. If there are any malpractices, the public is then protected. However, it seems rather unusual that in such a short time the Government have found it necessary to increase so substantially the amounts of these fidelity bonds. The increases are from £6,000 to £9,000 for real estate agencies, from £3,000 to £4,500 for each partner in a real estate agency, and from £4,000 to £6,000 for an individual real estate agent—increases of 50 per cent. The Minister did not give any reason why the situation has deteriorated so quickly. It seems to me that it might be reasonable to assume that one of the reasons for this alarming state of affairs is inflation in the community, a matter that we were discussing a few moments ago. Because of what appeared to be lucrative investments, people gambled on the use of funds for real estate ventures and all sorts of luxury proposals. When they found that they could not realise on their investments and money became tight, no doubt some of them indulged in questionable practices that brought them into conflict with the department. That may be a reasonable assumption to make. We know that at the present time pressure has been applied on many companies. We have evidence that some real estate developers find it necessary to ask for conditions to be amended. There have been suggestions that creditors have had to be deferred because of pressing obligations to the banks, debenture holders and so on. It would seem that this state of affairs to which we have directed public attention for a considerable time, could well be the reason for the measure. We have tried to press the matter at high Government level but it appears as if they do not seem to be taking very much notice of Labour's viewpoint. To use a phrase that is very often used in the Committee by some hon. members I say that "Time will vindicate the attitude of the Australian Labour Party."

It will be agreed, however, that we should take steps to protect members of the general public. The Bill is designed to achieve that end. For that reason we must support it.

A suggestion has been made about whether it might extend to motor-car dealers. I do not know whether the Minister specifically mentioned them. It seems that in recent times many cases have come before our notice of people who have wrongfully disposed of cars to second-hand dealers. The

second-hand dealer, either because of lack of care in tracing the original owner or perhaps in good faith, has completed the transaction and disposed of the vehicle to a bona fide buyer who subsequently learns that the vehicle has been stolen. Whether the existing law protects him adequately, I do not know.

**Mr. Munro:** Generally the position is that estate agents handle very much larger sums.

**Mr. DUGGAN:** I would agree that the amounts are larger. There would need to be a large number of stolen vehicles to come to the amount mentioned by the Minister.

I think it will be agreed that the proposal is a desirable one. It indicates the almost astronomical sums involved in these matters. The sums involved in third-party insurance, land valuations and all sorts of things that we deal with, seem to be mounting. All the time there is additional evidence of inflation. It is not good enough to say that the figures suggest that you increase by 10 per cent., 20 per cent. or 40 per cent. There does not seem to be so much a concerted attack on the problem of inflation as there seems to be a desire to impose additional burdens on somebody because of inflation. It is a vicious circle, without any appropriate steps being taken at Government level, both Commonwealth and State, to combat it. We could develop some general argument along those lines, but I do not want to delay the Committee. We shall be pleased to have a look at the Bill. They seem to be simple provisions brought about by the circumstances outlined by the Minister, circumstances that I have amplified in some detail. Accordingly we think it is a timely measure and accord our support to it.

**Mr. SMITH** (Windsor) (4.10 p.m.): To my mind the strictures of the Leader of the Opposition are entirely unjustified. He has indicated that there has been a 50 per cent. increase in the amount of the bond, referring to it as an astronomical increase in a very short time. Apparently he is unable to grasp that it is a protection for the public. It is a protection for the customers of the various agents.

**Mr. Duggan:** That is why we support it.

**Mr. SMITH:** Yes, but the support was grudgingly given. The Leader of the Opposition seemed to suggest that it was some fault of the Government that it was necessary to protect people against some agents who through, not mismanagement, not bad investments, but by the malapplication of trust funds, had made the Bill necessary. I assure the Leader of the Opposition that as this is a matter in which I have been personally interested these amounts, in my opinion, are too low. I should like to see the amounts increased to offer much more adequate protection to these people who could, through no fault of their own, be disadvantaged if an agent through whom they are dealing does, perchance, embezzle funds. These are



trust funds and they should not be used for any purpose other than the purpose for which they were put in trust.

**Mr. Duggan** interjected.

**Mr. SMITH:** I have often advocated harsher penalties for such misdemeanours. I have not a soft spot for the wrongdoer. In a previous amendment we required a much larger bond without any increase in premium. That is important and I commend it to the Leader of the Opposition for consideration. Agents get the benefit of some protection to their personal property in that the fidelity bond may save some of their personal property being estreated in the case of an embezzlement. They previously got that benefit without any increase in premium. Now, they are getting an extra 50 per cent. protection for an extra 20 per cent. premium.

I should be much more appreciative if the Opposition welcomed such a step as a protection to people who cannot afford it.

**Mr. Bennett:** Don't they provide a strict supervision on licences under this Act?

**Mr. SMITH:** In most respectable professions people will go wrong. Taking our own profession, a person's character when he is admitted or when he first obtains his qualifications is no indication of what he will be like in later years. We do not have to look far in our own profession to see the effect of years on a person. One does not have to look very far to see how time changes people following what is known as an honourable profession. I agree with the Leader of the Opposition that with this provision such strict supervision will not be necessary. It is a practical way to approach the matter and I heartily endorse the stand taken by the Minister.

**Mr. AIKENS** (Townsville South) (4.13 p.m.): I see nothing wrong with this Bill. In fact, in so much as the Minister has told us about it, I see quite a good deal in it to commend.

I should like to say here exactly what I said at a big dinner given by the Real Estate Institute at the Great Northern Hotel in Townsville only a few weeks ago, at which I was perhaps their most distinguished and illustrious guest.

**Mr. Bennett:** Were you sober?

**Mr. AIKENS:** If the hon. member for South Brisbane keeps harping about that I will say something to him that I will regret having said, so he may rest assured it will be a "beaut."

As I say, I was invited to go along to this dinner of the Real Estate Institute in Townsville. It was the first dinner they had had. Their Brisbane officers went up for it and it was purely and simply, if I may use a vulgar term, a bucks' show. There were not any women there. I can mention, in view of the interjection by the hon. member for South Brisbane, that, because it was a bucks'

show they did not have any soft drink on the table and, first of all, when we were called upon to honour the royal toast, rather than do as he would do and put some grog in his glass to toast Her Majesty, I used the juice from my oyster cocktail. That is how good a non-drinker I am. I have not had a drink for over 15 years and that is more than the hon. member for South Brisbane can say.

Anyhow, let us forget about the hon. member. He is hardly worthy of our notice, if he is worthy of our notice at all. When I was called upon to respond to some toast or other or to make a speech, I told the members of the Real Estate Institute, there at their dinner at which I was a guest, that there was no trade, profession or calling in Queensland today in worse odour with the public than the members of the Real Estate Institute. Then I went on to tell them why in my honest and considered opinion I felt they did not have the confidence of the public that they should have. I went on to tell them also that I had read in the Press where they had made approaches to the Government to have control of the real estate industry, trade, profession or calling handed over to them exclusively in much the same way as control of the legal, dental and medical professions has been handed over to members of those particular professions. After I had told them what I really thought about them and had enumerated some of the acts that had been done by some of the members of the Real Estate Institute in Townsville, I told them that, having eaten their dinner and been their guest, they could count me out definitely and irrevocably if any motion was ever brought before the Queensland Parliament while I was a member of it, and that will be for many years to come, seeking to give the members of the real estate trade, profession or calling control of their own industry. I do say that there are of my own knowledge some members of the Real Estate Institute who are more or less honourable men but there are some who are unmitigated rogues and there are some who in my opinion should be in gaol serving long sentences, although it is very difficult at times to get a conviction for some of the things they do allegedly on behalf of their clients.

I think what made me go off the deep end, to use that saying, was the continual reference I had heard at that dinner to the tender care and solicitude that members of the Real Estate Institute have for the widow and the poor person who has only a few pounds to invest, and how eager they are and how meticulous they are to protect the life savings of the widow and the poor person.

I told them honestly what I thought of them and I told them that if I had my way they would be more rigidly controlled and would have to conform to a very high standard. I said, "If you are seeking as you say to clean the charlatans out of your trade,

profession or calling, you deserve commendation for it and I will give you all the assistance I can to do it, but until such time as you have done it I will have the same opinion of you as I have of the legal profession and the medical profession, and that is not very high."

**Mr. Smith:** You will not get an invitation to next year's dinner.

**Mr. AIKENS:** I think I will, because in North Queensland they appreciate an honest man even if he expresses an opinion at variance with their own. Down here, when you express an opinion at variance with the opinion of someone else, you are branded as a rogue, a fool, a scurrilous lout or a buffoon. Of course, if you say something with which the other fellow agrees, you immediately become a master-mind. He comes up and congratulates you afterwards and says, "One of the best speeches you have made, Tom." Judgment of a person depends on what he says and not how he says it.

I will not unduly prolong the debate. If the Bill, as I understood the Minister to say, imposes a stricter limitation on real estate agents with regard to higher fidelity bonds, I am heartily in accord with the action taken by the Minister. Unfortunately I was called out of the Chamber and did not hear the extent to which fidelity bonds are to be increased.

**A Government Member:** Fifty per cent.

**Mr. AIKENS:** Then at least the Minister has taken a hesitant and faltering footstep in the right direction.

**Mr. Morris:** His steps are always in the right direction.

**Mr. Windsor:** And not faltering, either.

**Mr. Morris:** Certainly not faltering.

**Mr. AIKENS:** I have said something with which the Minister for Labour and Industry disagrees and he is attacking me. Up to that point he thought I was making a good speech. That bears out my point. Even if the step forward of the Minister for Justice is hesitant and faltering, at least it is a step forward. I had hoped that fidelity bonds may have been increased by 250 per cent., nevertheless it is possible that next year the Minister may bring down another amending Bill to protect further the interests of those people who have to hand themselves over at times to the tender mercies of members of the Real Estate Institute.

Incidentally, I wish I had time to run down to "Uncle Tom's Cabin" and bring back a letter I have just written to the Secretary of the Real Estate Institute in Brisbane. At that dinner I quoted a question that I asked the Minister for Justice about a charge made by a member of the Real Estate Institute for the valuation of a pensioner's property for transmission by death and the Minister replied at that time that the charge of £20 to value a house worth £1,500, and a

property worth £500, was fair and reasonable and that the charges were fixed by the members of the Institute themselves, and he thought they were a competent body of men and "blah, blah, blah". They had some doubt about whether I had asked the Minister the question, and whether the Minister had replied in those terms, so I said to them, "When I get down to Parliament House when the Sessions opens I will dig up my question to the Minister for Justice and his reply, and send it to you for any observations you may care to make. Being an honest man, and a man who keeps his word, I sent my question and the Minister's reply to them and I only wish I could show hon. members the reply they sent back to me. It was a little beauty. In other words, they defended their action and said that in fact the charge was a little bit less than they could have charged in the circumstances. I just wrote back about three lines in reply and said, "I suspected when I sent you my question and the Minister's reply I was wasting your time and mine, and now I am convinced of it." When you try to deal with those people who are concerned only—as the Americans say—with making a quick buck for themselves, you have to keep a very fatherly and benevolent eye on them. If this Bill does that I am completely in accord with it.

Motion (Mr. Munro) agreed to.

Resolution reported.

#### FIRST READING

Bill presented and, on motion of Mr. Munro, read a first time.

The House adjourned at 4.24 p.m.