HOUSE OF ASSEMBLY.

Wednesday, September 26, 1951.

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

Y.M.C.A. OF PORT PIRIE ACT.

Mr. DAVIS—Has my request that the Young Men's Christian Association of Port Pirie Act be amended been considered by the Government?

The Hon. T. PLAYFORD—The Minister concerned referred this matter to me and I will give notice today that tomorrow I will move that I have leave to introduce a Bill for an Act to amend the Act referred to.

MYXOMATOSIS CAMPAIGN.

Mr. McLACHLAN—A statement appeared recently in the press showing the dates when myxomatosis would be introduced into various districts. November 15 is the date set down for the Millicent-Rendelsham district. Unfortunately the water lying in the district is drying up quickly and many of my constituents are perturbed lest by November 15 the necessary mosquitoes and water will not be there. Can the Minister of Agriculture say whether it is possible to start the proposed campaign in this district earlier?

The Hon. Sir GEORGE JENKINS—One officer of the veterinary branch has been allocated to the work of the distribution of the myxomatosis virus. The programme was drawn up in such a way that the virus would be established first in those districts which dry out quickly, such as the West Coast and later in districts where the water usually remains for a longer period, such as in the South-East. However, I will take up the question further with the Director of Agriculture to see if any alteration to the programme is advisable.

MUTILATION OF BODY AT MORGUE.

Mr. LAWN—Has the Premier a reply to the question I asked yesterday about the mutilation of a body at the West Terrace morgue?

The Hon. T. PLAYFORD—I have received the following report from the Commissioner of Police:—

During the week-end some unauthorized person gained entrance to the police morgue by breaking the glass of a window. The body of a woman was dragged some 15 to 20yds., mutilated evidently with a safety razor blade, and dragged back into the morgue building. Every effort is being made to find clues which might lead to the identification of the perpetrator of this ghoulish incident, and in the meantime I have asked the Architect-in-Chief to have all the windows iron barred.

SUGAR SUPPLIES.

Mr. TEUSNER—Some time ago I drew the Premier's attention to the difficulties of canneries as a result of the shortage of sugar. The Premier said he would seek additional supplies from Queensland. Has he any further information to give?

The Hon. T. PLAYFORD—The information is probably in my office. I regret I have not got it with me, but will get it for the honourable member.

BASIC WAGE ADJUSTMENTS.

Mr. FRED WALSH—Before the amendment to the Industrial Code providing for the acceptance of the Federal basic wage as the living wage for South Australia provision was made for a calculation by the department of any adjustments of wage rates in awards and determinations, and for them to be printed. However, the practice has been to allow the wage rates to stand as at the time of any variation of the award or determination and not to print the automatic adjustments on variations in the basic wage. This has been done probably because of the cost involved in printing all the awards and determinations with the alterations, but I think if the type was kept set up only the wage rates would have to be altered. This would not cost very much and part of the cost could be passed on to those purchasing copies of awards or determinations. Will consideration be given to evolving some method whereby adjustments to the basic wage as applied to awards and determinations can be published in the quarters in which they occur?

The Hon. T. PLAYFORD—I shall have to consider the question and may be in a position to reply early next week.

FREE MILK FOR SCHOOL CHILDREN.

Mr. STEPHENS—Has the Minister of Works, representing the Minister of Education, the report he promised to get about the distribution of free milk to school children?

The Hon. M. McINTOSH—I have received a report listing a large number of schools to which milk is being supplied. As it would take a long time to read, I ask leave to have it inserted in *Hansard* without reading it.

Leave granted.

Milk is being supplied to 140 schools, viz.:—

Public Schools (55)—Alberton; Allenby Gardens; Ascot Park; Athelstone; Black Forest; Blair Athol; Brighton; Brompton; Burnside; Camden; Campbelltown;

Challa Gardens; Croydon; Cowandilla; East Adelaide; Edwardstown; Ethelton; Flinders Street; Gilles Plains; Gilles Street; Glenelg; Glen Osmond; Goodwood; Henley Beach; Hindmarsh; Industrial School, Glandore; Kilburn; Kilkenny; Largs Bay; LeFevre Peninsula; Linden Park; Lockleys; Magill; Marryatville; Nailsworth; North Adelaide; Norwood; Parkside; Payneham; Pennington; Port Adelaide; Prospect; Ridley Grove; Rose Park; St. Leonards; St. Morris; Somerton Crippled Children's Home; South Road; Sturt Street; Thebarton; Unley; Walkerville; Wellington Road; Westbourne Park; Woodville.

Private schools (52)—Blind, Deaf and Dumb School; Cabra Convent; Christ Church; Christian Brothers College, Hillside; Christian Brothers College, Adelaide; Convent of Mercy, Parkside; Crippled Children's Spastic Centre; Dominican Convent, Glenelg; Dominican Convent, Semaphore; Ellengowan; Girton Proprietary; Good Shepherd; Goodwood Orphanage; Holy Family; Holy Rosary; Hopetoun; Immaculate Heart of Mary; King's College; Loreto Convent; Marist Brothers; Methodist Ladies' College; Mount Carmel, St. Joseph's; Our Lady Queen of Peace; Presbyterian Girls' College; Prince Alfred College Preparatory; Pulteney Grammar; St. Andrew's; St. Anthony's; St. Augustine's; St. Brigid's; St. Cecilia's Convent of Mercy; St. Cuthbert's; St. Dominic's; St Ignatius' College; St. John's; St. Joseph's, Adelaide; St. Joseph's, North Adelaide; St. Josephs, Norwood; St. Joseph's, Port Adelaide; St. Joseph's, Tranmere; St. Joseph's Orphanage; St. Mary's, Adelaide; St. Mary's, Norwood; St. Patrick's; St. Peter Clavers; St. Peter's College Preparatory; St. Peter's Day; St. Thomas'; Seventh Day Adventist; S.A. Oral School; Whitfriars.

Kindgergartens (33)—Agnes Goode Free Kindergarten; Barker Kindergarten; Beaumont Kindergarten; Bertram Hawker Kindergarten; Beulah Park Play Centre; Bowden Kindergarten; Brighton Preschool Centre; Clarence Park Community Kindergarten; Cumberland Kindergarten; Devon Park Kindergarten; Glandore Community Kindergarten; Glenelg Community Kindergarten; Grew Ward Nursery School; Grove Free Kindergarten; Grovene Preschool Centre; Hackney Kindergarten; Keith Sheridan Kindergarten; Kensington Kindergarten; King's Kindergarten; Lady Gowrie Child Centre; Lucy Morice Kindergarten; Lavis Kindergarten; Magill Pre-school Play Centre; Maylands Preschool Play Centre; Parkside Community Kindergarten; Payneham Kindergarten; Port Adelaide Kindergarten; Reo Saints Kindergarten; Rose Park Pre-school Centre; St. Giles' Nursery School; St. Mary's Mission Kindergarten; St. Peter's College Mission Nursery School; Woodville Gardens Kindergarten.

A further 49 schools have applied for milk, but are not yet being supplied, viz.:—

Public schools (16)—Belair; Blackwood; Colonel Light Gardens; Coromandel Valley; Eden Hills; Flinders Park; Grange; Highgate; Mitcham; Northfield; Plympton; Pooraka; Richmond; Seaton Park; Sturt; Wingfield Camp.

Private schools (16)—Convent of Mercy, Henley Beach; Luringa; Our Lady of Fatima; Our Lady of the Manger; St. Aloysius, North Richmond; St. Gabriel's; St. James'; St. John's Boystown; St. Joseph's, Keswick; St. Joseph's, Kingswood; St. Joseph's Girls, Thebarton; St. Joseph's Technical, Thebarton; St. Michael's; St. Theresa's; Scotch College; Walford House.

Kindergartens (17)—Belair Pre-school Centre; Blackwood Kindergarten; Colonel Light Gardens Kindergarten; Glen Avenue Kindergarten; Grange Community Kindergarten; Hatwell Memorial Kindergarten; Lockleys Kindergarten; Methodist Ladies' College Kindergarten; Netherby Nursery School; North Brighton and Somerton Community Kindergarten; Plympton Community Kindergarten; Presbyterian Play Centre; St. Philip's Kindergarten; Springbank Kindergarten; Wanslea Children's Hostel; Warradale Kindergarten.

DISTRICT COUNCILS' POWERS.

Mr. STOTT—I have received complaints from several councils in my area, and no doubt other members representing rural districts have also, that district councils are prevented, mainly by the Auditor-General, from subscribing to the Murray Valley Development League. Does the Minister of Local Government intend to bring down legislation this session to enable district councils to do this?

The Hon. M. McINTOSH—The Government intends bringing down that hardy annual, an amendment of the Local Government Act. It will include provision to extend the powers of councils, not for merely one objective, but generally. It will then be for the House to say whether the request mentioned by the honourable member should be granted.

PORT PIRIE WHARF RAILWAY LINES.

Mr. DAVIS—I have been requested by representatives of several firms at Port Pirie to bring under the Minister's notice the dangerous nature of the railway lines on Barrier Wharf and those leading to Baltic Wharf. Shunting is done by tractors and engines, and this is most dangerous to the man driving the tractor also the person who may be shunting on to the wharves. Will the Minister of Railways bring this under the Railways Commissioner's notice with a view to having the matter rectified?

The Hon. M. McINTOSH—I will bring the statement that the lines are dangerous under the Commissioner's notice, but I cannot in advance say that they are.

NEW AUSTRALIAN DOCTORS.

Mr. SHANNON—Following on representations made to the Premier last year as regards methods which might be employed to secure the services of New Australian doctors and the undertaking given that the matter would be investigated, can he inform me what progress has been made in this matter and whether any hope can be held out that these people will be able to practise their profession in Australia within a reasonable time?

The Hon. T. PLAYFORD—These New Australian doctors have different qualifications one from another. The procedure is that they are enabled to attend the University and take a somewhat shorter course than the usual Australian course. Under the present law I think they are required to study three years before they can qualify. I put the honourable member's representations before the Medical Board, through the Chief Secretary, but it is not prepared to recommend any departure from the procedure mentioned. Many of the universities in which the doctors qualified are in countries with which Australia has no reciprocal arrangement as they are behind the Iron Curtain. We have little knowledge of what their standards really are. In the circumstances the problem cannot be dealt with by any over-all rule, and apart from the procedure laid down, or some modification of it, there is no procedure which can be considered. I believe that Tasmania is the only State that has made any attempt to deal with this problem. The latest information I have is that only one doctor was being admitted in Tasmania under the new arrangement, so even there it appears that it will have limited application.

MURRAY RIVER VEGETABLE-GROWING.

Mr. McKENZIE—When at Goolwa the other day I saw thousands of gallons of water running to waste into the sea. Hundreds of acres between Renmark and the Murray Mouth could grow anything if water were provided, but that cannot be undertaken because we have neither American oil nor imported coal to produce the necessary power. Will the Premier see if a powerhouse can be established on Moorlands coalfield in order that water can be lifted so as to put hundreds of people in occupation along the banks of the River Murray to grow vegetables, which are so badly needed today?

The Hon. T. PLAYFORD—The matter has been considered by the Electricity Trust from time to time but it has decided that for the present there is more prospect of other schemes supplying power at the low cost necessary.

SETTLEMENT OF EX-SERVICEMEN.

Mr. MACGILLIVRAY (Chaffey)—I move—

That this House is extremely perturbed at the delay of the Government in fulfilling the wishes of the people of South Australia regarding the settlement of qualified ex-servicemen on the land and declares that the Government no longer has the confidence of this House.

I believe that the settlement of returned men in South Australia has gone entirely astray and instead of its being a soldier settlement scheme it has become a State development scheme. In practice moneys made available by the Commonwealth Government are being used primarily in developing parts of the State that have lain undeveloped or under-developed since the earliest days of the State. This means that unless qualified ex-servicemen are prepared to come under one of the group settlement schemes, which are more or less isolated in the extreme parts of the State, they have little hope of being settled on the land. That is the main line of thought that has inspired my motion. I do not want members to think that I am of necessity opposing the development of group settlement schemes, but I am opposed to ex-servicemen being limited to group settlement schemes. If the Government followed the example of other States and adopted a vigorous policy of acquiring developed farms that come on to the market some of my major objections to the settlement scheme would be unjustified; but I know that from time to time valuable properties have been offered to the Government, through the responsible department, on which qualified ex-servicemen could be placed immediately, and that practically without exception all offers have been turned down. I know of an estate in the hills on which three qualified ex-servicemen could be placed immediately. That project was sponsored by the local sub-branch of the R.S.L., but the offer was turned down. The estate was purchased by a city lawyer and so far as I know work there has been carried on most efficiently and successfully. I am sorry that the Government has not seen fit to acquire that property for the settlement of returned servicemen. I mentioned to the Minister of Lands personally the case of a farmer on an established farm at Jamestown, in one of the best agricultural areas in the State,

who is continually adding farm to farm. Men who had sons to be settled on the land asked why the Government did not buy the farm in order to settle qualified ex-servicemen. The Government did exactly nothing in this matter, and broadly speaking, that is what it has done ever since. This goes back to 1947. We were told of a case at Strathalbyn where a farmer had three farms which he neglected. In the presence of Government supporters it was suggested that there would be no hardship if two of the farms at least were taken from him with a view to settling ex-servicemen. This is an example of what has taken place down through the years. Offers of good land have been placed before the Government and they have not been accepted. I do not know how many men have been placed on single-unit farms in South Australia but they could be counted on the fingers of both hands.

I intend to deal with the matter in three ways. I shall quote chapter and verse for every statement I make because I realize how important is this matter. No member should challenge the right of a Government to remain in office unless he has substantial evidence to back up his statements. I want to deal with a statement by the Minister of Lands accusing ex-servicemen of apathy. Here I offer an apology to ex-servicemen for the delay in having this matter debated. Mr. Quirke and I thought we should have moved in this way earlier, but we knew that the Premier would be absent from the State and that attacking the Government whilst he was absent would be like taking pennies out of the blind man's tin, and we did not want to be accused of that. We delayed moving this motion until the Premier had returned. Advice was given to the Government on soldier settlement by returned soldier members of this House, and irrespective of Party they had agreed that certain things should be done, and I will prove it. In every instance the Government ignored the advice and handed the settlement of ex-servicemen over to bureaucrats, ignoring the democrats. Another point I want to deal with is that the practice of soldier settlement in other States supports the advice given by the returned soldier members of this House who have had experience of land settlement. I have visited every State for the express purpose of finding out how other States deal with the problem. Every other State makes a regular practice of giving information on the matter to Parliament. It sets out the steps taken in soldier settlement and how the scheme is progressing. I will stand corrected if anyone can tell me of one instance where information has been volunteered by members of the Government here regarding soldier settlement in this State. All the information we have on the matter has been given under pressure during debates.

I shall now deal with the accusation of the Minister of Lands regarding apathy on the part of the ex-servicemen. An *Advertiser* report of July last said that the Minister indicated that until information was made available by applicants the Government would not know how much land was still needed for irrigation and dry land settlement. I do not deny the truth of that statement. Applicants for land settlement should give the information desired, but my point is that it does not affect one tittle the progress of soldier settlement. Some of the applicants written to sent a reply, but there was still a large percentage of ex-servicemen prepared to go on the land if blocks were available. There is an unlimited demand from ex-servicemen for all the land available now, and the land likely to be available for years ahead. The matter referred to by the Minister is only an administrative one, and does not affect at all the progress of soldier settlement. I asked the Minister of Lands whether he had approached the Commonwealth Government about the extension of plantings on irrigation areas, but he said he had not done so. He knows that he is so far behind in the Loxton area that the acquisition of new areas is only a matter of academic interest. If I had been the Minister I would have ascertained the position, but the Minister of Lands did not do so, knowing that he was so far behind in the Loxton area that it was futile to start another settlement area. In the *Advertiser* report referred to there is shown another objectionable feature associated with soldier settlement. The Minister is reported as saying:—

> If any applicant, or any member of Parliament wants information I am always willing to see him in my office. That has always been the position, but Mr. Quirke has never been near me to ask about soldier settlement.

Time after time I have been asked to discuss soldier settlement in the Minister's office; but democracy under a Parliamentary system solves problems such as this in public debate on the floor of the House. I do not appreciate this attempt at Star Chamber or Tammany Hall methods whereby one must go to a ministerial office to get whatever information the Minister is prepared to give. Mr. Quirke is reported in this press article as having read from a letter which claimed that a Land Board official

had told the applicant, among other things, that it would take three years to settle the first 50 men and five years to settle the next 50. The Minister suggested that that statement was incorrect, but I know qualified ex-servicemen who have received letters from the Land Board even more indefinite than that quoted by Mr. Quirke. I can produce letters to show that qualified ex-servicemen have been told there is little or no hope of their being settled. Is it any wonder that men are not prepared to follow up applications as actively as they were in 1947? When this matter was first debated in 1947 the member for Stanley said that applicants were getting disheartened because of the lack of energy shown by the Playford Government on their behalf.

Over the years we have had a particular lack of information regarding the views of applicants who are qualified ex-servicemen, but the reason why these men have not come out into the open is that they have been afraid of victimization. Mr. Quirke and I have received dozens of complaints from such applicants, who have asked us not to use their names. Why should these men be afraid of victimization in a country which is supposed to be freedom-loving, for which they fought and for which many of their comrades have given their lives? The *Advertiser* of August 17 last contained the following letter from Harvey A. Burns, of Naracoorte:—

SIR—If Mr. Hincks had stated the full facts concerning war service land settlement it would readily have been seen that the charge of apathy on the part of applicants for land was a boomerang returnable to the door of the Lands Department. What Mr. Hincks should have made clear is that the men charged with apathy are not being offered farms of their own at all, but only farm labourer' jobs at less pay than farm labourers are getting anywhere else and not the benefit of a home for wife and family as is offered on countless ordinary farms. After three years of such servitude, for that is all it amounts to when it is realized that a man with a family could not save a penny from his pay, the men concerned might become sufficiently privileged to be permitted to rent from the Lands Department some land which they themselves have developed. They would, of course, be obliged to purchase and pay in full, possibly in days of deflation, for all the fencing and buildings, including houses, which had been erected at high cost in these days of inflation.

It is now eight years since some ex-servicemen, honourably discharged while the war was still on, started pressing the authorities to finance them into established single unit farms at give-away prices and to settle them on under or even undeveloped land with full "title rights." The apathetic plea of the Lands Department was then and has even since been "it's not policy." Even now, when it is too late for many, the department will not shake itself up. Mr. Hincks was careful to point out in the House that it was only a few with high priority who had even been offered these farm jobs and accordingly only a few of them had shown—I feel—a very understandable apathy. We have all heard of high priority applicants, but we have never had an official explanation of how priority is assessed. Only recently Mr. Hincks admitted to me that some of the most successful settlers after the first war had no previous farming experience. He also admitted that on that basis it was a difficult task for the Selection Committee and the Land Board to select a "farmer" from an interview. I have always said it is impossible. I have previously advocated a Royal Commission to investigate and recommend on matters relating to war service land settlement and land settlement in general. I do so again, believing that the future well-being and even safety of Australia is involved.

The writer suggests that settlers might be obliged to purchase and pay in full, possibly in days of deflation, for all the fencing and buildings, including houses, which had been erected at high cost in these days of inflation; but the War Service Land Settlement Agreement Act provides for the writing off of any charges which the authorities consider the land cannot carry. Apart from that point, I believe that letter is a full and just statement of the position. The men have been offered the right to work as labourers in developing land and told that they *may*, on the termination of development, be allotted some of it; but there is nothing to say that they *shall* be allotted some. The *Advertiser* of August 29 last contained the following letter:—

I am glad to see Messrs. W. Macgillivray and P. H. Quirke (23/8/51) trying to do the right thing for the returned soldier. Does Mr. Hincks know some returned men have been working for L.D.E. for two years and have been told by that department that as it has no blocks of land for them they can leave for another job if they wish. These men have lost chances of making good elsewhere and, after giving so much time to the Land Development Executive, feel their only chance of making up for the opportunities they have lost is to hold on with L.D.E. until a block becomes available. If seven blocks become available, each man has to make his choice from one to seven. If he should be unlucky and get the last choice—a block he might not like at all—he knows that he will be victimized if he does not take it and wait a long time for another block, or finds he gets his last choice again. Can a man make good on a block he does not like? Mr. Hincks cannot expect returned men to leave their jobs and go sharefarming if they are not told how soon they can have a block of land.

Kingston, S.-E. P. W. OGDEN.

That letter answers the statement made in the press recently that returned soldiers are no longer interested when they have to help develop holdings, for this correspondent says that some ex-servicemen have had to work for two years on blocks. They are no further ahead and have, indeed, wasted their time. Do members think that is a fair deal for returned men? I think it is disgraceful. Some people have had the courage to write to the newspapers and state their views publicly. I have also received many letters, and shall quote one dated November 18, 1950, from the aunt of a qualified returned soldier at Renmark North. It reads:—

I would like you to answer me one question if it is humanly possible for you to do so: What does a returned soldier have to do or be to qualify for land? I have a cousin in the South-East who has been waiting, like others, five years for land; they have three children; he was born and bred on the land, his parents having sheep, etc., on the West Coast. After he was discharged from the army he attended Wingfield training farm and then went to the South-East to look after an estate that was to be cut up for soldier settlement, and was practically told that by going there he would be right for some of the land. Imagine their dismay when it was all allotted and they were told they would have to move to another locality. Every letter he writes to headquarters the same reply comes along—I am enclosing one for your perusal and I guess you have seen hundreds of them. He is getting up in years a bit now and they really are so very anxious to have just some spot on Mother Earth to call their own.

That is a very human letter, to say the least of it. The man concerned did the very thing the Minister of Lands asked him to do: he went to the South-East to develop a property, but years went by and now he has nothing. Does the Minister expect a man such as that to throw his hat in the air and give three hearty British cheers for the Playford Government's land settlement scheme? This man must be disgusted. Many people are disgusted at the apathy of the Government in allowing this sort of thing to continue. No language is too strong to condemn the Government for its apathy in view of the promises given to ex-servicemen. This is not a matter for Parliament alone. Promises were made on behalf of the people of South Australia and the people want Parliament to fulfil them. I shall quote from a letter received by an ex-serviceman from the Department of Lands, a letter that is typical of hundreds sent to men wanting to know whether they should hang on in the hope of getting a block. It is dated June 4, 1951, and states:—

With reference to your letter of the 13th ultimo to the chairman of the Land Board regarding your application for land under the provisions of the War Service Land Settlement Agreement Act, I wish to advise that the position is as explained to you when you interviewed Mr. Melville some little time ago. As you are aware, the land at present available is not sufficient to meet the needs of the large number of applicants still awaiting holdings, and although the Government is endeavouring to obtain further suitable land, this is becoming increasingly difficult. I regret, therefore, that in view of these circumstances, I am unable to give any definite indication of when you are likely to obtain a holding, but it would not be wise to anticipate early allotment. However, your claims will be taken into consideration when further land comes into the hands of the department, but there is little that I can add to the information which was given to you by the chairman of the board during your interview with him.

The man concerned was a qualified ex-serviceman with years of service in the forces. He was not working on a job in the city but was doing the very thing the spokesman for the Government asked him to do, and what did he get? He received a letter telling him "it would not be wise to anticipate early allotment." It might be equally true to say that he would not be wise to anticipate ever getting an allotment. That is the sort of thing bringing dismay and disgust to returned soldiers. As early as 1947 I moved a motion in this House that soldier settlement should be expedited because even at that time I could see what would take place, and so could other returned soldiers in this House. I drew the Government's attention to what New South Wales was doing in helping ex-servicemen to get land under the self-promotion scheme. Ex-servicemen there were placed on the land almost immediately, and in that State and in Victoria a blanket was placed over land sales so that whenever land came on the market the Government would have the first right of refusal after deciding whether it was suitable or not for soldier settlement. Let me quote brief extracts from speeches to show how the Government has ignored the advice of members. The member for Eyre, a returned soldier, speaking on a former motion, said that the matter was not one of expediency but of policy. He agreed that there should be a vigorous policy as regards single unit farms. He will have an opportunity today of again objecting to the Government's policy and I am waiting to see what he will do. The member for Light, Mr. Michael, said he

favoured single unit farms and pointed out that members of the Land Settlement Committee were most concerned at the way things were going. In 1947 the member for Burra, Mr. Hawker, said that he favoured the early allotment of farms, but that the single unit system was not practicable because of lack of finance. The former member for Rocky River, Mr. J. A. Lyons, said he was critical of the delay in soldier settlement. Replying, the Premier (pages 1665-6 of *Hansard* of 1947) said:—

The member for Chaffey, in introducing it, was greatly concerned about the single unit farm proposition as a means of expediting the settlement of soldiers on the land. The Leader of the Opposition expounded on that and gave utterance to certain statements which had the full support of the member for Chaffey. There are two aspects of the single unit farm question with which I shall deal. The first suggestion is that the Government should, by legislation, stop all land transfers until those lands have been submitted to the Government, examined and reported on and the Government has decided whether or not they would be suitable for soldier settlement. On many occasions the member for Chaffey has talked about bureaucrats and controls. During the war and for some time after, we had control over certain parts of the South-East for soldier settlement. Every member who has any knowledge of the South-East knows how that control held up everything and was a perfect bugbear to anybody wanting to transfer land in that portion of the State. If we put down a blanket opposition, as suggested, to the transfer of all lands until they are inspected, especially with the inadequate number of inspectors we have, we would completely disorganize the possibility of any transfers.

That statement shows how far astray the Government has been on this aspect of soldier settlement. It ignored the advice tendered by practical men on the land, who had had wide experience following on World War I. The Premier continued:—

I thoroughly approve of the Commonwealth Government saying that where a single farm proposition comes under the scheme it shall not be purchased at the outset for any particular individual, but must be open for application by all prospective soldier settlers.

That cuts across the whole policy of the returned soldier settlement movement. If anybody wants to make a farm available to a qualified ex-serviceman there is no reason why it should not be done.

Mr. O'Halloran—That was the way to prevent the scheme from working.

Mr. MACGILLIVRAY—Exactly. The Premier said:—

I was surprised and astonished that Mr. Macgillivray, who says that we should have the greatest freedom, and not bureaucratic control, should contend that the Government should put a blanket control over the sale of all properties in the interest of single unit farms. That is entirely wrong. If we are to develop the initiative of this country we should do what the honourable member so frequently advocates, namely, stand for free enterprise and the least possible bureaucratic control. For those reasons I disagree with the suggestion for any single farm proposition which merely implies some family arrangement financed by the Government. I object to the priority which that involves. There is nothing to stop a single farm proposition from being considered if it is to be considered as such, and goes into the general pool of repatriation.

The Premier refuted the statement of the member for Burra about single unit farms, and said they could be purchased if the State was prepared to use any of its moneys. The years have proved that the State has not been prepared to use any of its resources to help ex-servicemen. I have often wondered how the Premier could make such a statement because he knew that all land transfers in 1947 were governed by price control and that a farmer could not get more for his land than the price control authorities allowed. There has never been any intention on the part of the Playford Government to lift a little finger to help put men on single unit farms because it wanted to collect a *quid pro quo* for the development of the land. I am quoting chapter and verse from the Premier's statement on what the Government intended to do. Another point is the practice of other States in soldier settlement. In this respect I quote the following statement which appeared in the Melbourne *Argus* of April 24 last:—

The Acting Premier (Mr. Dodgshun) said the Victorian Government was anxious that servicemen fighting in Malaya and Korea should be eligible for the same settlement benefits as those who fought in the last war. Cabinet yesterday decided to ask the Commonwealth to widen the Commonwealth-State War Service Land Settlement agreement. Mr. Dodgshun said many of the men now abroad would desire to take up soldier settlement blocks on their return. The Victorian Government was anxious that they should have the facilities.

The Victorian Government has already applied to the Commonwealth Government to extend the same facilities that men who fought in World War II. enjoy to those who fought in the Malayan and Korean wars and I agree with that action. What will be the position in South South Australia if the Government is asked to accept the added responsibility of finding land for men who fought in Malaya and Korea, when it is already up to its neck in

trying to find land for men from World War II. and in solving the problems of soldier land settlement? At one time it was the practice of members on the ministerial benches to launch bitter attacks against New South Wales for the work it was doing, and in particular against Mr. Sheahan, Minister of Lands at the time. I pay a tribute to Mr. Sheahan for the work he has done. I believe he stands head and shoulders above any other man in Australia in solving the problem of settling ex-servicemen on the land. He was the first to solve the single unit problem, and he proved that it could be done, yet our Minister of Lands said time and again that it was not possible. Mr. Sheahan went to Canberra about the matter and Mr. Chifley, the Prime Minister of the day, told him he could see no reason why single unit farms should not be allotted to individuals, because it was the best way to settle men on the land. Mr. Sheahan, who is a barrister, on one occasion put a head of a Government department in the court to decide whether an ex-serviceman who had had a block allotted to him would be able to take possession of it. The Government department ruled that the soldier's claim had been lost because he was unable to take possession in the time allowed. The court decided in favour of the ex-serviceman against the ruling of the Government department. It is refreshing indeed in these days to know that a responsible Minister is prepared to take that stand.

The Minister of Agriculture (Sir George Jenkins) is reported in the *Advertiser* as having addressed a meeting at Cleve and stated that soldier settlement was well advanced in South Australia. He also said that the Minister of Lands (Mr. Hincks) visited New South Wales and found that ex-servicemen there had been put on blocks without fences or homes and went on to say "We would be ashamed to settle men like that in South Australia." I have obtained some information regarding soldier settlement in New South Wales, and according to one report the amount of money advanced to settlers for the purchase of stock, plant, etc., on September 30, 1950, was £4,049,128, and the repayments of principal, £1,622,371, representing 40 per cent of the advances. Interest payments were £46,488. Everybody will agree that that was a satisfactory state of affairs. Wanting further information I wrote to the new Minister of Lands in New South Wales asking for the latest report.

Mr. Quirke—How easy it is to get the information!

Mr. MACGILLIVRAY—Yes. By simply writing for it we can get all the information we desire about the New South Wales position, but we cannot get any information here about the position in South Australia. As at June 30, 1951, the amount advanced to settlers for the purchase of stock, plant, etc., was £5,635,203, and the repayments of principal, £2,955,590, representing 52.4 per cent of the advances. Interest payments totalled £129,831.

Mr. O'Halloran—That would mean that some of the earlier settlers had completely repaid the advances?

Mr. MACGILLIVRAY—Yes. Returned soldier settlers in New South Wales got the benefit of some of the best years ever experienced in Australia, but that opportunity was denied to South Australian soldier settlers because of the mistaken policy of the Playford Government. I bring the Premier into this matter, because he leads the Government, and I have shown that he ignored advice tendered by returned soldier members of this place, even members of his own Party. Recently I visited every State in the Commonwealth to get first-hand information about the settlement of returned soldiers. During the recess I visited Western Australia, and as soon as I asked for the information it was made available to me readily. I was given two reports. The first one was issued on June 30, 1948, and information in it answers a statement made by our Premier on one occasion that landowners would not be prepared to sell their farms to the Government. I found in Western Australia that everybody believed that the man on the land would be prepared to play the game in this matter. The following is an extract from the report issued on June 30, 1948:—

> The position regarding the supply of properties is surprisingly encouraging, as it would have been reasonable to expect that after the first burst of offers when purchasing commenced in 1946 and the earlier months of 1947 offers would fall off appreciably after nearly three years of buying. The number of properties being offered, however, has been approximately constant during the last 12 months, and the percentage of properties being offered suitable for settlement is greater than heretofore.

That is an answer to the statement by the Premier that farmers would not be prepared to part with their land. Land has since been made available to the Government, and I express my appreciation of the way in which landowners have offered land held idle for years before being made available for soldier

settlement. When landowners in Western Australia were approached they responded in a wonderful way, and I have no reason to believe that it would not be done in South Australia if our landowners were approached by the Government. The annual report of the West Australian Land Settlement Board for the year ended June 30, 1950, states:—

During the year 1949-50, owing to various economic and political factors, there has been a marked change of outlook towards land settlement, resulting in a greater emphasis being laid upon the development of Crown lands rather than continued settlement of returned soldiers on developed or partially developed repurchased estates.

I am surprised at the aplomb of our Minister of Lands when he says that other States have now been forced to do what has been done in South Australia, but he did not say that when land was available at a reasonable price other States adopted a vigorous policy of acquiring land for soldier settlement. Now that the prices of wheat and wool have increased, and land prices are higher, the other States are developing Crown lands. I have advanced the argument for the State to do something to help itself in this matter of soldier settlement and not leave it entirely to the Commonwealth Government.

The West Australian report also states:—

The Land Sales Control Act, 1948, terminated officially on December 31, 1949, but in practice from September, 1949. When it was realized that the Act would not be extended, there was a natural reluctance to place properties on the market until early in 1950. There was a noticeable reduction in property deals in rural lands during this interim period. In order that the Land Purchase Board might have knowledge of any suitable properties for sale, and thus have an opportunity of negotiating with vendors, the Government introduced the War Service Land Settlement (Notification of Transactions) Act, 1949, which was passed by Parliament and came into force on January 1, 1950, for a period of 12 months. This Act made it illegal to sell or contract to sell rural lands in specified districts without first notifying the Minister for Lands, and allowed the Land Purchase Board a maximum of 42 days in which to negotiate with the vendor with a view to purchase.

The Premier said that this could not be done in South Australia because it would take months and even years to decide what land could be used. Yet the West Australian Government which had a desire to do these things passed legislation and asked for only a period of 42 days, which is probably less than the period taken to complete a normal land transaction. The report continues:—

The State Treasury also agreed to guarantee the Commonwealth against loss in the event of a property being determined as unsuitable after purchase, which enabled vendors to be paid immediately as would be the case with private purchasers.

If after inspection Commonwealth and State officers consider the land suitable it is acquired with moneys advanced by the State Treasurer which may be recouped later in the event of the Commonwealth Government accepting the farm as a soldier settlement proposition. Therefore, the farmer would experience no delay. The report continues:—

It is safe to say that very few purchases would have been made after December 31, 1949, but for this guarantee by the State Treasury.

The South Australian Treasury is apparently anxious only to get money from the Commonwealth Government, and having got it to use it primarily to develop South Australia and only secondarily for the settlement of returned soldiers. The Western Australian Government, anxious to do the right thing for those who have done so much for them, has constructed temporary buildings and asked the men to develop the properties. In New South Wales the settler was helped to build his own house by the Government making money and materials available to him. Every State but South Australia has got away from bureaucratic controls. Although money is not immediately available under the Land Settlement Agreement Act to buy stock or plant for settlers, the Western Australian Government has come to the rescue and has purchased farms on a "walk-in, walk-out" basis with Treasury funds. Has the South Australian Government taken action such as that? The report further states:—

In view of the desirability of purchasing stock and plant when these are available at the time of purchase of a property, the State Government agreed to provide funds which would enable properties to be purchased on a "walk-in, walk-out" basis where this could be arranged by the Land Purchase Board.

This report is available to members. The fact that we have not the benefit of such reports in this State means that members are handicapped in debates such as this. I have given enough evidence to show that what has been done in South Australia is entirely foreign to the practice in every other State. We are the most backward State with regard to soldier settlement and from time to time a considerable body of opinion in this House has expressed that view in no uncertain manner. I do not doubt the sincerity of any member, but I know it is practically hopeless to expect Party politics not to come into this

question. If they do, the matter is hopeless. I went on the land 30 years ago after World War I. and together with other settlers had to bear the stigma of the tremendous losses which were incurred to settle us. However, those losses were not the result of any action by the settlers but arose from the bureaucratic control which existed then as it does today. Unfortunately, in those days we had no voice in Parliament, because we had no previous experience in such matters. If soldier settlement after World War II. fails, the blame must rest with members of Parliament who have handed it over to Government departments practically without any policy. In the interests of returned men I ask for support for the motion.

Mr. QUIRKE (Stanley)—I second the motion. I am glad that during his remarks the mover said that one of the reasons for his bringing this motion before the House and speaking to it as he did was to place his protest on record. Apparently, it is very necessary to keep records of what members say, because Government members generally have paid no heed to the protests of the member for Chaffey. I have been in this House for 11 years and have not seen an exhibition nearly as bad as today's. It would almost appear that, following a Party meeting this morning, the lack of attention to the honourable member's speech had been deliberately organized. The Premier, whose Government is under the lash of this no confidence motion, has been the greatest offender. It is not often that it is necessary to speak like this in this House; in fact, in my time it has not been necessary. We usually associate this sort of behaviour with another place which is on the air and constant are the reproaches from Australians in relation to it. It would have been regrettable indeed had this House been on the air this afternoon. That, Mr. Speaker, is not meant as a reproach to you, because there was nothing in the exhibition to which you, Sir, could take objection.

In introducing this motion, are the mover and myself seeking personal aggrandisement or gain? How many of the hundreds of disappointed and disillusioned ex-servicemen who were happy and eager to accept the promise of this Government to place them on the land can influence the position of the member for Chaffey or myself in our districts? Are we bringing this motion forward for some personal advantage to ourselves? Can we not be given credit for doing it because we sincerely believe that hundreds of ex-servicemen in this State have been and are being mercilessly victimized by the Playford Government? It is because of that victimization that I take this stand today. I have taken the same stand for the last six years. Had the Government followed the advice of members, not necessarily that of the member for Chaffey or myself, but of the members for Eyre, Light and Burra and the late member for Rocky River, who said that applicants should be treated individually, soldier settlement would not have been in its present unsatisfactory position.

Mr. O'Halloran—Other members took the same stand.

Mr. QUIRKE—I have only referred to the advice of members supporting the Government, but many members of the Opposition including the Leader, were also of the same opinion. I give them full credit, but what has happened? Even those who have been settled on the land are not completely satisfied with their holdings or their prospects. How many of them know to what extent they are committed to the Crown? How many other ex-servicemen, after six or seven years' waiting, have been forced to take up some other avocation? Those men were promised land, but with no guarantee even to those who were approved applicants. Let us not forget that a blanket prohibition was placed over the sale of land in the South-East when land prices were reasonable. Before being sold it had to be rejected by the Government as a property suitable for land settlement. I doubt if there are more than one or two soldier settlers from World War II. on land north of Adelaide. There may be an odd one who received a block under the single unit system. The only areas that have been settled are those for which Commonwealth money was used to develop the assets of this State. Soldier settlers have been used as the medium for acquiring Commonwealth money with no regard whatever to the interests of the applicants. A great body of men do not know, after seven years of waiting, whether they are likely to ever get land. The Minister has said his department has asked every approved applicant whether he is still interested and that some did not answer the letters sent to them. I do not disagree with the Minister's action there, but if a man has become sick and tired of waiting, notwithstanding the fact that he may have been trained at Wingfield, in desperation he may have taken another job and ignored those letters. This is just retribution for the Government's policy.

Those who have ignored the letters have obviously rehabilitated themselves in another direction.

Of the 1,600 approved applicants, 1,000 may no longer be interested. Where will the Government find the land for the remaining 600? It was reported in the press that 25,000 acres may be made available for soldier settlement in the Upper South-East and that this would relieve the situation. Each settler will need at least 1,000 acres, so at the most only 25 can be settled. They will probably need 2,000 acres each which would mean that only 12 could be settled there. What will happen to the other 588 approved applicants? Where is the land for them? Nobody can obtain from the department a progress report every six months about soldier settlement. No-one can even obtain an outline of the policy of the Government. In this State we cannot show figures to interstate visitors equalling the achievements of the New South Wales and Victorian Governments where over 50 per cent of the advances to soldier settlers have been repaid. Not 1 per cent of advances to soldier settlers in this State has been repaid. Applicants still waiting for blocks have had to contend with six years of futility and despair. I do not know of any protest ever raised in this House which has been more warranted than that of the member for Chaffey. Soldier settlement in South Australia is a standing indictment of the Playford Government. Hundreds of ex-servicemen are no nearer getting a block of land than they were when they first applied. The Government has definite responsibilities to these men. I well remember the platitudes mouthed during World War I., and they were repeated during World War II. Because promises have not been fulfilled there is a growing belief amongst the people that when public men speak today they speak with their tongues in their cheeks and are not sincere. Nothing has served to foster that belief more than the treatment of approved applicants for soldier settlement. Can members realize the attitude of those unfortunate people? Remind them of the promises made during the war—"Nothing is too good for those who fought and made our personal liberty safe"—and those who have been disappointed and disillusioned will laugh in your face, if they do not take more direct action.

Parliament cannot lightly disregard the facts put forward today by the member for Chaffey who, at his own expense and at considerable trouble, visited every State in the Commonwealth to obtain information about its progress in soldier settlement. Every State has done much more, some immeasurably more, than South Australia. Can the Government produce figures to refute Mr. Macgillivray's statements? If it could say that 1 per cent of the advances made to settlers had been repaid we would still be 51 per cent behind repayments made in New South Wales. This is the result of denying our ex-servicemen the opportunity of getting the prices ruling during the last few years and of paying for their properties. Many settlers in other States have paid all their commitments. I deplore the Playford Government's complete lack of policy, and particularly the attitude of the Minister to individual applicants. On one occasion I was accused that I had never taken a case before him, but since that time I took one. I had not put any case before the department because I could be charged with condoning the attitude of the Government towards soldier settlement. That is why I do not take them there and why I will never take another one there. I took one only because I was challenged to do so by the Minister, and when I did he could not give me any answer to the boy's direct references which I read to this House. Parliament is the place where we should discuss these things and we should not have the hole and corner methods adopted by individuals in the Minister's office. I cannot possibly take 50 people to the office. I do not intend to take one more, and will never be a party to sending men there. Even if I sent 10 men, they would get 10 different stories. If anyone wants to prove that, let them interview any 10 men who have been there and check up their stories. In every instance it will be found that they have been led up the garden path and told different stories. I do not suppose there is a Government department which has such versatility in this regard. I was told that it took three years to settle 50 cases and that it will take five years to settle another 50, so that in eight years 100 cases will have been settled. Assuming that there are still 500 men to be satisfied, a simple process of multiplication will show that the next thing we will be called upon to do is to introduce a Bill protecting the hereditary rights of their grandchildren. A more hopeless and useless scheme has never been devised. We place much of the blame on the Minister of Lands, but I want to exonerate him from anything but administrative blame. There is only one man to blame in this State because there is only one who takes all the responsibility. He

is a bad executive, because he will not delegate his executive responsibilities to anyone else but has to undertake the lot. Therefore, everyone behind him jumps like a marionette when he pulls the strings. We saw clear evidence of that today in their attitude to the opening of Mr. Macgillivray's speech. It almost appeared that they were acting upon instructions not to pay any attention to it.

Mr. Macgillivray—You are not referring to the Premier, are you?

Mr. QUIRKE—Everyone knows that as Premier of the State, Mr. Playford is the leader of the band and plays all the instruments. Where there has been neglect, and there has been plenty, the blame is attachable to him in every possible degree. The responsibility for the disadvantageous position of soldier settlers in South Australia today rests on the Premier. He is the leader of the Government and this motion of no-confidence is directed at the Government and not at the Minister of Lands. He cannot do any more as a follower of the Premier than the Premier will let him do. Therefore, the Premier must take the blame for what has happened to soldier settlement and what will happen. I am completely unhappy about what has happened. Let the price of wool come down much more and settlers who have annual commitments as high as £12 a week will be unable to meet them. In the War Service Land Settlement Agreement is a clause which provides for the writing down of excess values and the value of improvements. To my knowledge it has never been used, but it will have to be.

Mr. O'Halloran—It would not have been necessary if the scheme had been properly carried out.

Mr. QUIRKE—No. As the Leader of the Opposition knows, the Government purchased land at £6 10s. an acre and by the time it is allotted to returned servicemen it will be £20. We ask that these men be allotted land and be allowed to make their own improvements and not be mucked around by people who want to scrape over the ground with a combine and put in clover, which is eaten out by rabbits in the first year. The result of that method can be seen in the South-East, and the cost has been tacked on to the settler. There is plenty of retribution coming. We heard the old story that after World War II. the Government was not going to repeat the mistakes in land settlement which were made after World War I., but was going to have an entirely new scheme.

Mr. O'Halloran—We were to have bigger and better mistakes!

Mr. QUIRKE—That is so. In such projects it is inevitable that some mistakes will be made. This matter goes back to the Rural Reconstruction Commission's report, which said that the writing down on properties took place long after settlement following World War I., and recommended that in the beginning of land settlement after World War II. the writing down should be made at the time of allotment and final values should be fixed according to the economic production from the area. However, the Government saw no necessity to take advantage of that. There will be a day of reckoning and when it comes it will be found that the statements of those who have been speaking on this subject for seven years will be vindicated. I support the motion.

The House divided on the Hon. T. Playford's motion "That the House do now divide"—

Ayes (21).—Messrs. Brookman, Christian, Clarke, Dunks, Dunn, Dunnage, Goldney, Hawker, and Heaslip, Hons. C. S. Hincks, S. W. Jeffries, Sir George Jenkins, and M. McIntosh, Messrs. McLachlan, Moir, Pattinson, and Pearson, Hon. T. Playford (teller), Messrs. Shannon, Teusner, and Whittle.

Noes (13).—Messrs. Davis, Fletcher, Hutchens, Lawn, Macgillivray (teller), McAlees, McKenzie, O'Halloran, Quirke, Riches, Stott, Frank Walsh, and Fred Walsh.

Pair.—Aye—Mr. Michael. No—Mr. Duncan.

Majority of 8 for the Ayes.

Motion for division thus carried.

Mr. STOTT (Ridley)—It would appear that I am not allowed to speak on Mr. Macgillivray's motion.

The SPEAKER—No. Under Standing Orders when an affirmative decision is given on the motion "That the House do now divide" the next question to be submitted is the subject matter of the motion itself.

Mr. STOTT—If that is so, I must protest against it.

The SPEAKER—The honourable member cannot do that.

The House divided on Mr. Macgillivray's motion—

Ayes (13).—Messrs. Davis, Fletcher, Hutchens, Lawn, Macgillivray (teller),

McAlees, McKenzie, O'Halloran, Quirke, Riches, Stott, Frank Walsh, and Fred Walsh.

Noes (21).—Messrs. Brookman, Christian, Clarke, Dunks, Dunn, Dunnage, Goldney, Hawker, and Heaslip, Hons. C. S. Hincks, S. W. Jeffries, Sir George Jenkins, and M. McIntosh, Messrs. McLachlan, Moir, Pattinson, and Pearson, Hon. T. Playford (teller), Messrs. Shannon, Teusner, and Whittle.

Pair.—Aye—Mr. Duncan. No—Mr. Michael.

Majority of 8 for the Noes.

Motion thus negatived.

INDUSTRIAL CODE AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from September 5. Page 539.)

Mr. RICHES (Stuart)—The Bill should commend itself to members and I hope that the Premier has had an opportunity since his return from his recent visit to the United States of America to consider arguments advanced by the Leader of the Opposition when introducing the measure. For some time members of the Labor Party have felt that the Industrial Code should be amended to afford members of any rural organization an opportunity of approaching the Industrial Court for an award covering wages and conditions in their particular industry and it is common practice to allow workers in other branches of industry to approach the court for an award, so surely workers engaged in all primary industries should have equal rights. There is a continual call by all forms of primary industry for labour. The Government and the people should pay special attention to the conditions under which agricultural and other rural workers are labouring. The granting to rural workers of the right to approach the Arbitration Court, or other independent tribunal for a determination governing wages and conditions must be of great advantage. I have not heard or read that industry generally in this State has been adversely affected by any union or organization approaching the court for an award covering conditions of employment of its members. I believe it has been an advantage and has contributed greatly to that measure of industrial peace for which South Australia is noted throughout the Commonwealth. Although it would not be true to say that conditions in the agricultural industry are such that we have not had industrial peace, or that strikes and such like things have occurred, we are faced with the problem of the drift of labour from rural to secondary industries—a drift that has persisted to such an alarming extent that only this week some employer organizations of primary producers called attention to the lack of labour. We have been threatened with a shortage of vegetables this summer. Accompanying each statement about the shortage of supplies is one about lack of labour for primary industries. The shortage is caused mainly because men are not satisfied with the conditions in our rural industries. I feel that the average Australian enjoys life on the land and finds a lot of satisfaction in performing agricultural work, provided that conditions are right.

Mr. O'Halloran—Provided that they have stable conditions.

Mr. RICHES—Yes; stable economic and working conditions. The economic stability and permanency of employment which are a feature of other industries are not always associated with rural industries, not because of any wilful neglect on the part of employers, but because they have not always been in a position to offer satisfactory conditions and because of the nature of the calling, which is subject to droughts and price fluctuations. The fact that men are drifting from the country to the city does not mean that there is a lack of love for the land. I have never accepted that. Members are aware that there is a shortage of men to go on the land and work for wages. In a debate here this afternoon it was demonstrated that there was an overwhelming number of men who want to go on the land and work for themselves. If men are offered land on those conditions the State will get more applications than it can deal with. The only reason for the shortage of labour in rural industries is because men have to work for somebody else. The Government has many applications from ex-servicemen and others who are desirous of going into the country, provided they can work for themselves and become farmers in their own right. If the few men who are engaged as operatives in rural industries had the right to form themselves into an association and approach the proper tribunal for an award the labour position would automatically improve. There is an award for the pastoral industry, and I do not think that the most conservative pastoralist would advocate that it should be abolished or that the men should be refused the right to approach the court for an award. No logical argument has been advanced against rural workers having the

right to approach the court. The Bill has everything to commend it, and I hope that members will give it more consideration than they have in the past. I trust that the Government will not content itself with one address, and that members will not give a silent vote on the measure. The other point in the Bill deals with the reduction in the number of members in any industry required to form an association. This amendment has been asked for by the men engaged in specialist industries who find it difficult, because of the very nature of their employment, to get sufficient members together to approach the court, and I think that if the request is examined the House will see no valid objection to it. I have much pleasure in supporting the Bill and commend it to the serious consideration of members.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—I apologize to the Leader of the Opposition for not having my notes immediately ready to continue the debate before Mr. Riches rose. I had discussed this Bill with the Department of Industry and had certain notes, but this afternoon, I find, I left them behind. This Bill deals with two principal matters. The first has been the subject of a considerable amount of debate on a number of occasions. I remember the previous Leader of the Opposition frequently moving amendments of the same nature as that now proposed, namely, to remove the limitation in the principal Act which sets out, in the first place, the definition of "Agriculture" and later exempts it from the provisions of the Industrial Code. This is not a matter peculiarly applicable to South Australia. There has always been the problem that whereas it is possible to provide industrial laws where the commodity is produced and sold principally in Australia under protective conditions, that position does not always obtain in respect of commodities produced and sold in the world's markets under unprotected conditions and that, of course, is the general position of agriculture throughout Australia. Agriculture does, in fact, provide the overseas credits which facilitate the international trade of this country.

Mr. O'Halloran—And you say that those credits should be earned by sweated labour?

The Hon. T. PLAYFORD—I will tell the honourable member what I think upon this matter shortly, but what I am saying at the moment is that the alleged anomalies in the Act are not something which has just been discovered. The Act has laid down a constant policy since its inception, and the same principle has been the deliberate policy of similar legislation in other States. It goes back to the fundamental problem I mentioned just now—that agriculture is dependent upon world's markets and is much more closely tied to world conditions than secondary industries which have tariff protection. The second point is whether these provisions have been the means of keeping conditions on the land at a lower level than applies in factories and, if so, to what extent. I point out that the Industrial Code is not the overriding legislation in this matter. The overriding legislation is the Constitution itself and it provides that where an interstate dispute exists the Commonwealth has powers of conciliation and arbitration. Most of the big rural industries—sugar and rice are exceptions—have employes in every State, so we find that the only reason why these matters are not before the court is that there is no industrial dispute in connection with them. When an industrial dispute has occurred, for example, in connection with the shearers, it has long since been heard and determined by the court.

Mr. O'Halloran—Then your advice to the workers is to go to the Federal Court?

The Hon. T. PLAYFORD—I did not say that. The fact that our industrial legislation exempts rural industries does not mean that if there were a serious dispute it could not be taken to an industrial tribunal, because the machinery is in existence and is being used in rural industries. I mentioned the shearing industry; it has also been used in certain fruit-growing industries and in the dairying industry.

Mr. O'Halloran—I do not think the dairying industry has a Federal award.

The Hon. T. PLAYFORD—I understand it has.

Mr. O'Halloran—It does not apply in this State.

The Hon. T. PLAYFORD—I believe that is so for the simple reason that there has never been a dispute in the dairying industry here which has involved another State. I must admit that my grounds for saying that are largely hearsay, but recently, during a discussion on the price of butter, the question arose as to the basis on which labour should be paid, and I was informed by an officer of another State that the basis provided for was the basis which had been determined by the court from time to time, and that where rural industries had not been given a 40-hour week by the court but were

working a 44-hour week, there was the likelihood of an adjustment, particularly in connection with the dairying industry. From that I assumed that the dairying industry was covered by some determination which provides for a 44-hour week. Be that as it may, let me say—and I speak with a good deal of knowledge of the conditions in South Australia—that employment conditions in the rural industries in South Australia are at least as favourable as conditions in industries subject to the provisions of the Industrial Code.

Mr. O'Halloran—The law of supply and demand has attended to that.

The Hon. T. PLAYFORD—The law of supply and demand has meant that if anyone had a job he was not satisfied with he could immediately change to one with which he was satisfied. In the main, rural industries are paying higher wages and giving better conditions than the secondary industries.

Mr. O'Halloran—That was not always so.

The Hon. T. PLAYFORD—That is true, but I say without fear of contradiction, and I believe I would have the support of the Leader of the Opposition, that more consideration is given by the employer in rural industries to the housing of his employees than is ever given in the city. How many city employers give consideration to the housing of their workmen? On the other hand, how many in the country do not give consideration to it, so the honourable member will see immediately that, even though the provisions of the Industrial Code do not apply in the country, the conditions of the rural employees have not been less advantageous.

Mr. O'Halloran—They always housed their employees, but in the old days they housed them in the reaping machine.

The Hon. T. PLAYFORD—I heard that story many times from a previous member for Adelaide, but I cannot subscribe to it. Arguments that were valid 10, 15, or 20 years ago are not a sound basis for legislation now. We have to deal with present conditions.

Mr. O'Halloran—Precisely, and we want to make them permanent.

The Hon. T. PLAYFORD—Unless we can make all other conditions permanent there is no permanency. I have heard a philosopher say that nothing is permanent except constant change. Be that as it may, this Bill will not facilitate production, or in any way improve employees' conditions.

Mr. Davis—The men want it, though.

The Hon. T. PLAYFORD—I have already pointed out that if the men want it they are able now, because of the interstate ramifications of nearly all of our primary industries, to go to the court, without any of this legislation whatsoever. That cannot be denied.

Mr. Davis—It is not possible under State law.

The Hon. T. PLAYFORD—The honourable member has been an illustrious member of one of the largest and best-conducted unions in Australia—the Australian Workers' Union. When it had a disagreement about shearing rates it did not hesitate to go to the Commonwealth Arbitration Court. This shows that there is no legal difficulty in the matter. If employees in our primary industries think their conditions should be improved and they want to go to the court for an award they can form themselves into a union.

Mr. O'Halloran—Do you say that market garden employees have access to the Commonwealth Court.

The Hon. T. PLAYFORD—Yes, if they join with market gardeners in other States and form themselves into a union. I understand that one interstate union has only five members.

Mr. Fred Walsh—Which union?

The Hon. T. PLAYFORD—It is registered in the Commonwealth Court.

Mr. Fred Walsh—You mean it has five members in one State?

The Hon. T. PLAYFORD—No. I understand it has only five members altogether. There is no limitation as to the number of members in a union. The only condition is that a dispute must extend beyond the boundaries of one State. Although many attempts have been made, rural employees have not agreed to the formation of a union, believing that their conditions of work could not be improved. They are happy with their present position. Conditions in many primary industries are better than those in secondary industries. There is no demand for legislation on this matter, and the Bill is unnecessary and unwise.

Mr. Christian—And unworkable.

The Hon. T. PLAYFORD—In the main unworkable. Conditions in the rural industries are different from conditions in factories, and even in factories in some instances industrial legislation is becoming unworkable. There has been a serious loss in the value of production through the limitation placed on the duties of some officers. To place limitation on employees in rural industries would make conditions in

those industries more difficult than they are at present. I am not sure what is involved in the proposal to reduce from 20 to 10 the number necessary in an industry before the workers in it can approach the court. I endeavoured to obtain a report on the matter, but it has not come to hand. In any case it is only a secondary matter.

Mr. O'Halloran—It is an important matter to some people.

The Hon. T. PLAYFORD—I do not want to hold up the debate on the Bill, so I will reserve any comments I have on this other matter until the Bill gets into Committee, if it does, or some other Minister can make them. There may be some ramifications associated with it, about which I am not aware at present. I am totally opposed to the first proposal in the Bill, and if the opportunity occurs later I shall give any information I have regarding the second proposal.

Mr. DAVIS (Port Pirie)—I support the Bill and want to reply to some of the statements made by the Premier. He said that rural workers could go to the Commonwealth Court for an award. On one occasion these workers approached the Australian Workers' Union with a view to going to the court. For years they were covered by an association but it could do nothing for them. The Australian Workers' Union tried to help them get an award, but it was not successful. I do not know the position of rural workers in other States. I do not know whether or not they are organized. We do not want to have an industrial dispute amongst our rural workers before getting the opportunity to go to the court. They should have the same right to approach the court as other employees. Over the week-end I had a man doing some work at my home. He told me that he was at one time an employee on a garden in the hills. He said that through not being in a union he got the sack because he went into town one Saturday afternoon. His employer expected him to work six days a week. The employer gave him the Saturday afternoon off, but when he found that the man intended to go into town he handed him his wages and gave him a week's notice. He said that on the Monday morning the man would be no good to him because he had spent the Saturday afternoon in the town.

The Premier said that some employers provide rural workers with houses. There are some good employers in the industry, but the majority of the workers are not working under the best conditions. I would like to know why the Premier is opposed to rural workers having the same rights as other employees to go to the court. Last Saturday we had the opportunity to vote against a proposal by the Prime Minister to get greater power to deal with organizations of workers forced to take direct action in order to improve their working conditions. Under the Prime Minister's proposal he would have been able to prosecute and persecute men who took direct action, and he would have been able to declare them Communists. If our Industrial Code is not amended and men are not permitted to approach the industrial tribunal for an award they will have no alternative but to take direct action. Do members opposite support that, or are they prepared to allow men to go to the court? For years members on this side have been fighting for the right of all employees to go to the court for an award when there has been an industrial dispute. If workers are forced to take direct action to improve their working conditions members opposite will be the first to condemn them, but when we want the Industrial Code amended with a view to preventing direct action they oppose the Bill. If I were president of any association of market gardeners and recommended direct action I would be, in the opinion of many people, a Communist, but under the present law I would have to make that recommendation in order to improve the working conditions. Regarding the proposal to reduce the minimum number for appeals to the court from 20 to 10, as set out in clause 4, we entered into an agreement recently to improve conditions for a section of the workers in an important industry. The employer realized that in the interests of the industry it was better to have the men covered by an agreement than to leave them uncovered. I hope the Government will realize its responsibilities in this matter and allow rural workers to have the same rights as other employees who approach the court for an award.

Mr. LAWN (Adelaide)—I support the Bill, which has two objects. One is to give rural workers the right to go to an industrial tribunal for an award covering working conditions and wages; the other is to reduce from 20 to 10 the number necessary in an industry before the workers in it have the right to approach the tribunal. Why should any distinction be made between rural workers and workers in secondary industries regarding their right to approach the court? The Government discriminates between the

city and country with regard to its electoral laws. Confusion may be created in the minds of people by discrimination, whether between electors or workers. City dwellers depend upon country workers for primary products, particularly foodstuffs, and country people depend on the city for secondary products and the transportation of their primary produce, and there should be no discrimination between city and country workers.

Before World War II. it may have been argued that the economic condition of some primary industries would not permit of the same wages and conditions for rural workers as for workers in secondary industries, but today a guaranteed price is paid for most primary products, and workers in primary industries should receive guaranteed wages and enjoy guaranteed conditions. The Leader of the Opposition referred to the alarming drift of population from the country to the city. People qualified to speak on the subject have repeatedly warned us that if we are not very careful, in a few years the world may be unable to produce sufficient food to feed its population. The fall in primary production is due mainly, if not solely, to the fact that workers can obtain better wages and amenities in the city than in the country. Such a position should be corrected so as to ensure an adequate supply of foodstuffs not only in this State but throughout the world. This Parliament should encourage rural workers to remain in the country and some city workers to transfer to rural industries. This can be achieved only by a progressive policy of decentralization and the awarding of adequate wages and proper conditions in some rural industries. It is well known that certain gardeners in the metropolitan area have on occasions employed two or three Italians for the total wage which would be payable to one Australian. We in the industrial movement feel it is wrong that employers should be able to employ such labour at ridiculous wages under conditions not prescribed by any award. During the depression even Australian labourers were forced to accept employment under such conditions.

Workers involved in industrial disputes are told to go to the Arbitration Court. Why will not the Government support a move to give rural workers the right to approach the court? In the past it may have been argued that rural industries were unable to afford similar wages and conditions to those prescribed for workers in secondary industries, but there is no guarantee that such wages and conditions would be awarded by the court. Before World War II. the Arbitration Court awarded wages and conditions according to the economic position of the industry concerned. Judge Lukin took the 44-hour week away from certain workers in the timber industry and awarded them a 48-hour week, yet other judges, including Judge Beeby, would not follow his precedent. Judge Beeby said that his brother judge had considered facts peculiar to the timber industry.

Mr. Christian—Would the court have any option to depart from the 40-hour week?

Mr. LAWN—It could, but I would think that the court would award a 40-hour week today.

Mr. Christian—It would not award anything in excess of that.

Mr. LAWN—The case to which I referred occurred before the war and before the days of full employment.

Mr. Christian—That was before there was a universal 44-hour week?

Mr. LAWN—No, the standard 44-hour week was awarded in about 1928 in the metal trades case. Prior to that the timber workers had a 44-hour week.

Mr. Christian—Many industries were still on the 48-hour week then.

Mr. LAWN—Yes. In those days a different procedure was followed in making court awards. The court fixed what it felt should be the standard working week, and each union had to approach the court, present its case, and get a declaration. The onus was on the employers to show that shorter hours were not justified. All the unions were applicants in the 40-hour week case, and the award had a general application. At one time the timber and engineering industries had a 44-hour week but later lost it. Later they went to the court again, and the court took the metal trades case as the standard. The vehicle building industry had similar classifications to those in the timber industry, such as timber stacker, kiln attendant and several classes of wood machinists, and later the Vehicle Builders Union approached the Court. There were two rates of pay—one for first-class men and the other for second-class employees. Judge Lukin had placed the men in the timber industry on a 48-hour week instead of a 44-hour week and rated every machine instead of having only two classifications. The employers here

sought the same reduced wages as in the timber industry, but the judge refused the employer's application because his brother judge took into consideration the economic position of the industry. That was a clear instance where the court did not automatically apply the 44-hour week, but today, as the member for Eyre suggested it might apply the general standard of 40 hours and comparable wages. If so, that is greater justification for the Bill to be passed. The industries proposed to be covered are so flourishing that the standard hours and wages applicable in other industries could be applied. It is only because rural workers are not covered by the Industrial Code that tribunals have not been able to give justice to them.

The minium of employees necessary to enable an application for an award should be reduced. Even in small engineering workshops it is usually possible for a union secretary to find a few employees eligible to join the union. The same does not apply in rural industries because the workers are scattered far and wide. Further, it is not so difficult for a union already established and registered to enrol new members. If certain employees are not organized and not registered in the court someone has to find at least 20 of them and arrange a conference with a view to lodging an application in the court. As the Leader of the Opposition pointed out, on one occasion 20 employees applied for an award, but before their application was heard one died and their application could not proceed. A minimum of 10 would be more reasonable. If the House has no real reason for discriminating between rural and other workers it should pass the Bill.

Mr. FRED WALSH (Thebarton)—I hope members will not be unduly influenced by the remarks of the Premier in opposing the Bill. Some of the provisions could be better dealt with in Committee, so I hope the Bill will pass the second reading. The Premier said that an organization with only five members was registered in the Federal Arbitration Court but I would have thought that was impossible.

Mr. Lawn—That was an organization of industrial registrars in the various States.

Mr. FRED WALSH—That could be the only one with a membership of five. The Bill provides for the elimination of the definition of "agriculture," which is as follows:—

In this Part of this Act, unless inconsistent with the context or some other meaning is clearly intended, "agriculture" (without limiting its ordinary meaning) includes horticulture, viticulture, and the use of land for any purpose of husbandry, including the keeping or breeding of livestock, poultry, or bees, and the growth of trees, plants, fruit, vegetables, and the like.

That covers a wide field and although some members opposite may have fears about wheat farming being included, I point out that in vineyards, for instance, conditions of employment are totally different from those in agriculture generally. All rural workers, whether on wheat farms, dairies, or other types of work, are entitled to decent wages and conditions. The only way these can be obtained, generally speaking, is through an industrial tribunal. The only avenues open to them in this State are the Industrial Court or wages boards. There is probably general satisfaction with the provisions of the Industrial Code and industrial arbitration machinery in South Australia, although there is, of course, room for improvement from time to time. The Premier has frequently indicated that he desires the workers of South Australia to use the machinery set up by this State, but this afternoon he contradicted himself and said it was simple for a group of employees to go before the Federal Court for an award.

Mr. O'Halloran—In effect, he wants to force them into the Federal Court.

Mr. FRED WALSH—That is the point I was coming to. The member for Port Pirie has been president of an organization covering rural workers. He knows as well as I do that most States have awards covering agricultural workers, although perhaps not all those included in the interpretation clause of the Industrial Code. The Australian Workers' Union has obtained agreements with employers in the River Murray districts covering workers on blocks and in the packing sheds. Why should those employees not be able to go before the State Industrial Court? Employers would have the opportunity of putting forward arguments against claims lodged, and the court would determine what the wages and conditions in the industry should be. Many types of employees work in vineyards during the vintage season. Particularly in the Barossa district many women are employed, but in the metropolitan area and upper river districts most of the work is done by men. I am more familiar with conditions in the metropolitan area and know that there is no award for employees in vineyards here. Actually some of them work in the cellars and at periods in the vineyards. Prior to the war they were on the basic wage while in the vineyard

and were not covered by the wine, spirit, and distillery employees' determination. I do not suggest that employers took advantage of the position, but legally they were within their rights in paying those wages. When the men worked in the cellars they came under the provisions of the determination referred to.

Mr. Teusner—They had a good break in the vineyards.

Mr. FRED WALSH—I do not know that it was, seeing they were paid lower wages. At present these employers can employ anyone they like at any old wages or conditions. That should not be permitted, because the employers can sell their products on the open market at a very good profit. In England agricultural workers have been under the Wages Regulation Act since about 1934. It was agricultural workers who many years ago were deported from England for forming a trade union. Some went to Australia and some to Canada; they were known as the "Tolpuddle martyrs." They formed the organization to combat the demand by farmers who wanted to reduce their wages from 7s. to 6s. a week. It seems strange that 117 years later in South Australia the right of agricultural workers to get decent wages and conditions under the State industrial machinery is still being contested. Many parts of Europe are recognizing the right of agricultural workers to fixed wages and conditions. The International Labour Organization conference, comprising representatives of Governments, employers, and employees, held at Geneva in June, carried a convention that a minimum wage should be provided for farm workers. It read:—

That member states of the International Labour Organization should create or maintain adequate machinery to fix minimum rates of wages for workers in agricultural and related occupations.

Government delegates from Britain, France, United States of America, and Australia voted for the convention. As I have said before, it is easy for any Australian Government delegate at this conference to support a convention relating to industrial conditions because he can "pass the buck" when it comes to its ratification. The rules of the organization provide that a convention shall be submitted to the respective member governments within 18 months of its being adopted. Despite the fact that its representative voted for the convention the attitude of the Australian Government in the main on this question is to "pass the buck" by saying "Industrial matters like this concern the respective States and no action of ours can be binding on the State Governments." That is perfectly true. I mention the point to prove that this question of wages and conditions for agricultural workers does not concern only South Australia, but the various governments of the world, which are perturbed about the low wages and poor conditions of these employees. The Leader of the Opposition said the Victorian Government only recently appreciated this position and established a wages board to fix the wages and conditions of agricultural workers.

Mr. Christian—Was it not only for the dairying industry?

Mr. FRED WALSH—It arrived at a determination covering the wages and conditions of employees in the dairying industry. Among the conditions provided was a 40-hour week. It is true that a 40-hour week is most likely to be included in any award or determination unless exceptional circumstances can be shown why it should not apply. I have an extract from the *Advertiser* of September 14, which says that the South Australian Wheat and Woolgrowers Association determined at its conference to amend its constitution to enable it to be registered as an industrial organization in the Arbitration Court. Evidently it realizes the need to be registered. I do not know whether it is a Federal organization or not. It is a pity Mr. Stott is not present, because he could answer the question, as the statement is attributed to him. The object of the registration is to enable the organization to effectively oppose any move for a 40-hour week in agricultural industries. No-one on this side of the House has suggested that it should be denied the right to be registered so that it could submit arguments in opposition to those of employee organizations.

All this Bill seeks is an amendment of the code to enable agricultural employees' organizations to approach the State Court. The Premier said these employees were not complaining and were quite happy with their conditions. That remark reminds me of some of the Gallup polls. I have as much faith in that statement as I have in the Gallup poll when one recalls its prediction on the referendum held on Saturday. I do not know how the Premier knows that rural workers are happy with their conditions. It may be that they are, but I do not know, but I think it is safe to assume that a big percentage are not. Mr. Lawn referred to an organization known as the Market Gardeners' Employees Association which was set up a few years ago. Quite a number of members were enrolled and

it was intended to apply to the court for registration, but that was found impossible, and as a result the organization was abandoned. The Premier also said that rural employees were better off than those in secondary industries. If that is so, why the fear of greater penalties and harsher conditions being imposed on employers in rural industries? However, I question the Premier's statement. A person who has the opportunity to exploit labour and is not compelled to give decent wages and conditions is in a better position to compete with other producers whose conditions are fixed by the court, as suggested in the amendment. I know that members on the other side of the House favour fair competition and free enterprise so that no individuals will have advantages over others. I noticed in a report that the Joint Dairying Advisory Committee, when dealing with the question of costs of running a dairy farm, took wages into account when considering the cost of producing butter. The 40-hour week was taken as the basis of the hours of labour in the industry. My organization, a Federal one, prefers to go to the State rather than the Federal court. Probably the day will come when we will leave the State court and appear before the Federal court. That is one reason why we should make the Industrial Code compare more than favourably with any other industrial law in the Commonwealth.

As regards the necessity for having 20 members to form an organization before it can be registered in the State Industrial Court I mention the case of dental mechanics. They are few in number and had great difficulty in getting sufficient members to obtain an award of the State court. Finally they were able to obtain the required number and secured an award. As regards applications for the appointment of wages boards, my organization cannot apply because it is not registered in the State and is not recognized by the State court. It is necessary to obtain a requisition form, have it correctly filled in and signed by at least 20 members employed in the industry. That may not appear much, but the position would be considerably eased if the number were reduced from 20 to 10. I hope that the House will agree to the second reading and allow the Bill to go into Committee to give the Premier an opportunity of placing certain important matters before members.

Mr. BROOKMAN secured the adjournment of the debate.

OFFENDERS PROBATION ACT AMENDMENT BILL.

Second reading.

Mr. FLETCHER (Mount Gambier)—The Bill is the result of a case in which I have been interested for more than 12 months. The Offenders Probation Act makes no provision for probation officers, parents, or guardians to be informed by police officers of any breach of a bond or recognizance. In a recent case in my district this omission caused a lot of mental anxiety to the parents and bondsmen of the offender. Although this young man was spoken to by the police on October 22, 1949, for consuming a glassful of intoxicating liquor no charge was laid against him; his parents were not informed, neither was the priest nor the sergeant of police. All thought that the probationer was doing a very good job. Three days prior to the sitting of the Circuit Court at Mount Gambier he was served with a summons to appear before it for an offence committed by him six months previously. I have been in touch with the Chief Secretary since October, 1950, regarding this case, and as far as I can ascertain there has been no breach of the Act. Following upon correspondence that I have received, I draw attention to certain remarks made by the sheriff who said:—

> There is no obligation whatever on the police to seek out sureties and inform them of a breach of recognizance; on the contrary, the obligation is on the sureties. The probationer had his chance to live at Mount Gambier under the first recognizance, but he failed to observe same.

The sheriff also suggested that the Crown Solicitor should be asked to advise whether any action was desirable under section 8 of the Act towards seeking a variation of the conditions. The Crown Solicitor reported:—

> In my view, the prisoner could consider himself extremely fortunate to have been released on a bond, even one containing the somewhat unusual conditions imposed at Mount Gambier. His subsequent breach thereof and his release on a further bond—instead of imprisonment for the former offences—are dealt with by His Honour Mr. Justice Mayo in his remarks on sentencing the prisoner. I draw particular attention to the following extract from the remarks of His Honour when sentencing the prisoner:—"I propose to act on what counsel has put to me and his (the alienist's) recommendation (that you be not sent to gaol). But it necessarily follows that you will have to be held for some time at Kuitpo. Your case is a rather difficult one to deal with, and perhaps that is the best way to bring home to your rather unusual degree of intelligence your duty to comply with the law."

I draw special attention to the words "the somewhat unusual conditions imposed at Mount Gambier." I do not by any means condone the offences committed by this young man and shall not mention his name, but I do draw attention to a letter I received from Dr. Lorimer, of Mount Gambier:—

Re your request for information concerning the health, mental and physical, of this young man; I have known him for many years. He has a psychopathic personality—at times grandiose in its exhibition. For example, he was a member of St. John Ambulance and used to parade the streets nightly all dressed up in this uniform, whilst not on any sort of ambulance duty. He was fond of associating with any spectacular authority, especially uniformed, trying to get some oblique glamour from such associations. This exhibitionism became a habit and in looking for higher stimulation he became a "cat burglar"—making himself more a hero than ever. His crimes were crude, petty affairs, unplanned and most often unproductive except for the mental satisfaction associated with reading of the event in the newspapers. I gave evidence at his trial, mainly along the lines of poor mentality and congenital heart disease. In answer to a question by the judge. I stated that the abnormal mentality would make him (the young man) an unsuitable subject for incarceration in gaol, as prison associations would lead to gross moral degeneration and would turn this more or less harmless half-wit into a criminal, perhaps a dangerous criminal. He would be a "butt" for the wit and amusement of his seasoned fellow inmates. The judge released him on a bond. For a period following his release he became morose and hysterical. He went around the place trying to poison himself, always before an audience, and generally explored all the usual channels in his desire for exhibitionism—threw fits in the street, especially under observation and no doubt enjoyed all the resultant fuss going on around him. His physical condition is less ethereal. He failed in a life assurance examination because of a congenital heart. He is a poor physical type. The congenital heart is a gross health risk. He is especially liable to septicaemia and pulmonary tuberculosis. I believe his present environment is a rough sort of place. This will therefore react against his health and he is more liable to the complications of his heart and lung trouble.

This evidence was later supported by Dr. Birch. It appears to me that the Act and the regulations could be humanized and more consideration given to parents and others interested in such cases. This offender had to report to the local priest and the sergeant of police every week and be in his home every night by 11 o'clock. All sureties were faithfully carried out, but the police knew six months before he was apprehended that he had broken his bond and that they were not compelled to inform any of those interested of any breach of recognizance. That is the case on which I am basing this amendment. The boy's parents are highly respectable and members will understand their anxiety when their son was discovered to be a petty thief. I am not saying that the sentence was wrong, or that the police adopted wrong methods, because there is nothing in the Offender's Probation Act to prevent their doing what they did. As a member of the Public Works Committee I have had the opportunity on many occasions to visit the institutions in which these unfortunates are placed, and I say that the more we look after them and keep them away from these homes the better it will be for all concerned. The Bill inserts in the Act a new section 7a as follows:—

If a member of the police force has observed, or has received a report that any probationer has broken or failed to observe any condition of his recognizance, that member shall forthwith take such action as is proper, having regard to his rank and the rules of the police force, to ensure that the facts so observed or reported are reported to the probation officer or other person under whose supervision the probationer has been placed.

Mr. Christian—What will be the effect of that?

Mr. FLETCHER—Immediately a probationer has committed a breach of his bond his sureties will be informed of it and so will pay greater attention to his behaviour. This Act is very complicated and I contend, after my experience in interviewing the Chief Secretary and others, that the sentence in the case mentioned was extraordinary because the conditions imposed upon this lad were contrary to both the Act and the regulations. I move the second reading.

The Hon. T. PLAYFORD secured the adjournment of the debate.

HOMES ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

[*Sitting suspended from* 5.52 *until* 7.30 *p.m.*]

SUPERANNUATION ACT AMENDMENT BILL.

Introduced by the Treasurer and read a first time.

CONSTITUTION ACT AMENDMENT BILL (No. 2).

Introduced by the Treasurer and read a first time.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from September 20. Page 622.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—It is pleasing that the Government has seen fit to introduce a Bill to bring the principal Act into line with present-day living costs. No doubt it was introduced because earlier in the session I introduced a Bill which made substantial amendments to the principles of workmen's compensation. We on this side of the House thought they were necessary to put the matter on a stable basis. It is pleasing to note that some of the benefits which would have accrued to injured workmen under our Bill have been provided to a considerable extent in the Government Bill. In criticizing our measure the Treasurer said that we had searched Australia and had selected the best pieces of legislation in the other States. Apparently he was not unmindful of some of the proposals in our Bill because he has included them in the Government measure. He said the increases in the Bill are generous, but it must be remembered that the benefits are below the average benefits provided in other States. It must not be thought that the Government itself is providing these benefits, because they come from industry. Unfortunately, many of the anomalies in the Act still remain, and the Bill, like many other Government measures, merely deletes some figures and inserts others. Serious anomalies deal with workmen travelling to and from work, and apprentices travelling to and from the trades school they are required to attend under their apprenticeship. I understand there is some doubt whether apprentices are covered whilst attending a trades school and working machines as part of their training, and it is a matter which should have been considered by the Government. There is also the question of men travelling to and from pick-up places. The practice has grown up of having pick-up places, and it particularly applies on the waterfront, but the matter is not mentioned in the Bill. Compensation for workmen travelling to and from their place of employment has become a feature of the workmen's compensation legislation of the Commonwealth, Queensland, New South Wales, Victoria and Tasmania, and so far as I can ascertain it has worked satisfactorily.

Another matter which should have been covered by his Bill deals with the weekly payments made to an injured employee being deducted from the lump sum payments which accrue to him on total incapacity being proved or to his dependants if his death occurs. In the past there has been considerable hardship in this direction, and apparently it is to continue in the future. The Bill specially excludes from the benefits of workmen's compensation men who are injured just prior to the passing of this amending legislation. This has always been an anomaly when we have been forced to increase workmen's compensation. The anomaly will continue unless the Bill is amended to overcome the difficulty. I intend to submit an amendment, and I regret that I have not had the time to get it printed and placed on members' files. It will provide that any injured workman receiving weekly payments when this measure is passed will be entitled to the increase in the weekly payments provided in the Bill. I do not seek to increase the total weekly payments in any way. It is a reasonable proposal and will be of considerable benefit to injured workmen on compensation when the Bill is passed. I hope it will be sympathetically received, because it will remove partially at any rate an existing anomaly. I welcome the proposed increase from £50 to £75 for aggregate medical, hospital and other expenses. In this regard my wishes have been met half way. I suggested in our Bill that the amount be increased to £100. There are other anomalies I could deal with, but the Bill covers all we can hope to achieve at present; consequently, the sooner it is passed the better it will be for the community. Every day workmen are unfortunately meeting with accidents which entitle them to compensation and any delay in the passage of the Bill will prevent some workmen from receiving the increased benefits to which they are entitled. I support the second reading.

Mr. LAWN (Adelaide)—In his second reading speech the Treasurer said:—

The object of this Bill is to make general substantial increases in the rates of compensation prescribed by the Workmen's Compensation Act. The Government is anxious that these payments should at all times be kept at a level which is fair to workers, having regard to current wage rates and the standards adopted generally throughout Australia.

Apparently this is a new, but welcome, departure from previous Government policy. In December, 1935, the basic wage was £3 7s. a week, and the minimum amount then payable under this Act on the death of a workman was £400, the maximum £600. Today the minimum wage in South Australia is £9 10s. Using the

amount payable in 1935 as a base, today the rate payable on the death of a workman should be £1,134. If we use as a comparison the tradesman's rates of 1935 and 1951, the maximum amount today should be £1,506. In 1940 the maximum amount payable under the Act was increased to £750, but the minimum remained at £400. At that time the basic wage was £4 a week. Using the 1940 figures as a base, the minimum rate payable today should be £950 and the maximum £1,609. In 1942 the basic wage was £4 14s. a week, but compensation remained at £400 minimum and £750 maximum. Using those figures as a base, today the minimum should be £808 and the maximum £1,462. The minimum has been progressively relatively reduced. The Bill provides for a maximum of £1,500. In August, 1947, the basic wage was £5 7s. a week and the minimum compensation on death was £500 to the widow, plus £50 for each child, the maximum £900, plus £50 for each child. Based on today's minimum wage these should be £887 minimum and £1,335 maximum. It is a shame on this Parliament that since 1935 instead of progressing it has actually reduced the real amount payable on the death of a worker to his dependants. The widow left with a family to care for because of the death of the breadwinner at his employment needs much assistance. It is pleasing to observe that the Government is now attempting to provide compensation based upon current wage levels—a move long overdue.

Although supporting clause 3, which amends the definition of "workman", I cannot follow the inconsistent attitude of the Government. At present the Act defines a worker as an employee receiving not more than £15 a week. Clause 3 increases that amount to £24. Under paragraph (*a*) of clause 6, if earning £24 a week, he should be entitled to 75 per cent of his wage, equalling £18; but paragraph (*c*) provides a £12 maximum. If an employer insures a workman earning £24 a week and the Bill provides that he shall receive 75 per cent of that income whilst incapacitated, he should be paid that amount. It should not be reduced by fixing a maximum of £12 a week.

I support the proposed increase in hospital benefits, but point out that in many States higher amounts are provided. As secretary of a trades union I have known of instances of members who have incurred medical expenses exceeding the amount provided by the Bill. Why should a man whose weekly earnings have been reduced have to pay for medical attention to make him fit again so that he may return to work? He should be free from worries during his period of incapacity. The Bill provides that the amount payable for transportation of an incapacitated worker to a hospital or to his home shall be increased from £2 to £5, medical expenses from £25 to £35, nursing fees from £3 to £5, and hospital expenses from £20 to £30, but the legal position is that, if the Bill is passed, £75 may be expended on any or all of those services. This legislature is confusing the average workman who thinks he is entitled to only £5 for transportation, to £35 for general medical expenses, to £5 for nursing, and to £30 for hospital expenses. The Bill should provide for a maximum amount of £75 for any of those services. When the original Act was passed, the total amount of such expenses was £25. We claimed and received from insurance companies £25 for medical expenses. However, the Act stipulated various amounts for whatever services were rendered. Actually the workman could claim the full sum allowed for services rendered by a doctor or a hospital. Parliament should frame its laws simply so the average citizen could understand them and not have to obtain legal advice. I have said before that no-one knows the law, not even we who make it or the legal fraternity, until it has been contested in court. It is accepted only until it withstands a challenge. If the Government intends to permit £75 for medical expenses why not say so in the Bill? That is the effect of the Bill.

Mr. Pattinson—You get good value for your money in obtaining legal advice.

Mr. LAWN—I am pleased to say the organization with which I am associated did receive good advice, but the insurance company concerned did not. The insurance company fought us until we had to take the matter to court, but the counsel for the company did not appear at the court and judgment was given against the company by default. The employers were not pleased with their insurance company although, as the member for Glenelg suggested, both parties may have received good advice. The insurance companies often try to see what backing a workman has, and whether, if they take him to court, the case will go on. Often every possible obstruction is placed in the way of workmen before receiving the amounts Parliament has authorized. One of the largest employers in this State has a representative of its insurance company at its works every Tuesday and every one who has been injured and

has not made a claim can interview this officer, who advises him whether he can make a claim. Many an employee of that company has been talked out of making a claim, but no-one has the right to say whether or not an employee can claim workmen's compensation. Many employees told not to apply have seen me. In most cases I advised them to claim and in all those instances they received compensation.

I was hoping that the Bill would provide compensation for injury received in going to or returning from employment. I know two women whose husbands were killed in going to or from work. I have often been asked why people injured on their way to work cannot receive compensation. They believe they are entitled to it because there is a Commonwealth law operating in this State to cover such accidents. Perhaps their next-door neighbour, employed by the Commonwealth, received compensation, so they believe they are entitled to it. Such accidents should be covered by State legislation. I know of a case where a workman met with an accident while riding his bicycle when only 3ft. from the entrance of the factory. The employer felt he was entitled to compensation and sent the claim on to the insurance company, but it was not granted. Employees do not go to work because they like it but because they must find the wherewithal to provide a decent living standard for their families. Members opposite have for some time been urging greater production and want employees to work long hours. If it is good enough for employers to introduce schemes of payment over and above award rates based upon the number of hours worked it is good enough for them to compensate employees for injuries sustained in going to or from work.

I support the remarks of the Leader of the Opposition that the weekly payments should not be deducted from the total payment allowed. I know of many workmen who have lost a finger or portion of a limb and by the time they returned to work the whole of the amount payable had been exhausted by the weekly payments. Sometimes the doctor tries to save the finger or limb, but later finds it necessary to amputate it. Through no fault of the employee his return to work is delayed and the resulting greater weekly payments absorb the full amount to which he is entitled. He therefore does not receive a penny for the loss of the finger or limb, which may prejudice his earning capacity. I hope the Government will seriously consider this aspect. I support the Bill, but hope that in future payments for workmen's compensation will be related to current wage standards. The Bill introduced by the Leader of the Opposition ensures that compensation payable will depend on movements in the basic wage. Although Parliament since 1935 has increased the nominal amount payable on death the real amount has been decreased. This Bill provides an equivalent amount to that payable in 1935, but if wages were reduced during the next 12 months it might be said that the Bill was providing a higher real compensation than was stipulated in 1935. The other suggestion by the Opposition was that whether wages rose or fell, every widow would receive the same value in money upon the death of her husband, whereas since 1935 that has not been the case. I support the second reading.

Mr. TAPPING (Semaphore)—I support the Bill because it is a step in the right direction. Tonight we have listened to fine speeches from the Leader of the Opposition and the member for Adelaide. I wish to refer to anomalies in this Bill. Last session when Parliament dealt with workmen's compensation, a grave mistake was made in discriminating in payments between married and single men; it was something unprecedented and unwise. A single workman should receive the same consideration as a married man if he is injured, because he has to plan for his future. Under the Bill a widower workman will receive £8 a week, whereas a married man with dependants will receive £12. That is an anomaly because a widower with no children under 16 may have to employ a housekeeper and his commitments may be the same as the married man with dependants. The Leader of the Opposition referred to the workman who is injured going to or returning from his employment and, with other Opposition members, I contend that it is entirely wrong that provision should not be made for that circumstance, as is done under the legislation of the Commonwealth and four other States. That is progressive legislation. Cases have been brought to my notice of men being injured during their lunch hour. If a man takes his lunch to work and during the lunch hour goes out to make a purchase and is involved in an accident he is not regarded under the Act as being employed. If the Government does not agree that a man should be covered for the complete day it should consider covering him during the lunch hour. The value of the pound has further

depreciated and even with the increases under the Bill, the position will not be much better than it was 12 months ago. I would not be in order in referring to the amending Bill introduced by the Opposition, but my humble opinion is that the Government has been spurred on by that Bill to introduce the present measure and outdo the Opposition, but being democrats we support this measure and feel that as the years pass our advocacy will give us a better Workmen's Compensation Act.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Compensation for incapacity."

Mr. FRED WALSH—What is the reason for this clause, which alters the ratio of the amounts of compensation? Last year provision was made to increase the maximum amount of compensation to £8 for married men and £6 for single men. The single man received 75 per cent of the amount payable to a married man, but under this clause he will receive only two-thirds. If the 75 per cent ratio were maintained the single man would receive £9 a week.

The Hon. T. PLAYFORD—It is difficult to work out a schedule which will give complete equality to everybody under all circumstances. The method used in considering these amounts was two-fold; first to see what the standards were in other States, and secondly to apply those standards, together with the general rule to aim at fair and reasonable amounts in every instance. In some instances we have given more than a pro rata increase, and in other instances it may be slightly below. In one instance two people have to be kept, and in the other only one person. Under those circumstances it is felt there is justification for giving more to the married man than a flat increase based on other considerations. I appreciate the support the Government receives from the Opposition in these matters. One of the strongest arguments for the increase in rates is that insurance companies are already collecting increased premiums because of higher wages.

Mr. McAlees—Would it cost as much to insure a single man as a married man?

The Hon. T. PLAYFORD—I do not think a differentiation is made. My experience as an employer is that at the beginning of the year an estimate is made of what a man's total wages will be and at the end of the year, the actual figures are supplied and adjustments made accordingly. Insurance premiums are based on the general rates applicable to both married and single men, and the number of single persons employed in the industry is taken into consideration.

Clause passed.

Clauses 7 and 8 passed.

Clause 9—"Application of Act."

Mr. O'HALLORAN—I move to amend the clause by inserting before "Sections" in line one "Subject as hereinafter provided," and at the end of the clause to add the following proviso:—

Provided that where a workman is at the time of the commencement of this Act in receipt of or entitled to a weekly payment for total or partial incapacity resulting from injury caused by an accident occurring before the said commencement, such weekly payment shall, on and after the said commencement, be at the rate which would be payable if this Act had been in force when the accident occurred; but the total liability of the employer in respect of weekly payments for any such incapacity shall not exceed £1,150.

I sincerely ask the Committee to accept the amendment to provide for the cases I mentioned in my second reading speech of workmen who had been injured prior to the commencement of this legislation, thus enabling them to receive the increased rates provided in the Bill. This would overcome anomalies, which should not be allowed to continue. Not much will be involved from the point of view of total payments, but a considerable measure of relief will be provided those unfortunates who would benefit under the amendment. It will be seen that my amendment is limited to weekly payments and does not increase the total liabilities in respect of those payments provided for under the legislation at present.

The Hon. T. PLAYFORD (Premier and Treasurer)—The problem mentioned by the Leader of the Opposition is one always experienced when an alteration is made to rates under this legislation. There is an element of retrospectivity about the amendment, but the honourable member has combined it very judiciously to provide that there shall not be an increase in the total overall liability under this line, and in the circumstances I am prepared to accept it.

Amendment carried; clause as amended passed.

Title passed and Bill reported with an amendment.

TRESPASSING ON LAND BILL.

Committee's report adopted.

ADVANCES FOR HOMES ACT AMENDMENT BILL.

Read a third time and passed.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 25. Page 663.)

Mr. TAPPING (Semaphore)—I support the Bill because I feel it is not controversial. I understand from the Treasurer's speech that it was introduced at the request of the Returned Soldiers' League, which has also approached the Commonwealth Government and other State Governments, and undoubtedly they will in turn agree to the request. The measure is to apply to the estates of servicemen who may lose their lives in the Korean conflict and provides that properties up to a value of £5,000 shall be free from succession duties. Consideration is also given to properties exceeding that value. The measure is very fair, particularly as similar legislation applied after the two previous world wars. I should like clarification from the Treasurer in relation to men who serve on merchant ships. I take it that the legislation would apply to those killed in naval warfare, but I want to be certain that it does not exclude men who may lose their lives whilst serving in the merchant navy. During the last World War dozens of steamers were lost off the Australian coast by enemy action and I consider that similar disasters could occur in the Korean war. I have pleasure in supporting the second reading.

Mr. TEUSNER (Angas)—I also support the second reading. The one matter dealt with by the Bill is contained in clause 3, which relates to a solicitor who may be appointed as a trustee of a property or an executor of a will. As mentioned by the Treasurer in his second reading, under common law a solicitor who is appointed an executor or trustee under a will cannot charge his legal expenses for obtaining probate or the administration of an estate, and he must pay succession duty in respect of his charge. It frequently happens that a solicitor is appointed an executor by a client principally because the client has a certain amount of trust in the person who handles his business. I consider there has been an anomaly in as much as it is necessary for the executor or the trustee of a will to engage a professional man to handle the business and extract probate. If the solicitor is himself the executor or trustee I can see no reason why he should not be paid for his professional services. In the past, under the Succession Duties Act, he would nevertheless be bound to pay the customary succession duty and in most instances that has been at the rate of 10 per cent, this being the higher rate payable by a person who is a stranger in blood to the deceased. Clause 3 overcomes this difficulty and enables a solicitor who is a trustee and is empowered pursuant to the will to make a charge for his professional services to be exonerated from the liability to pay succession duty in respect of the value of those services. Paragraph (*b*) of clause 3 (1) makes further provision whereby the amount of a professional charge can be deducted from the gross value of an estate for the purpose of succession duties. At present this is not allowable. This deduction will make the duty payable in respect of an estate somewhat less—on the net value of the estate.

Mr. Riches—Is there any limit on fees that can be charged by a solicitor?

Mr. TEUSNER—The charges are fixed under the rules and regulations of the Administration and Probate Act. Clause 4 deals with another important matter—the repayment of duties in the case of persons who die on active service in the Korean war. It is a proper provision to make in as much as a similar provision was made in 1942, when section 55 (*a*) was inserted into the principal Act. Section 55, paragraphs (*a*) and (*b*), provide for the remission of succession duty in the case of a person who died on active service in World War II. Section 55b (1) of the principal Act provides that if property is derived by a widow, widower, descendant, or ancestor, or brother or sister of deceased, and if the net value of the estate does not exceed £5,000, the Commissioner of Succession Duties is empowered to repay the whole of it. In cases where the present value in each case exceeds £5,000 all duty in excess of the amount which would have been payable if the value had been reduced by £5,000, will be repaid by the commissioner. Clause 4 of the Bill makes it possible for the commissioner to repay the duty in the cases I have quoted to the brother, sister, widow, or widower, ancestor or descendant of a serviceman engaged on active service in Korea. The Bill should receive the support of all members.

Mr. SHANNON (Onkaparinga)—But for the fact that I am connected with a trustee company I would not have spoken on this Bill. Clause 3 deals with members of the legal profession who act as trustees of estates. Although there has been some criticism —with which I am not entirely in accord—of legal practitioners acting as trustees, there are certain family ties which should not be lightly brushed aside, where solicitors, by long association with families, have earned their goodwill, and by virtue of it are appointed executors. Parliament should try to make it practicable, for a deceased person's wishes to be carried as nearly as possible into effect and no person is better fitted to do that than a friend of the family. A local solicitor would probably know all about a family and their personal history. Such an appointment would probably achieve a better interpretation of a testator's wishes than any other. The legal profession is one which should receive from the community its just reward rather than the criticism it is customary for certain people to level against it, in many cases without due regard to the actual facts. Sometimes that criticism arises from pure jealousy.

As regards fees payable to legal men who accept this responsibility, they cannot mulct the estate in costs in excess of what they would have to pay if it were placed in other hands. Although I am a director of an executor company I have no objection to such a provision; in certain circumstances it is warranted and probably in the best interests of the estate concerned. I need not add anything to remarks made about men who have offered their services to their country; the member for Angas has ably dealt with that. I am sure all members will support what has been done to give to those serving in the Korean war concessions that were granted to men who served in World War II. Trustee companies, of necessity, have to obtain legal advice regarding the administration of affairs of many estates. I have no quarrel, nor is my company in competition, with the legal profession in this field. As long as we get the type of control which the legal profession itself observes in regard to its members I have no fear that there will be any untoward happenings as a result of the appointment of legal practitioners as trustees. I support the Bill.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—The member for Semaphore asked whether the definition would be sufficiently wide to include merchant seamen as well as men serving in warships. I assure him that they will be covered.

Bill read a second time and taken through Committee; Committee's report adopted.

URANIUM MINING ACT AMENDMENT BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Uranium Mining Act, 1949. Read a first time.

ADJOURNMENT.

At 9.1 p.m. the House adjourned until Thursday, September 27, at 2 p.m.