

HOUSE OF ASSEMBLY.

Tuesday, October 9, 1951.

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

ASSENT TO ACTS.

His Excellency the Governor, by message, intimated his assent to the Industrial Code Amendment Act No. 1, Port Pirie Park Lands Act Repeal Act, and Cattle Compensation Act Amendment Act.

PROOF RANGE IN HILLS DISTRICT.

Mr. O'HALLORAN—I have gathered from press reports that considerable perturbation exists in a hills district over a suggestion that a considerable area of what is described as good fertile land, consisting of about 40,000 acres, is likely to be taken over by the Commonwealth for a proof range in connection with certain military activities. Can the Premier say whether the State Government has been consulted by the Commonwealth authorities in any way as to the acquisition of the site, and whether another suitable site could be made available which would not disturb the position in the area mentioned?

The Hon. T. PLAYFORD—The State Government has not been consulted in the matter, which is one that falls within the scope of the Commonwealth defence powers, and there is no obligation on the Commonwealth to consult the State in any way. However, this morning I sent the following telegram to the Prime Minister:—

Reference proposed acquisition of land for army range, Tungkillo: Strongly recommend reconsideration of this project. Area proposed to be resumed contains some very highly productive land, including 60 homes. State electricity authorities concerned that an important proposed transmission line cuts right across this area. In addition, I feel the establishment of this range would greatly increase fire hazard in one of the districts most difficult to control.

BUILDING PERMITS.

Mr. FRANK WALSH—I understand it has been difficult in the past for a person who has been issued with a notice to quit to obtain a building permit. In most cases, before getting the necessary permit, he has had to wait until the eviction order has been issued. In view of the Premier's statement recently in connection with the building materials legislation that the permit system would be easier, can he indicate whether the Building Materials Office now views more favourably applications

for a permit from persons issued with a notice to quit, so that they will get a permit prior to having to go to the court in connection with the eviction order?

The Hon. T. PLAYFORD—The adoption of that suggestion would inevitably inspire the issuing of many notices to quit. For the information of the honourable member I will bring down a comprehensive statement as to the types of people who can get permits and the conditions under which they can be obtained. The honourable member will then see the grounds upon which the committee is working.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Mr. CLARKE—Can the Minister of Local Government say whether, in the Bill he proposes to bring down to amend the Local Government Act, consideration has been given to suggestions by local government authorities to clarify the definitions of "road making," "paving," and "road forming"?

The Hon. M. McINTOSH—Yes. These matters have been the subject of review by the Local Government Advisory Committee and the Parliamentary Draftsman. The Bill is not yet definitely through Cabinet, and until it is I cannot indicate the position. In any case, the honourable member knows that it is not usual to give information about definitions in a Bill until it is before the House. The matter has received the consideration of all the authorities concerned.

SALE OF FAT LAMBS.

Mr. PEARSON—My question concerns reports which are current about the predicted sale of quantities of fat lambs to the United States of America and Canada. Has the Minister of Agriculture any information to give regarding the contracts made by the Commonwealth Government through the medium of the Australian Meat Board, and can he say whether the increased prices, if any, obtained through the sale will be passed on to producers or retained by the board? If increased prices are possible under this scheme, is there any indication as to their extent and also the volume of meat concerned in the contracts?

The Hon. Sir GEORGE JENKINS—A certain amount of meat has been sold to the U.S.A. and Canada, and the Australian Meat Board is the body which has handled the sales. I do not know whether the actual prices have been disclosed or whether a price basis has

been arrived at. The report I have received on the matter reads:—

It is a fact that the Australian Meat Board are selling lambs to the U.S.A. and Canada and that exporters and operators will be given a commission on their purchases, the amount to be determined by the Commonwealth Minister for Commerce. It was hoped that with this incentive to exporters, the price of the heavy-weight lambs which the Canadian and U.S. contract involved, namely, 37-42 lb. and 43-50 lb. of Downs, first and second quality, would increase the price in the market or other means of marketing (such as private treaty and country markets) whereby the price to the producer would be increased over and above the U.K. export parity. At last Wednesday's market, according to the department's buyer, lambs were 10s. to 12s. per head dearer, and of this increase approximately 6s. to 7s. represented increase in skin values. In the opinion of the department, the return to the producer for the heavy lambs suitable for Canada and U.S.A. averaged 13½d. to 15d. per lb., which suggests that there may have been an increase up to 1d. per lb. over the U.K. export parity for the producer of this type of lambs. It is understood that the net profits on the sales to U.S.A. and Canada will be paid into the "Lamb Producers' Fund" of the Australian Meat Board. The disposal of these profits will be determined by the Commonwealth Government.

GLADSTONE AND WILMINGTON RAIL SERVICES.

Mr. HEASLIP—On numerous occasions I have brought to the attention of the Minister of Works the unsatisfactory rail service on the Adelaide-Gladstone-Wilmington line. Twelve months ago over the Labor Day week-end a train left Adelaide on Friday which enabled people, particularly school children, to return to their homes. This year no such service was provided. Yesterday people in the Wilmington, Gladstone, and Balaklava districts had no way of returning to Adelaide except (1) by catching the 10.20 a.m. train from Gladstone, journeying to Port Pirie, staying there all day, and arriving in Adelaide between 10 and 11 p.m.; or (2) they could journey to Spalding, a distance of up to 60 miles, and arrive in Adelaide at 9.35 p.m. Can the Minister do anything in the near future to improve the service?

The Hon. M. McINTOSH—Towards that end and towards the improvement of services throughout the State the Government much earlier in the year approved of a railway officer going abroad to recruit men for its staff. We are catching up with the shortage of engine power, but the real bottleneck is the shortage of manpower. I cannot claim

that the men already employed should do more for they are already working very long hours and very efficiently. The latest figures show that 38 per cent more freight was shifted with only 5½ per cent more manpower than in previous years. Until more manpower can be obtained to keep pace with our expanding engine power and to repair some running tracks which are getting out of good condition, the Railways Commissioner is confronted with an impossible task—to shift more freight than ever and at the same time to give a better passenger service. With the recruitment of staff it is hoped that the better service asked for can be provided.

MOTOR VEHICLES INSURANCE PREMIUMS.

Mr. CHRISTIAN—Has the Premier obtained a report from the Prices Commissioner in reply to a question I asked in August regarding the suggested increase of 25 per cent in motor car insurance premiums?

The Hon. T. PLAYFORD—I will communicate with the Prices Commissioner on the matter, which is one of interstate concern, and let the honourable member have a reply as soon as possible.

CONCRETE TANKS, COUNTY BUXTON.

Mr. CHRISTIAN (on notice)—

1. Has the survey for sites for concrete tanks in county Buxton been completed?
2. Have tenders been called for the construction of any of these tanks?
3. How many of these tanks are expected to be completed in this financial year?

The Hon. M. McINTOSH—The replies are:—

1. Yes.
- 2 and 3. Orders were placed for Australian steel more than a year ago, but these have not been filled and orders have now been placed overseas. Tenders for construction will be called immediately adequate supplies of steel are in sight. Construction depends upon the delivery of the requisite steel and subsequent response to tenders for erection, as everything that the Government can do towards completion has been done.

PRICES OF WINES AND SPIRITS.

Mr. FLETCHER (on notice)—

1. Is it the policy of the Government to sanction increases in the sale prices for goods purchased and held in stock before recent price increases in commodities?

2. Has the State Prices Branch any check on quantities of wines and spirits held in bond in this State?

3. Has the State Prices Branch any record of stocks of wines and spirits held in hotels in South Australia?

4. If so, how many times a year are returns required from hotels?

5. Is the Treasurer aware that very large quantities of wines and spirits were purchased by many large hotels prior to recent price rises and that these hotels are now retailing these goods to the public at the new and higher rate?

The Hon. T. PLAYFORD—The Prices Commissioner reports:—

1. No.
- 2 to 5. Wines and spirits are not controlled. The Prices Department has no information on stock positions.

HOUSING TRUST HOMES FOR GOVERNMENT EMPLOYEES.

Mr. FRED WALSH (on notice)—

1. Does the Housing Trust make available a certain number of houses and/or emergency dwellings to certain Government departments for allocation to persons accepting employment in those departments?

2. If so, are these homes allotted to persons other than Australians?

3. What is the number of houses and/or emergency dwellings made available in (a) July, (b) August, (c) September, 1951?

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

1. Yes.
2. Some of these have been let to British families.
3. (a) 10 in July, 1951; (b) 11 in August, 1951; (c) 29 in September, 1951.

QUORN RESERVOIR.

Mr. O'Halloran for Mr. RICHES (on notice)—When is it proposed to resume the work of cleaning out the Quorn reservoir?

The Hon. M. McINTOSH—Cleaning will be resumed as soon as the silt becomes sufficiently dry for the work to proceed.

LOANS TO PRODUCERS ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

URANIUM MINING ACT AMENDMENT BILL.

In Committee.

(Continued from October 4. Page 808.)

Clause 3—"Exemption of certain works from Public Works Committee Act."

The Hon. T. PLAYFORD (Premier and Treasurer)—In accordance with my promise at the last meeting of the Committee I have prepared and now move the following amendment:—

Leave out all the words in paragraph (e) as follows:—"any other public work which the Minister of Mines certifies to be a public work required solely or mainly for the purpose of or" and insert "waterworks, constructed within twenty-five miles of the mines at Radium Hill, for the supply of water required".

This means that the paragraph will not have such a broad application to public works as originally drafted.

Amendment carried.

The Hon. T. PLAYFORD moved consequential amendments to insert "(c)" after "(b)" and strike out "(c)" and insert "(d)."

Amendments carried; clause as amended passed.

Title passed. Bill read a third time and passed.

POLICE PENSIONS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 27. Page 716.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill, like a number of others introduced this session, is designed to remove certain hardships brought about by the depreciation in the value of money and also to correct an oversight which occurred when the Police Pensions Act Amendment Bill was before the House last year. That measure provided for increased pensions and benefits to beneficiaries under the Act. The Government increased its annual contribution by £15,000, following on an agreement with the Police Association that its members would increase their contribution by £7,500 annually. Owing to an oversight the limit which had previously been in force concerning members who had joined the service prior to 1931 was allowed to continue. I understand that this anomaly occurred because of the absence of the Public Actuary at Canberra. It appears

that the result was that whereas some 600 members paid increased contributions, as agreed to by the association and provided for in the Act, 200 who had joined the force before 1931 were not liable to pay the increased contributions. The Bill corrects that anomaly. One is tempted to ask what the State will lose as a result of last year's oversight, because it is obvious that the fund will have to be kept in a solvent condition. As the Government failed to collect, for approximately 12 months, the contributions which the members of the force had agreed to provide, it appears that the amount by which the State subsidizes the fund will have to be increased. Of course, that does not affect the justice of the position, and I suggest that the House accept the amendment to remove the anomaly. The amount in question is not a very large one. The increases which should have applied and which are now being legalized amounted to about £6 18s. a year for non-commissioned officers and about £8 6s. for commissioned officers.

The other amendment will benefit widows of police officers. The present allowance of 10s. a week for the first or only child under 16 and 7s. 6d. for other children will be raised to 12s. 6d. for all children. This is justified, for even with it widows will still have some difficulty in providing for their children. I urge the Government to consider the position of widows without children. During the recess the case was brought under my notice of the widow of a former police inspector who was receiving a very low pension, which was the amount provided under the law at the time her husband died. As his death preceded the amendments made last year, which substantially increased the benefits, she was not able to participate in them. Such cases, of which there are about six, are not dealt with by this Bill.

The Hon. S. W. Jeffries—They are all widows without children?

Mr. O'HALLORAN—Yes. Probably the early death of their husbands was contributed to by the meritorious service they rendered to the State. The Government should consider alleviating the plight of these women in the Bill. With that reservation I support the second reading.

Mr. FRANK WALSH (Goodwood)—I support the second reading and would have more to say about the Bill but for the amendments in the Treasurer's name on members' files. I am perturbed by the fact that the police force is not getting a sufficient number of recruits. If entrants to the force who have been trained

in clerical work are not later placed on patrol work or other duties normally carried out by policemen will they come within the ambit of the Police Pensions Act or be regarded as employees in the Public Service? I have been wondering whether the Police Department has not been insisting upon too high a standard of efficiency and education for entry to the force and whether as a result we are not losing potential police officers. I doubt the wisdom of stipulating fixed pensions. The declining value of the pound has made it necessary during the past few years to repeatedly introduce amending legislation to increase pensions. Perhaps the Act could provide for pensions on the basis of the basic wage plus a certain percentage.

Bill read a second time.

The Hon. T. PLAYFORD moved—

That it be an instruction to the Committee of the Whole House that it has power to consider new clauses relating to the commencing date of certain pensions and benefits under the Police Pensions Act, and the increase of pensions originally granted under the Police Pensions Act, 1916.

Motion carried.

In Committee.

Clauses 1 to 4 passed.

New clause 3a—"Commencement of certain pensions."

The Hon. T. PLAYFORD (Premier and Treasurer)—I move to insert the following new clause:—

3a. The following section is enacted and inserted in the principal Act after section 14 thereof:—

14a (1) Where a member had ceased active service in the force before the 30th day of November, 1950, and was on that day on leave of absence granted under section 75 of the Public Service Act, 1936-1950—

(a) his pension under subsections (1) and (1a) of section 15 of this Act shall commence on the said 30th day of November; and

(b) he shall be entitled to receive the increase in the cash payment under section 15 of this Act as provided for by the Police Pensions Act Amendment Act, 1950.

(2) This section shall without further appropriation be sufficient authority for payment by the Treasurer out of Police Pensions Fund of any additional cash payment and arrears of pension to which any person is entitled by reason of subsection (1) of this section.

This provides that the additional benefits granted to members of the police force by last year's Act will be granted to certain members who at the time when the Act was passed had ceased active service and were on their final

long service leave. Last year's Act increased the cash payments for retiring members of the force from £1,050 to £1,250, and increased the pension payable during the first five years after retirement from £3 a week to £6 a week. The Act also provided that pensions should commence when a member actually ceased active work in the force, and should not be delayed until the expiration of long service leave. When the Act came into force there were eight members of the police force on long service leave who had received the cash payment, but had not yet commenced to receive their pensions. As the Act had no retrospective effect these members were not granted the increased cash payment, nor the privilege of entering upon pension prior to the end of their long service leave. The Act did provide, however, that their pensions, when they received them, would be at the increased rate. The Government has been asked to treat these men in the same way as members of the police force who were still on active service, that is to say, to grant them the increase in the cash payment and the right to enter upon pension before the expiration of the long service leave. In support of this request it was pointed out that at the time when last year's Act was passed these men, though their active service had ended, were still members of the police force and were still contributing to the Police Pensions Fund. It was also pointed out that a somewhat similar position arose in connection with public servants who were on long service leave when a concession was granted last year, and that the Government has introduced legislation to grant this concession to those public servants. There are arguments both for and against the present proposals, but after full consideration the Government has decided that, on the whole, it would be reasonable to grant the requests. The new clause 3a therefore provides two things, namely, that members of the force who were on long service leave on November 30 last will receive the increased rate of pension as from that day and also the increase in the cash payment. The Government is advised that only eight men are affected by this amendment.

Mr. O'HALLORAN—I have no objection to the new clause because I agree that members of the police force should be treated as members of the Public Service were treated in amending legislation last session. This is, I think, the appropriate time to raise again the question of something being done for six widows who find themselves in difficult circumstances because of the same conditions

which caused us to provide additional benefits last year, and which we are making retrospective in certain cases under this new clause. Has this matter been raised by the association? It is one which merits consideration and, if something cannot be done in this Bill, either in this House or in another place, perhaps later other legislation dealing with it can be introduced.

The Hon. T. PLAYFORD—As far as I can see from the docket which I have with me this matter has not come to the notice of the Chief Secretary. The papers on this matter deal mainly with a deputation introduced by Mr. Dunnage on behalf of certain female pensioners connected with the Police Fund. This information shows the South Australian fund in a favourable light compared with those in other States. These matters were arranged in conjunction with the Police Association on the basis that the Government would contribute an additional £15,000 a year and the association an additional £7,500 a year. The Government had no fixed view as to which way the pensions should be used, provided the Government Actuary certified that the amount provided would not result in over-spending the fund. The Bill was ratified not only by officers of the association but by its members generally. The Government has not sought to affect one section of pensioners adversely as against another. Perhaps I was not quite right in comparing policemen with public servants, because public servants do not receive a lump sum on retirement, whereas members of the police force do. When this matter was raised the Government accepted the additional request, which involves only a limited number of officers. No-one should be adversely affected by the legislation. If there is any doubt the Government prefers that the benefit of it should be given to the pensioners rather than that they should feel the Government has acted unfairly. I will refer the honourable member's remarks to the Chief Secretary, who will no doubt get a report from the Government Actuary. Until it has been obtained I would prefer not to express a further opinion on it.

New clause inserted.

New clause 5—"Rate of pension for pensioners under Police Pensions Act."

The Hon. T. PLAYFORD—I move to insert the following new clause:—

5. Section 16 of the principal Act is amended by striking out the word "four" in the last line and inserting in lieu thereof the word "thirty."

This clause deals with the rate of pension payable to six police pensioners who were on pension under the Police Pensions Act of 1916 when the Police Pensions Act, 1929, came into force. These men had been receiving pensions at the rate of £2 10s. a week under the Act of 1916. This amount was raised to £3 by the Act of 1929 and by subsequent increases has now reached £4 10s. The pensioners in question have approached the Government pointing out that the increase which they have received since the Police Pensions Act of 1929 came into force is 10s. a week less than that granted to other pensioners. The difference is due to the fact that increases, generally speaking, have been granted on a percentage basis and these men were originally on lower rates of pension than their successors. There are only six of them and the youngest is 85. In these circumstances, the Government considers it reasonable to grant the request and clause 5 is for the purpose of doing this. It increases their annual rate of pension by £26.

New clause inserted.

Title passed; Bill read a third time and passed.

IMPRINT BILL.

Adjourned debate on second reading.

(Continued from September 27. Page 718.)

Mr. HUTCHENS (Hindmarsh)—Since the Minister delivered his second reading speech I have learned that when the Act that is to be repealed was first introduced in this State, or colony as it was then, it was chiefly a copy of legislation which had been operating in England for many years. It was first introduced there to prevent the printing and distribution of seditious printed statements. So it appears as long ago as 100 years it was felt necessary to have legislation in England similar to that we are now discussing. Members on this side of the House wholeheartedly support the legislation, the object of which is to maintain fair play and justice—above all, British justice. In introducing the original Bill in 1863 Mr. Strangway said he had not brought in the Bill in consequence of anything that had happened in this colony. The first Act was assented to on November 12, 1863, and was amended in 1881. The Statute Laws Revision Act was assented to on December 19, 1935, and required the name and place of business of the printer of any book or paper to be printed thereon. The penalty prescribed

for non-observance was £5 or imprisonment with or without hard labour for two calendar months for each copy not bearing the printer's name and address; so it appears that the penalty was unlimited.

Even as far back as 88 years ago it appears from remarks made during the passage of the Bill which brought about the enactment of the original Imprint Act it was felt necessary to prevent the publication of improper statements—scandalous, seditious or immoral—that might be occasionally set afloat without such an Act. It appears to have worked satisfactorily since. I feel that it is not from what has happened in this State that the provisions of the measure before us are required, but rather to prevent what may happen.

I consider the provisions of the Bill are reasonable. Clause (4) will certainly improve the present law by making certain legal documents exempt. As explained by the Minister in his second reading speech, there seems no special reason for applying the Act in certain circumstances. Unnecessary laws are foolish laws, causing unnecessary expense. The clause also seems to tighten up the law requiring the name and address of printers on all papers printed by the authority of a public board or officer, except those exempted by proclamation. There is also authority for the issue of proclamations to provide for certain exemptions. I have no doubt that it is a wise provision, otherwise there would be scope for practising the very acts the measure sets out to prevent. Clause 5 sets out the duties of a printer or a printing company. The maximum penalty for an offence under the provisions of the Bill is £100, whereas it was previously unlimited. Clause 8 at first thought seems rather dangerous because an inoffensive creature converted to some creed or political school of thought may easily become the victim of an unscrupulous body. However, when one remembers that this type of legislation was first introduced in England to prevent the printing of and the distribution of seditious statements one is obliged to agree that such a law is needed as a second string. The Minister concluded his speech by saying:—

The Government's view of this Bill is that it places the responsibility for observing its provisions on the master printer.

It would not apply to an employee unless he was knowingly a party to a breach of the law by his employer. This may be quite all right in such times as

the present, but I should like a clear explanation of this statement. Personally, I have no great fears, but there are others who feel that an employee who obeys an instruction of his employer, even if he knows that instruction is contrary to the law, should not be held responsible.

If we take it to its final conclusion, an employee who refuses to do as he is told makes himself liable to dismissal for "bucking the boss." I would be grateful to receive an assurance from the Government that an employee would only be liable to a penalty when it was proved that he conspired with his employer to bring about a breach of the Act in the printing or the distribution of printed matter. Where someone is employed in a voluntary capacity the onus should be on the person in charge to observe the provisions of the Act. I support the second reading.

Mr. CLARKE (Burnside)—As Mr. Hutchens said, the original Act was introduced many years ago to deal with seditious printed matter. The object of the Bill is to clear up certain ambiguities in the principal Act. The measure has the full support of the Master Printers Association, on whose suggestion the amendments were brought forward. It was not clear in the principal Act whether a company was required to show its name as being the printer, or the name of its employee. In the last year or so we have seen the name of an employee of a printing house appearing on a publication when one would have expected the name of the company owning the newspaper or publication. In passing it might be profitable to draw printers' attention to the need to send copies of books they print to the Parliamentary Library and Public Library. The Act relating to libraries and institutes has a provision requiring that books be lodged permanently in the Parliamentary Library and Public Library. This should appear in the Imprint Act; that obligation is analogous to the obligation under this Bill requiring printers to keep for a certain time copies of their publications. I commend the Bill. I know it will be greatly appreciated by the printing industry in this State, which for some time has been handicapped by the ambiguities of the original Act.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Duty to print name on books and papers."

Mr. FRED WALSH—It is common practice with trade union organizations to issue notices such as for special meetings but not to have any name inserted. Will this clause apply to such notices?

The Hon. T. PLAYFORD—I think such a notice would comply with the law because it would give the authority for the paper and the organization issuing the notice.

Clause passed.

Clauses 6 and 7 passed.

Clause 8—"Distribution of books and papers not complying with this Act."

Mr. HUTCHENS—Can the Premier say whether the onus under this clause will be upon each person distributing books or papers or on the person responsible for it?

The Hon. T. PLAYFORD—The clause states that a person shall not sell or distribute any book or paper printed in the State on which the name and address of the printer is not printed as required by the Act, so each person will be responsible. The mere fact that he may be acting as an agent does not relieve him of the obligation to comply with the law. This clause is necessary or we could never get compliance with the Act, for a person could say, "I am acting only as an agent and therefore I am immune from the law." The Crown Law Department always tries to prosecute the person deliberately evading the legislation.

Clause passed.

Remaining clauses (9 and 10) and title passed; Committee's report adopted.

CONSTITUTION ACT AMENDMENT BILL (No. 2).

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—The purpose of this Bill is to provide for the payment to His Excellency the Governor of an expenses allowance of £4,000 a year, subject to annual adjustments in accordance with alterations in the cost of living figures. The salary of the Governor was fixed at its present rate of £5,000 almost 30 years ago, namely, in 1922. Before that time it was £4,000, having been fixed at that amount when the present Constitution of South Australia was established in 1856. It can hardly be said that this salary has moved with the times. The Government has recently

inquired into the question whether the Governor's remuneration and allowances are adequate. The information received places it beyond doubt that the salary is insufficient, having regard to the expenses which the Governor must necessarily incur, and that there is a clear case for a substantial increase. At present the duties and functions of the Governor can only be performed by a man who is prepared to make a financial sacrifice in the course of performing them. The sacrifice amounts to some thousands of pounds a year. The Government regards it as most undesirable that this state of affairs should exist and is anxious that the position should be remedied without delay. The Bill contains one of the remedies proposed. It is proposed that the expenses allowance will be a standing annual charge against the revenue of the State and that it will be varied upwards or downwards in accordance with movements in the "C" series index of prices, which are usually taken as an indication of the cost of living. There will be only one adjustment a year, which will be made on the basis of the index number for the March quarter preceding the commencement of each financial year. The Bill will operate as from the commencement of the present financial year.

In addition to the proposals in the Bill, the Government proposes to purchase two motor cars for official use by the Governor, and in addition there will be provision on the Estimates for payment of certain other charges connected with the vice-regal office. It will be noticed that there is a provision empowering the Treasurer to pay a portion of the expenses allowance to the Lieutenant-Governor or other administrator of the Government for any period during which either of them actually administers the Government of the State. In conclusion, the Government desires to say that this State has always been extremely fortunate in its Governors. No-one could wish for better men than those whom the King has chosen for this office; and Sir Willoughby Norrie has maintained with great ability and distinction the highest standard of his predecessors. For this, among other reasons, the Government deems it just that Parliament should provide by a permanent enactment, such as this, for suitable remuneration of our Governors. I move the second reading.

Mr. O'HALLORAN secured the adjournment of the debate.

YOUNG MEN'S CHRISTIAN ASSOCIATION OF PORT PIRIE ACT AMENDMENT BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Young Men's Christian Association of Port Pirie Act, 1918. Read a first time.

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—This is a short hybrid Bill which has been introduced at the request of the Young Men's Christian Association of Port Pirie. This association was incorporated by a public Act of 1918 and certain land was vested in it. The constitution of the association was set out in a schedule to the Act. Article VIII. of the constitution prescribed the method by which it could be amended, but declared that three of its articles should be incapable of being altered, namely, the articles relating to the name and object of the association, its membership, and the mode of altering its constitution. The association now desires to alter the provisions as to membership, and also desires a general power of altering its constitution. The reasons for the proposed alteration were set out in a letter written by the president of the association and handed to the Government by the member for Port Pirie. The relevant parts of the letter are as follow:—

The board of directors of the Y.M.C.A. wish to have power (with the consent of the members) to amend any part of the constitution of the association whenever it becomes necessary. The constitution has not been amended since the inception of the Port Pirie Y.M.C.A. in 1918. It is now intended to bring the constitution up-to-date and in line with a model constitution laid down by the National Committee of the Y.M.C.A. of Australia. At present the association may amend all the articles except Nos. I., II., and VIII. Important amendments are needed to bring article II. (membership), in particular, up-to-date with modern trends. At a recent regional conference of Y.M.C.A.'s in South Australia, it was stressed that one aim of the Y.M.C.A. was to encourage young men to become active members of the various churches. For this reason we feel that the scope of membership, as set out under the present constitution, is too limited, as a prospective member must be "a member in good standing of an Evangelical Church" or must subscribe to the Paris Basis of World's Y.M.C.A.'s (*vide* end of constitution). One task of the Y.M.C.A. is to encourage and lead young men who are not included in either of these categories towards the acceptance of this Christian basis. For this purpose it is proposed to amend the membership clause. Young men, who at the time of joining are unable to attain to full membership, would

become associate members until ready and willing to undertake all that full membership implies. As associate members would not be entitled to vote on matters of policy or in the election of the board of directors, they could not influence the objects of the movement or cause it to deviate from the general policy laid down by the national committee. It is also proposed to delete the clause requiring prospective members to be nominated and seconded by active members before being accepted as members of the association. Further, it is thought necessary to define more clearly the terms "members" and "active members." In accordance with the rules as set out in the constitution regarding amendments, two regular meetings followed by a meeting of the board of directors were held and the following motion was passed and confirmed:—"That steps be taken to amend the Y.M.C.A. of Port Pirie Act (No. 1349) of 1918 by deleting the words, 'articles I., II., and VIII., are not subject to amendment' where appearing in article VIII. of the above Act."

It will be seen, therefore, that the immediate need for the amendment is to enable the association to admit to membership persons whose religious views may be indefinite, with the object, among others, of encouraging them to accept the Christian religion. This is a laudable object. The Bill can also be supported on the general ground that voluntary associations of this kind should have full power, by appropriate majorities, to frame and amend their own constitutions and should not be bound in perpetuity by rules which, though useful and necessary when originally made, may cease to meet the requirements of the association as the years go by. The Bill also makes some drafting and consequential amendments to the principal Act rendered necessary by changes in South Australian legislation since the original Act was passed. These raise no question of policy. If the second reading of the Bill is carried, it will be necessary to refer it to a Select Committee. I move the second reading.

Mr. O'HALLORAN secured the adjournment of the debate.

PHARMACY ACT AMENDMENT BILL.

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—The object of this Bill is to make it legal for a pharmaceutical chemist to have a part-time branch shop. Such shops cannot lawfully be opened at present. Section 30 of the Pharmacy Act, 1935-1947, provides that a chemist cannot carry on business in more than one shop or place of business unless there is "constantly and exclusively" employed at each such shop or place of business

a registered chemist holding a current certificate under the Act. There is little doubt that the word "constantly" was used for the purpose of indicating that every shop had to have a registered chemist in it at all times during ordinary trading hours. The word "exclusively" supports the same idea because it indicates that the registered chemist employed at a particular shop is not to be employed at any other shop. In fact, if read literally, the word "exclusively" imports that a registered chemist employed in a chemist's shop is not to have any other employment at all; for example, he could not take other work in the evenings or at week-ends, even if the work had nothing to do with pharmacy.

This section, which was passed in 1897, goes a long way in restricting the rights of chemists. Although its full ambit may be doubtful, there is no doubt that it makes part-time branches either impossible or, at the very least, so difficult and expensive that no-one would care to open one under the conditions laid down. The Government has been asked to alter this state of the law in order to meet the convenience of people in country areas. There are, of course, many towns in this State not large enough to support a full-time chemist. In some of them chemists from larger country towns are willing to establish part-time branches where registered chemists will be in attendance from time to time to dispense medicines and carry on general pharmacy business. The Government sees no adequate reason why part-time branch chemists' shops should not be allowed. They will undoubtedly be a convenience to the public, and will tend to encourage chemists to establish themselves in country areas not well served at present.

Other professions are not subject to any restriction similar to that imposed by section 30 of the Pharmacy Act. It is common knowledge that medical practitioners, dentists, lawyers, and opticians pay periodical visits to towns other than those where they principally carry on business. There seems to be no reason why chemists should not do the same as long as the principle is maintained that every chemist's shop, while open to the public, shall be under the personal management of a registered chemist. This Bill, therefore, has been brought down to remove the requirement of the principal Act that every chemist's shop must have a qualified chemist constantly and exclusively employed in it. In place of this it is proposed to provide that every chemist's shop shall, at all times, while open to the public, be under the direct and personal supervision of a

registered chemist. There will be no obligation, expressed or implied, to make any shop a full-time shop. The requirement of section 26 of the Pharmacy Act that no chemist is to have more than four shops will not be interfered with by the Bill. I move the second reading.

Mr. O'HALLORAN (Frome—Leader of the Opposition)—I shall not delay the passage of this Bill, which has been introduced to meet difficulties which have arisen in certain country areas. Members are familiar with the practice adopted by the medical profession, particularly in the more sparsely populated areas. From the town of his residence the doctor pays periodical visits to nearby towns on one or two days each week. Difficulties occur because after the doctor has visited a town there is no chemist to dispense the medicine he has prescribed. Considerable delays occur, and in some instances long journeys have to be undertaken to get the prescribed medicine made up by a chemist, frequently in the town where the doctor lives. The position could be overcome by the doctor dispensing his own medicines, but that would not be desirable for obvious reasons, and in any case the country doctor is considerably overworked at present. There have been difficulties in two country towns through chemists being prosecuted for visiting another town on the same day as a doctor for the purpose of dispensing medicine. I do not think it was intended that the law should be so rigid in this regard. The provision that a shop should be under the continual supervision of a chemist was to protect the public as well as the qualified chemist from the unqualified person. The pharmaceutical course is a long and expensive one, I think second in this respect only to the medical course, and those who undertake it should be protected by the law against the person who has not obtained the necessary qualification. This Bill has already been before another place. When I learned that it was to be introduced there I became very interested because of the interest Mr. Shannon took in this matter some years ago regarding what we thought at that time was an undue restriction imposed by the Pharmacy Board. He and I sought some mitigation of the conditions which then existed and which may exist in certain cases today. Unfortunately, we were not successful then. For that reason I thought the Bill might provide for some further tightening of the provisions of the law; but when I learnt that it was to provide for cases such as I have mentioned I had no

objections to it. As it will meet a need in many towns, particularly in the sparsely populated areas, from which the people tend to migrate because of the lack of amenities, we should pass the Bill which will at least enable country people for whom medicine has been prescribed by a doctor to obtain it without delay and without incurring long and arduous journeys.

The Act provides that no more than four chemists' shops shall be owned by the one proprietor, and I was concerned whether there was a danger of the relaxation of that condition being provided for by this Bill. I felt that a man with a chemist's shop in a certain centre might be able to open branches in the smaller towns nearby, some of which might provide sufficient business for a full-time chemist; but that position is adequately protected by the fact that the shops permitted under the Bill can only be open to the public while there is a registered chemist in charge of them. Thus a chemist from one town may arrange to visit a neighbouring town at the same time as the doctor, open his branch shop for an hour or two, dispense his medicines, and then close his shop until the next visit.

Mr. Dunks—Could part of an existing shop be set aside as a chemist's shop and closed while the chemist is not there?

Mr. O'HALLORAN—That would seem possible under the Bill. The chemist could possibly arrange to rent portion of a shop. As a rule doctors consult in public buildings, for instance in the rooms next to halls. The provisions of the Bill are designed to meet a need of the community and are not likely to result in any relaxation of conditions that would be inimical to public health. I support the second reading.

Mr. SHANNON (Onkaparinga)—Mr. O'Halloran rightly pointed out that this Bill is an attempt to provide facilities for people who live in sparsely settled areas. If that were the only thing the Bill would do I would be in entire sympathy with it; but I am afraid its drafting provides for other things as well. The Bill contains no definition of "shop" and it would be competent for a chemist to set up as a part-time chemist in a small town in any sort of building if he desired. In fact, if he had a vehicle suited to the purpose he could set up as a travelling chemist. That would not be a contravention of the law, nor would it be undesirable in certain circumstances; but I point out that the Bill could provide opportunities for a person already established in a

chemist's business who might want a larger share of the cream of business offering to open up for a certain period in an area in which a full-time chemist is already operating. Such a person would not be forced to remain on the job throughout the day as the ordinary chemist must do. He could operate part-time in that town. In fact he could do the same thing in at least three towns.

Mr. Pattinson—The travelling shop might be classified as only one shop.

Mr. SHANNON—Perhaps. This Bill is loosely drafted. Very little restriction is placed on people starting practice as part-time chemists. They may choose the times when they will operate, and the only condition imposed is that there must be a registered chemist in charge of the shop. In trying to provide for cases of hardship we should not open the door to greedy people who may want to cash in on this opportunity. Some rural areas, including my own district, are well served by chemists whose weekly trading hours are about 42. Some open in the evenings when the doctors are consulting in their towns. We should do something to make this legislation a little more specific in its application. If we tighten the legislation so as to prevent the happenings I foresee, no let or hindrance will be placed upon chemists wishing to serve those sparsely settled areas which do not provide sufficient business for a full-time chemist. It is well-known that certain large city retail establishments make a practice of taking a room in a country hotel for one day a week. Their traveller arrives in a utility, unpacks his goods, stacks them on the shelves and proceeds to compete with the local tradesmen for business. That same principle might be adopted by certain large chemists in the metropolitan area, who could trade in nearby country towns in the same way.

Mr. Clarke—Those people pay substantial fees for that right.

Mr. SHANNON—Under this Bill there will be no fee. A qualified chemist from a city establishment could cater for the peak period trade in certain areas. Such a firm would not need to maintain the staff necessary for a full-time shop. This state of affairs is undesirable. In Committee something should be done to tighten the provisions so that there will not be an open go for the big man to squeeze the little fellow out of business or at least to make his life miserable. In most small towns the full-time chemist has to carry all sorts of lines to make ends meet, as his dispensing and sale of proprietary lines provide

but a meagre living. If that living is to be encroached upon by people competing on favourable terms his task will be made even more difficult. It might result in the existence of only part-time chemists' shops, whereas at the moment full-time chemists' shops are in operation. I am all in favour of professional callings being made personal as far as possible. It is desirable that the doctor and chemist should work on amicable terms, and, for instance, that the chemist should meet the doctor's convenience in making up prescriptions. In country towns there are times when a doctor who goes on an urgent call wants a prescription made up in a hurry. As a rule if a doctor-chemist coalition is working well one can get medicine without trouble. In the metropolitan area I am told that at certain times one cannot get a chemist because generally the shop is a lock-up shop and one has to wait until the morning. In the country most chemists' shops are attached to the dwelling. I should not like to see anything done to jeopardize the full-time chemist's shop. Many young men have established shops in the country and are giving great service to the community. Therefore, I want nothing done in the Bill which might prejudicially affect them. With those reservations I support the principles of the Bill, as they are in keeping with the needs of people in distant parts of the State, and it is possible that only by such an amendment could they get any chemist facilities at all.

Mr. QUIRKE (Stanley)—I support the second reading with considerable pleasure, because of what transpired in my district when an amendment such as this was not included in the original Act. Under that legislation it was not possible for a chemist in one country town to go to another country town to dispense medicines unless he had a registered chemist in charge of the shop from which he was absent. However, this amendment will allow him to go to another town provided he closes his shop while he dispenses medicines in that town. That is certainly an improvement on the original Act, but it still places heavy expense on the chemist in having to maintain two places. He has the alternative of having a small dispensing place. I know of one man who had to dispose of his shop and has only a temporary place to which he can go to dispense prescriptions. This Bill is such an improvement on the original Act that it has the support of people concerned in my district.

Perhaps as time goes on some further alleviation of the position will be instituted. I know of two chemists who were each fined £25 and costs under the old Act. In one case the man undertook to dispense medicine in a country town where previously a doctor did that work. The people were then compelled to travel 20 miles to get a bottle of medicine. It was because of such cases that the Bill has been brought before the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Branch business.'

Mr. SHANNON—For the reasons explained in my speech on the second reading I move to add the following subsection:—

(1a) No person shall carry on the business of retailing compounding or dispensing drugs or medicines on the orders or prescriptions of legally qualified medical practitioners in any part-time shop unless that shop is at least four miles from any other shop in which the said business was being carried on at the time when that part-time shop was first opened for the said business. In this subsection the expression "part-time shop" means a shop which (except for some temporary or accidental cause) is not open to the public for the said business for at least six hours a day on at least five days in each week.

I suggest that the opportunity afforded a chemist to establish a part-time business should not be used to enable him to compete with an established chemist's business. We do not need greater competition in country towns, but a service provided where one does not yet exist.

The Hon. T. PLAYFORD (Premier and Treasurer)—I doubt the wisdom of the amendment. If a permanent chemist's shop has not the confidence of its customers and the business can be taken away by a temporary shop it would seem to indicate that the public is not getting a particularly good service. The honourable member desires to place a limit of four miles on the establishment of new shops. I would object to travelling four miles to get medicine if I could get it from a shop located much closer. I believe that competition ensures efficient service to the public. The amendment is wrong in principle. It will not stop a man from permanently establishing a chemist's shop alongside another, so it will not achieve the honourable member's purpose. It will not contribute to the welfare of the community so I hope the Committee will not accept it.

Mr. SHANNON—I was surprised to hear the Premier indicate that the amendment would

have the effect of a restraint on trade. Parliament in 1935 passed legislation restraining trade by restricting the number of shops a chemist or firm could operate. There is no greater restraint of trade inherent in my amendment than exists at present. It will not prevent a person from establishing a full-time chemist's shop in a town which already has one. People in business must accept legitimate competition, but the clause may enable unfair competition with the man who keeps open every day of the week during the normal hours. It will open the door for the fly-by-night opportunist who would have little, if any, rent to pay. Such competition could endanger the livelihood of an established chemist. Obviously, a part-time man would not operate when there is little business offering.

Mr. CLARKE—Mr. Shannon does not understand the business of chemists. Besides dispensing medicines they sell a great variety of goods. Parliament should encourage facilities for country towns. The relationship between a chemist and his customer is nearly as intimate as that between doctor and patient. A chemist who gives good service need not fear competition from an intruder visiting the town for a few hours. The amendment would do a disservice if there were room for competition in a country town. The honourable member said Parliament attempted to restrain trade many years ago, but that is no reason for doing so again.

Mr. SHANNON—Obviously Mr. Clarke has been speaking for vested interests and does not understand my amendment. I do not deny any person the right to establish a full-time chemist's shop in any town. The clause would enable a part-time business to operate when most demands are made on chemist's services. It is the very antithesis of the spirit of the debate in 1935. I have no sympathy for the chemist who does not give satisfactory service. My amendment affects only the part-time man who can operate without the overhead expenses of an established shop. The man doing a fair thing should receive protection from unfair competition.

Mr. MACGILLIVRAY—I am not in any way associated with chemists, nor have I been approached by any as to this Bill, but it seems that the amendment is an unwarranted restriction on the rights of individuals. Mr. Shannon said that Parliament in 1935 limited the number of chemists' shops a person could operate, but we were then afraid of the activities of an overseas firm which had been

buying many shops in Sydney. It was suggested that the same combine might buy up chemists' shops in this State. It was not intended at that time, as is proposed now, to prevent any person from opening a shop. Mr. Shannon talks a lot about a full-time chemist, but if a man works half a day in one town and half a day in another he is a full-time chemist. Competition is the life of trade, and competition provides a service to the community. At one time in a small town there were three chemists' shops. Now there is only one, but it is hoped soon to have a second shop. It is not the function of Parliament to say how many shops of any kind should be in a town. This is an extraordinary move by Mr. Shannon who speaks for the rights of private enterprise and the need for competition in trade. I oppose the amendment.

Amendment negatived; clause passed.

Title passed; Committee's report adopted.

INDUSTRIAL CODE AMENDMENT BILL (No. 3).

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Industrial Code, 1920-1951.

Read a first time.

Second reading.

The Hon. T. PLAYFORD (Premier and Treasurer)—I move the second reading and ask leave to continue my remarks in order that I might later give the Parliamentary Draftsman's explanation of the Bill, which I have not available at the moment.

Leave granted and debate adjourned.

ROAD TRAFFIC ACT AMENDMENT BILL.

The Hon. T. PLAYFORD moved—

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

That it is desirable to introduce a Bill for an Act to amend the Road Traffic Act, 1934-1950.

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

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—This Bill contains amendments of the Road Traffic Act dealing with a variety of topics. Some of them relate to departmental administration. These have been approved by the Government on the

recommendation of the Registrar of Motor Vehicles or the Commissioner of Police. Others deal with rules of the road and safety and are based on recommendations of the Traffic Committee. I will explain the clauses in their numerical order as far as possible.

Clause 4 provides that the registration fee for a vehicle propelled by a diesel engine shall be twice the amount of the fee payable on a vehicle of the same power-weight driven by an ordinary petrol engine. This amendment was recommended by His Honour Judge Paine's Commission on Transport. The reason for it is that the fuel used in diesel-engined vehicles is not subject to petrol tax, which is used to finance the building and maintenance of roads. The result is that diesel-engined vehicles, which cause heavy wear and tear on the roads, contribute less towards the cost of the roads than other vehicles which do less damage. The Government considers that by doubling the registration fee a more equitable contribution will be obtained.

Clauses 5 and 6 provide that when a vehicle is registered at a reduced fee or without payment of any fee the registration will not be transferable. Members are aware that under the principal Act primary producers, fishermen and others can register vehicles at half rates or less, on condition that the vehicles shall only be used in certain industries or for certain purposes. In recent years it has frequently happened that when a vehicle registered at a reduced fee is transferred the transferee is not entitled to the same concessions as the transferor; but it is not always possible for the Motor Vehicles Department to ascertain this fact at the time of the transfer. Thus transferees may avoid payment of the proper registration fees. It is proposed by clauses 5 and 6 to declare registrations effected at concessional rates to be non-transferable, with the result that when a vehicle registered at a reduced fee is sold the only right of the transferor will be to obtain a refund of part of the registration fee. The new owner will have to make a fresh application for registration. Clause 7 provides that when a person substitutes a diesel engine in a motor vehicle for an engine of any other type he must give notice of this fact to the Registrar of Motor-Vehicles. The reason for this requirement is, of course, that upon the substitution of the diesel engine a higher rate of registration fee will become payable. Clause 8 makes it an offence if the owner of a pair of general traders' plates permits any person to drive a vehicle bearing

those plates in circumstances in which the plates cannot lawfully be used. The amendment is intended to deal with cases where the owner of such plates lends them to other persons for use in circumstances not permitted under the Act.

Clauses 9 and 10 are for the purpose of spreading the issue of drivers' licences over the whole year. At present all drivers' licences expire on June 30 and the great majority of them have to be renewed as from July 1. This concentrates a great deal of work in the Registrar's office into a short period. The Registrar now finds it necessary to take steps to spread the work over the whole year. For this purpose it is proposed to enact that every driver's licence will expire at the end of 12 months after the commencement of the month in which it is issued. As the years go on this will have the effect of gradually spreading the renewals over the whole year because many new licences are applied for in months other than June and July and many licences expiring on June 30 are not renewed. Clause 11 provides that motor vehicles more than 7ft. wide or carrying a load more than 7ft. wide must have a mechanical or electrical device for the purpose of giving signals. It is common knowledge that signals given by hand from many of these wide vehicles cannot be seen from behind; and although the law at present requires that signals shall be given either by hand or by a device, so as to be clearly visible to traffic approaching from the rear, many of these vehicles have no mechanical or electrical device. The State Traffic Committee considered the matter and is of opinion that in order to ensure that properly visible signals are given it is essential that wide vehicles must be fitted with a mechanical or electrical device.

Clause 12 makes it obligatory for drivers of vehicles having lights capable of being dipped to use the dipping device when approaching other vehicles or when driving in streets lighted by public street lamps. This amendment has been asked for by the Police Department, and is recommended by the Traffic Committee. Its purpose is to reduce accidents caused by glare at night. A similar clause has also been recommended by the Australian Uniform Road Traffic Code Committee established under the auspices of the Commonwealth. Clause 13 deals with the duty of the driver of a motor vehicle to produce his licence when asked to do so by a member of the police

force. Under the present law the driver is allowed 48 hours to produce the licence and may do so at any police station. It is provided by the amendment that if the driver does not produce his licence immediately on request he must nominate a police station to the officer who demands the licence and produce the licence at the nominated station within 48 hours. This amendment was asked for by the Police Department to facilitate the administration of the Act.

Clause 14 alters the penalties for driving while under the influence of intoxicating liquor or drugs. The main objects of the amendments are to empower the court, if it thinks fit, to impose a penalty of imprisonment for a first offence; and to make imprisonment compulsory in the case of a second offence. Under the present law the punishment for a first offence is a fine of not less than £30 and not more than £50 and disqualification for holding a licence for any period not less than three months. It is proposed by clause 14 to empower the courts to order that the defendant be imprisoned for not more than three months. This penalty will be alternative to a fine but will not affect the obligation of the court to disqualify the driver as at present. For a second offence the court has at present the option either of imposing a fine between £50 and £100 or imprisonment for not less than two and not more than six months. It is proposed to take away the power of the court to impose a fine for a second offence so that imprisonment will be compulsory; but the minimum term of imprisonment is reduced from two months to one month. In this case also the provision for compulsory disqualification for holding a licence is retained. There is a strong case for these amendments. Notwithstanding all the publicity given to the prosecutions for driving while drunk and the penalties which are imposed, and all the serious accidents which occur, the number of these offences continues to increase. In all the other States of Australia and in Commonwealth Territories the law has empowered the courts to impose imprisonment for a first offence. Experience has proved that, in the public interest, the South Australian courts should have the same power.

Clause 15 empowers the Governor to make regulations requiring exposed chains on motor vehicles to be protected by guards and also prescribing the manner in which trailers are to be attached to the vehicles by which they are drawn. Both of these are safety measures

and have been recommended by the Traffic Committee. According to information supplied to the committee serious accidents have been caused both by the exposed chains on the timber-carrying straddle trucks and through the weakness of the couplings by which trailers are attached to the vehicles by which they are drawn. Some proper safety precautions are required in connection with these matters. Clause 16 makes an amendment of some importance. Under the present Act, as members know, the courts have power to disqualify offenders for holding and obtaining drivers' licences for substantial periods and many orders for disqualification have been made and are in force. The maximum penalty at present for driving a vehicle while under disqualification is a fine of £20. This penalty is inadequate. It is the penalty prescribed for the ordinary offence of driving without a licence, and is not appropriate in a case where a man is without a licence because of a sentence of disqualification imposed on him by the court. To drive a vehicle in these circumstances amounts to contempt of court. It is a serious offence, and one which is very frequently committed. The Commissioner of Police informed the Traffic Committee that he knew of one case where a man had been convicted three times of driving without a licence while under disqualification; and one of the magistrates has also drawn the attention of the Government to some cases in which the present penalty was inadequate. The Traffic Committee recommended that this offence should be punishable by imprisonment up to six months. Clause 16 gives effect to this recommendation. The clause, however, does not state that the penalty can never be mitigated. It will therefore be open to the court, if it thinks that the justice of the case will be better met by a fine than by imprisonment, to exercise the powers given by the Justices Act and impose a fine not exceeding £100. But the clause will be an indication to the courts that the normal penalty for driving while under disqualification is to be a term of imprisonment.

Clauses 17 and 18 increase the amount of cover which a compulsory insurance policy must provide in respect of injury to passengers travelling in the insured vehicle. Under the present law passengers need only be covered up to a maximum of £2,000 per person, or £20,000 in the aggregate. The limit of £2,000 a person is now inadequate because frequently the injuries caused are considerably in excess

of this amount; and in view of the large buses now on the road the overall limit of £20,000 is also unjustifiable. If 20 passengers are injured in a bus accident, the overall limit of £20,000 may have the effect of reducing the insurance cover in respect of each individual to £1,000. The Traffic Committee has given consideration to this matter and is of opinion that the £2,000 limit should be raised to £4,000 and the overall limit of £20,000 should be abolished. The committee has also recommended that an anomaly which exists in the present law should be removed. In a case where the driver responsible for injury or death to another person is himself dead there is at present no limit on the liability of the insurance company unless the vehicle was at the time of the accident being used in the business of carrying passengers for hire. If the vehicle was being driven for hire, the limits of £2,000 and £20,000 apply. There is no logical reason for this differentiation and it is proposed that the limit of £4,000 shall apply in every case except where the accident was caused by a "hit and run" motorist. In this case the full damages will be recoverable from the insurance company.

Clause 19 increases the amount payable for emergency treatment given by a medical practitioner or a nurse to a person injured in a road accident. At present a medical man who turns out to assist the victim of an accident is entitled to recover 12s. 6d. from the company which insured the vehicle concerned, and a nurse is entitled to recover 10s. 6d. In view of the devaluation of money it is proposed to raise these amounts respectively to £1 1s. for a medical practitioner and 15s. for a nurse. Clauses 20, 23 and 24 are intended to state more clearly the law as to the right-of-way of vehicles in cross-overs or double roads. Differences of opinion have arisen as to the duty of the driver of a vehicle in a cross-over on the Anzac Highway, the Port Road or any other double-track road. There is no doubt that Parliament last year intended to lay down the rule that a vehicle in one of these cross-overs should not have the right of way against traffic on the main up or down track. It has, however, been argued that these cross-overs are separate roads forming junctions with the main up and down tracks, and that the ordinary rule of giving way to the vehicle on the right applies. The vehicle in the cross-over is always on the right and

if the ordinary right of way rule applies is entitled to the right of way. But he is almost invariably about to turn to the right, and by reason of this is obliged to give the right of way to traffic on the main track. A great deal of confusion has arisen about this problem and varying opinions have been given. The State Traffic Committee has given a lot of consideration to it and recommends that the rule approved by Parliament last year should be restated so as to remove the doubts which have arisen. For this purpose it is proposed to insert in the Bill a definition of the term "cross-over" and to declare expressly that a person must not drive a vehicle from a cross-over into a carriage-way of a double road unless the carriage-way is sufficiently clear of traffic to enable the vehicle to enter and proceed across or along it without danger. An incidental question arises in connection with this amendment, namely, whether the general rule proposed for vehicles in cross-overs should apply where the cross-over is a continuation of a road adjoining the double road. The Traffic Committee has recommended that whether a cross-over is or is not a continuation of an adjoining road the duty of a vehicle in that cross-over should be the same, namely, it should give right of way to traffic on the main up and down tracks. This rule is made clear in the Bill and declared to take effect notwithstanding the other provisions of the Road Traffic Act relating to the right of way. Clause 21 deals with the mode of turning to the right on the carriageway of a double road. The clause provides that right-hand turns from such a carriageway will be made in the same way as on one-way traffic roads, that is to say, the driver making the turn must first draw as near as practicable to the right-hand side of the road from which he is turning.

Clause 22 deals with the method of marking roads with lines to indicate traffic lanes. Some years ago provisions on this subject were enacted by Parliament subject to the condition that they were not to come into force until proclaimed. The object was to try to ensure a uniform system of marking roads for traffic lanes throughout Australia. Until recently uniformity was not achieved and the provisions previously passed have not been proclaimed; but a uniform policy has now been agreed upon by all States and clause 22 is enacted for the purpose of carrying it into effect. It repeals the existing provision. The present proposal is that all lines which are to

have legal effect will be double lines. A double line may consist either of two unbroken lines or of one unbroken line and one broken line. Wherever the line nearest to the right-hand side of a vehicle is an unbroken line its effect will be that the vehicle cannot cross to the right of such line, and if it does so the driver will commit an offence. If, however, the line nearest to the right-hand side of the vehicle is a broken line then it will be for guidance only but will not be an absolute bar prohibiting the vehicle from crossing to the right of the line if circumstances should justify such action. Clause 25 proposes an amendment of the law applicable to cases where a person fails to report an accident and pleads in court that he did not know the accident occurred. Under the present law the Court is required, if it finds that the defendant did not know about the accident, to record a conviction without a penalty. It is proposed in clause 25 to make an amendment declaring that if a defendant did not know an accident occurred and that his want of knowledge was not due to carelessness or recklessness he shall be entitled to be acquitted.

Clause 26 gives additional powers to the Registrar of Motor Vehicles and the Commissioner of Police to ensure that vehicles which are so defective as to be unsafe shall not be driven on roads. The Registrar and the Commissioner or persons authorized by them are empowered to examine and test any vehicle which is suspected to be unsafe for use on roads. If, on examination, a vehicle is found to be unsafe the registration may be suspended until the vehicle is put in proper order. When it is again in order the registration may be renewed for the balance, if any, of the period for which it was originally granted. I move the second reading.

Mr. O'HALLORAN secured the adjournment of the debate.

PUBLIC SERVICE ACT AMENDMENT BILL.

The Hon. T. PLAYFORD moved—

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

That it is desirable to introduce a Bill for an Act to amend the Public Service Act, 1936-1950.

Motion carried. Resolution agreed to in Committee and adopted by the House.

PRICES ACT AMENDMENT BILL.

In Committee.

(Continued from October 3. Page 789.)

Clauses 2 to 5 passed.

New Clause 2a—"Interpretation."

Mr. MACGILLIVRAY—I move to insert the following new clause:—

2a. Section 3 of the principal Act is amended by adding at the end of the definition of "service" therein the words "but does not include any such service provided by a municipal or district council."

Councils should be released from this legislation. I consider this control is redundant because apart from electric light and power there is little a council can sell. I move the amendment at the request of one council in my district. I understand its object was supported at a conference of councils situated between Renmark and Morgan. The consensus of opinion was that this control was unnecessary and entailed extra work in forwarding returns at a time when councils are trying to cut down overhead expenses. One council desired to alter the price at which it was supplying electricity, but had to obtain the approval of the Prices Commissioner, which was granted almost immediately. The conference of councils considered it should not be necessary to obtain this approval because local government bodies are, outside Parliament, the leading authorities in the State. I have been informed that the price they can charge for electricity only covers the cost of it. This also applies to garbage removal charges. No person or department knows local conditions as well as a council and nobody's expenditure and charges are more closely watched. Councils never increase their charges unless fully justified because the ratepayers would object. I move the amendment because price control over councils is redundant, because ratepayers are in a better position to judge whether increases are justified than the Prices Commissioner, and because this control cuts across the essence of democracy. Councilors are elected to supervise local government undertakings, yet the Prices Commissioner has the right to over-rule their decisions.

Mr. Stephens—Does your amendment cover corporations?

Mr. MACGILLIVRAY—Yes, all local government bodies. I believe that when the Commonwealth Government controlled prices councils were not subject to controls.

The Hon. T. PLAYFORD (Premier and Treasurer)—Functions peculiar to local govern-

ment, such as roadmaking and the removal of garbage, are not controlled, but their trading activities such as electricity undertakings are. There has not been any great difficulty about this and price control has not meant much work for councils. The honourable member probably has in mind the Berri district council, which purchases electricity from the Renmark Irrigation Trust and the Electricity Trust of South Australia. The Electricity Trust is required to supply the Berri Council with power at a certain rate. It would be anomalous and impossible to police electricity charges if the trust, being under price control, supplied electric energy to another body who could retail it at any price. We received a complaint that the Berri council had increased charges without the Prices Commissioner's approval. I believe it acted in all good faith, believing that it was operating under the same conditions that were in force under Commonwealth control. The Prices Commissioner wrote saying that the matter had been brought under his notice; the council forwarded a balance-sheet and a report was made on it by a prices officer, stating that the price had operated for a long time and should continue pending a review of the council's finances.

Mr. Macgillivray—Was it suggested that the council was overcharging?

The Hon. T. PLAYFORD—The report disclosed that it had been making a profit by supplying electricity, but I do not think the price was exorbitant. What justification would there be for the Prices Commissioner to check up on the price of electricity supplied by the Electricity Trust if electricity can be sold at any price by councils? If we remove price control from one semi-governmental trading activity there is no justification for keeping it on Government trading. I believe that Government trading should be subject to the same control as private trading. What is good for the goose should be good for the gander. I have received the greatest co-operation from councils in these matters. As far as I am aware the correspondence does not disclose anything which would justify the suggestion that the new clause is necessary, and I ask the Committee to reject it.

Mr. MACGILLIVRAY—The Premier said that councils could charge any price for electricity, but that is exactly where he is wrong; they cannot do that because nobody is more closely watched in its public activities than a council. If it increases the cost of electricity it must show good cause why. It is not merely a question of electricity. The Premier's

remarks suggest that the last thing anybody could do, under his particular Government, is to make a profit. I know the members of the Berri district council, and if it is true that it makes a profit it is because they are efficient and commonsense business men, the same as 99 per cent of all councillors in the State. They give their services at considerable expense in time and money in order to carry out council work. What does the Prices Commissioner know about council needs in the South-East, Eyre Peninsula and the River districts? Surely the councillors are better able to make decisions on council charges. They are responsible to the ratepayers to see that at the end of the financial period the council has a good financial standing. I know a great deal about the services rendered by councillors and it will be a slur on Parliament if decisions made by them about charges have to be referred to the Prices Department. In saying that I cast no reflection on the Prices Commissioner or any of his officers.

The Committee divided on new clause 2a—

Ayes (4).—Messrs. Fletcher, Macgillivray (teller), Quirke, and Stott.

Noes (25).—Messrs. Brookman, Christian, Dunn, Dunnage, Goldney, Hawker, and Heaslip, Hon. C. S. Hincks, Mr. Hutchens, Hon. Sir George Jenkins, Messrs. Lawn and McAlees, Hon. M. McIntosh, Messrs.

McLachlan, Michael, O'Halloran, Pattinson, and Pearson, Hon. T. Playford (teller), Messrs. Shannon, Stephens, Tapping, Teusner, Fred Walsh, and Whittle.

Majority of 21 for the Noes.

New clause thus negatived.

Title passed.

The House divided on the motion for the suspension of Standing Orders to allow the Bill to be taken through its remaining stages without delay—

Ayes (27).—Messrs. Brookman, Christian, Dunks, Dunn, Dunnage, Goldney, Hawker, and Heaslip, Hon. C. S. Hincks, Mr. Hutchens, Hon. Sir George Jenkins, Messrs. Lawn, and McAlees, Hon. M. McIntosh, Messrs. McLachlan, Michael, O'Halloran, Pattinson, and Pearson, Hon. T. Playford (teller), Messrs. Shannon, Stephens, Stott, Tapping, Teusner, Frank Walsh, and Whittle.

Noes (3).—Messrs. Fletcher, Macgillivray (teller), and Quirke.

Majority of 24 for the Ayes.

Motion thus carried.

Bill read a third time and passed.

ADJOURNMENT.

At 5.47 p.m. the House adjourned until Wednesday, October 10, at 2 p.m.