

HOUSE OF ASSEMBLY.

Wednesday, October 10, 1951.

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

NORTH LAKE BRIDGE.

Mr. MACGILLIVRAY—Has the Minister of Works received a report which he promised to obtain on the North Lake bridge?

The Hon. M. McINTOSH—A report from the Commissioner of Highways dated September 26 reads:—

Apart from preliminary investigations work on this bridge has been only just commenced, owing to the gang detailed for the work having been delayed on a previous job due to shortage in the supply of materials. There has been no hold-up other than for the above reason.

A subsequent report from the Engineer for Highways reads:—

The existing bridge is being used by traffic, although some repairs and protection work were necessitated by the removal of abutment filling by floodwaters. Rising floodwaters have stopped work on the foundations for the reconstruction of Nappers bridge and will probably hold this work up for three months.

The necessary repairs are being effected as far as is possible in view of the floods so that traffic may be kept flowing.

PUNISHMENT OF "JOY RIDERS."

Mr. DUNKS—Last evening I was told by a radio listener that a few nights ago a speaker had given over the air particulars regarding the theft of motor cars today compared with the position years ago. Members who owned motor cars in those days will remember they were open cars and easily stolen by people who wanted to steal them. Today there is a tendency for people to steal motor cars for what the press call a "joy ride." It seems almost impossible to build a motor car that is completely thief-proof. Yesterday the Premier delivered his second reading speech on the Road Traffic Act Amendment Bill. Can he say whether the Act may be amended in an effort to prohibit this pernicious practice of stealing motor cars? Could not a heavy fine, or better still a gaol term, be inflicted on offenders?

The Hon. T. PLAYFORD—It is already an offence for any unauthorized person to take a motor car at any time. I believe the court at present has the option of gaoling or fining a culprit. I do not know what other steps could be taken.

Mr. Dunks—Is the penalty sufficiently heavy?

The Hon. T. PLAYFORD—I think it is heavy if the court chooses to impose it. I fancy

the problem with which the honourable member is confronted is that the court perhaps hesitates to make a criminal out of a boy who may have been out for a skylark. This problem is very difficult to meet, but I believe there are adequate provisions for punishment.

ALLOTMENT OF IRRIGATION BLOCKS.

Mr. QUIRKE—Can the Minister of Lands say whether approved soldier applicants for land who accept the condition that they work on the development of an area are entitled at the end of this work period to allocation of a block in the area they help to develop, and, if so, will all approved applicants who accept development work be so informed?

The Hon. C. S. HINCKS—The definite policy is that all applicants who are selected to help develop blocks will, when those blocks are developed, get a block, provided their behaviour or some unforeseen circumstance does not prevent such allocation.

Mr. MACGILLIVRAY—I have received a letter on the same question from a qualified man in my area who mentions that a questionnaire has been sent out by the Minister including the following question:—"Are you willing to prepare the land before allotment?" He makes the point that there has been no promise that even if he helps to develop the land he will get an allotment. When the questionnaire was sent out was an assurance given along the lines of the Minister's reply to the member for Stanley?

The Hon. C. S. HINCKS—From time to time I have said at meetings and through the press that those men who helped to develop blocks would get blocks. I have read this questionnaire in the House and, as the honourable member knows, the objective is to find out which applicants are still interested in irrigation settlement. Certain questions are being asked settlers and information is being given to them as they require it. I do not know what individual questions have been asked the members of the Land Board or what the board has asked the settlers. The reason for the survey is to ascertain how many are still interested in irrigation settlements. I think every settler knows or should know that once he is called up to help with development, he will eventually get a block when the blocks are developed.

Mr. Macgillivray—That is not known.

The Hon. C. S. HINCKS—I have announced it and I do so now, and I hope the press will again publicize it.

RAILWAY CARRIAGE OF WINE AND SPIRITS.

Mr. TEUSNER—Today's *Advertiser* contains the following report regarding the current industrial wine industry dispute:—

After yesterday's meeting of the Industrial Committee representing winemakers and spirit merchants, the secretary of the Wine Makers' Association (Mr. E. W. Jelbert) complained that the South Australian Railways had refused to accept any consignment of wines and spirits whether they were of South Australian origin or from other States. In addition, railway authorities had telegraphed country winemakers refusing to accept any goods. "This has apparently been done at the orders of the unions," he added. "Things are at a pretty pass when our Government railways accept their orders from union officials." Mr. Jelbert said the railways had refused to accept goods from country winemakers, despite the fact that they were not involved in the dispute.

Can the Premier state whether this statement is correct, and, if so, the reason for the ban by the Railways Department?

The Hon. T. PLAYFORD—Even if the railways accepted wine at present they would not be in a position to ensure its delivery under the industrial conditions existing in this industry, because of the ban that has been placed on it by certain transport unions. Under those circumstances the Railways Commissioner has, very rightly and with the full concurrence of the Government, decided not to involve the railways in a complete stoppage over something which would not cure the problem. This is an industrial dispute which does not involve the railways.

Mr. HEASLIP—Is it the responsibility of the railways to deliver the goods carted by them?

The Hon. T. PLAYFORD—If the railways take delivery of goods I believe it is their responsibility to cart them, and that is the whole point involved. When the railways find themselves unable to accept responsibility they have notified the consignees accordingly.

Mr. MACGILLIVRAY—Evidently an instruction has been given by the Trades and Labor Council or by the trade union movement that wine and spirit from country distilleries should not be handled. Is the Premier aware that country wineries, as such, are not involved in this dispute, which is limited to the metropolitan area? Does he not think that the primary industries should be protected as far as the law allows, particularly as country people subsidize the railways as a common carrier? Will he take steps to remove the embargo on the railing of products from country wineries and distilleries?

The Hon. T. PLAYFORD—No instruction for an embargo on railway transport of wine and spirits has been given by any industrial union, nor has any union the authority to give such an instruction, nor would any such instruction be valid. A ban has been placed upon the transport of wine and spirits by the Transport Workers Union, which has a large number of members employed in the South Australian Railways. The commissioner, therefore, is confronted with the position that he cannot ensure the delivery of wine and spirits. That is all that is involved in the matter.

Mr. Macgillivray—How do country wineries come into this?

The Hon. T. PLAYFORD—The honourable member might address that question to someone who can answer it.

Mr. MACGILLIVRAY—I understand that the member for Thebarton is associated with the Liquor Trades Union, so I ask him how country wineries are involved in this dispute, which is one between metropolitan wineries and the union?

Mr. FRED WALSH—The dispute developed out of the action of the winemakers of South Australia in approaching the court for the right to employ females in wineries. The court granted that right, but fixed a lower rate of pay for females than for males. The employers then lodged a requisition with the wages board for the same right and the board agreed to the employment of females, but prescribed the same rates for females as for males. The employers were not prepared to accept the decision of the Wine and Spirits Board in regard to equal pay, so appealed to the court, which upheld their appeal. A number of the metropolitan winemakers also have businesses in the country, and their businesses are interwoven. The question of the Railways Department is no concern of mine. The point is that the disputes committee of the Trades and Labor Council, which includes the Transport Workers Union, determined that in the metropolitan area no wines or spirits manufactured in South Australia would be handled. The consequences of this dispute are the responsibility of the employers. Because of the impossibility of discriminating between one brand of wine or spirits and another it will be generally appreciated that it is better to apply any decision to all than to one or two. Less than £40 is involved to all the wine manufacturers in the metropolitan area in the cause of the dispute.

TRANSPORT TO NORTHFIELD MENTAL HOSPITAL.

Mr. WHITTLE—When I asked a question about a fortnight ago about the transport of staff and relatives of inmates of the Northfield Mental Hospital the Minister of Works said that inquiries were being made. On the following Sunday there was great distress and confusion because of the peremptory cutting off of the service, and many relatives were put to the additional expense of hiring taxis to go to the hospital. I believe that since then a conference of the transport authorities and the Minister has been arranged. Has the Minister a report to make concerning the permanency of the system which I understand has since been instituted by the Government to provide transport during October at least?

The Hon. M. McINTOSH—The position is that the area is under the control of the Municipal Tramways Trust, which had a licensee operating in that area. The trust has reported that there is no justification for an increased service on the route in question. The present licensee asked the trust to relieve him of the service after September 30 because he was running at a loss. An examination of his revenue and expenditure disclosed that the revenue does not meet the running costs by 5d. a mile, and as a result he is incurring an annual loss of £748. The Chief Secretary, myself and others have been trying to organize an alternative service, for the staff at least. The present position is that arrangements have been made for a bus service from the Enfield tram terminus to the hospital for the transport of the staff. The other question is under survey. It is obvious that it is not the function of this House to direct the trust to provide a service for visitors to the hospital. On the face of it I do not see any prospects of such a service unless there is sufficient inducement for a licensee to run it. The Government could possibly suggest to the trust that it run a bus for the public. Many people who visit the hospital have their own vehicles and are not interested in a bus service. The Government is trying to arrange for an enlarged service to cover ordinary visiting hours.

TRAMWAYS TRUST INQUIRY.

Mr. STEPHENS—Will the committee which has been appointed to inquire into the operations of the Municipal Tramways Trust make a report to Parliament, and has any date been fixed for it to submit its report?

The Hon. M. McINTOSH—No definite date has been fixed. A committee could not be asked to report by a fixed date. I am sure the committee is applying itself to its task and will report as early as possible.

CONFECTIONERY, COOL DRINK AND ICECREAM PRICES.

Mr. MOIR—Can the Premier say when South Australia is likely to be allowed to increase prices on confectionery, cool drinks and ice-cream because of the extra sales tax on retail sales, as has been allowed in New South Wales and Victoria?

The Hon. T. PLAYFORD—I have a press statement prepared which is to be released today setting out the new retail prices for various lines of confectionery which will be allowed in South Australia. It is an announcement which the Prices Commissioner has sent down for my approval, and it will be released almost immediately.

WIDENING GAWLER ROAD.

Mr. DUNCAN—Can the Minister of Local Government say when the Highways Department will exercise the option it has taken over a strip of land abutting the main road from Adelaide to Gawler with the intention of building a second roadway? Also when will the autobahn or arterial road covering the outskirts of Gawler be opened to overcome the constant congestion of Gawler's main street due to through traffic from several districts?

The Hon. M. McINTOSH—For a number of years the Government, on the recommendation of the Highways Commissioner, has been acquiring much land along the route. I do not know the particular stretch to which the honourable member is referring. If there is any disability I should say there might be some doubt as to what the Government should pay for it. The object of the Government is to widen this road right through. If the honourable member will give me details of any transactions held up, perhaps because of undue delay, I shall be glad to investigate it.

ENFIELD PRIMARY SCHOOL.

Mr. WHITTLE—The proposed Enfield primary school was designed as a prefabricated aluminium structure. The foundations of the school have been down for some time and the need of it is obvious from the overcrowded state of all other primary schools in the vicinity. Can the Minister of Works say when

the materials are likely to arrive from overseas in order that the school may be completed?

The Hon. M. McINTOSH—I will inquire from the Architect-in-Chief and he in turn from the contractor. I will bring down the information at the earliest opportunity, possibly tomorrow.

EARLY CLOSING ACT AMENDMENT BILL.

Second reading.

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill deals with one matter only, namely, the time at which non-exempt shops should close on Saturday mornings. The Act provides for the closing of these shops at not later than 12.30 p.m. on Saturdays, but by an agreement between the Shop Assistants' and Warehouse Employees' Federation, the Departmental Stores Association (now incorporated in the Retail Traders' Association), and the Retail Storekeepers' Association, non-exempt shops close at 11.30 a.m. on Saturdays. I understand that this agreement has been in operation for a considerable time and has given general satisfaction. On this point I shall have more to say later. There has been no demand for shops to remain open after 11.30 a.m. That is contrary to the statement made by the Premier when he opposed a Bill that I introduced with a similar object last year. I have since made wide inquiries from the public, traders, and employees in the industry and have found that not any are in favour of extending the closing hour beyond 11.30 a.m. on Saturdays. The position, however, is unsatisfactory in that the law says one thing and the agreement says another. There is a discrepancy between law and practice, and all I ask is that Parliament shall recognize the practice by amending the law which was passed many years ago and before the practice was adopted. No legal action can be taken against storekeepers who may feel disposed to dishonour their agreement; or in other words flout the custom of the industry. Some of our best laws have come to us from what is known as the common law of England, which is not a written law, but has come into being since the early days of Parliamentary government. It is included in the ambit of various decisions of courts in order to meet the customs of a particular period. That law still stands. It was imported into Australia when responsible Government was given the Australian colonies, and has remained one of the principal barriers of our

judicial system against wrongful action, and a protector of the rights of the individual, and, in many cases, the community. The Bill, in proposing to provide for the closing of non-exempt shops at 11.30 a.m. on Saturdays, merely seeks to legalize a practice which has proved to be satisfactory. The Retail Storekeepers' Association, which represents hundreds of suburban storekeepers, is not opposed to the Bill. The fact that I intended to introduce the Bill has been widely known for about one month and I have not received a protest from any storekeeper or member of the public. A legally authorized 11.30 closing on Saturdays would assist in extending suburban shopping facilities, thus enabling people to shop in their own districts and relieving congestion in the city. That is an important aspect and it should have the attention of every member, particularly the member who represents a suburban constituency. We are all familiar with the congestion in the city of Adelaide on Saturday mornings, and of the discussions which have taken place from time to time as to whether traffic should be banned entirely from Rundle and Hindley Streets, or whether parking or ranking of vehicles should be banned on Saturday mornings. Up to date no action has been taken in regard to these matters. Sooner or later, because the congestion is rapidly getting worse, action will have to be taken to solve the traffic problem. Most members agree with decentralization of industry and population. To a small extent the passing of this Bill will assist in that regard because it will encourage suburban people to shop in their own areas. It will also result in the growth of shopping centres in the suburbs to supply the demands of the substantial number of people living there and materially reduce the congestion on our public highways, public transport, and particularly the streets in the metropolitan area.

Mr. Dunks—How?

Mr. O'HALLORAN—Because the suburban residents will shop at the shopping centres nearest their homes.

Mr. Dunks—Why don't they do it now?

Mr. O'HALLORAN—Because they have not been sufficiently encouraged to do so.

Mr. Dunks—Will earlier closing provide them with better facilities?

Mr. O'HALLORAN—As I understand it, firms employing labour are discouraged from establishing stores in many suburban areas because there exist a number of family businesses which do not conform to the gentlemen's agreement, and which remain open for

the longest possible time permitted under the law. Under the present arrangement, powerful sectional interests could force shop assistants to work till 12.30 on Saturdays, and it is undesirable that they should be subject to that possibility. If there is a serious decline in trading (as could occur in the near future) the large city stores would be in a better position to accommodate themselves to the reduced turnover than the suburban stores and centralization would be accentuated, to the detriment of suburban shopping centres. I am not a harbinger of gloom, but we have to accept the definite prospect that in the not far distant future there will be a recession in business activities in this State. When it comes it will require only one important departmental store in the metropolitan area to break away from the gentlemen's agreement for the other shops to be forced to remain open for a longer period. About nine or 10 months ago there was a possibility of its occurring in the metropolitan area when one large store said it would take advantage of the extra trading hour on Saturday morning. It was only by the intervention of the Trades and Labor Council that the matter was adjusted, and what I am seeking to prevent by this Bill did not become a fact throughout the metropolitan area. Most workers now enjoy a five-day working week and have ample opportunity for shopping with shops closing at 11.30 on Saturdays. The 11.30 closing arrangement should be legalized to prevent the possibility of the shop assistants' industry becoming more of a cinderella than it is. Banks have now decided to close at 11 a.m. on Saturdays, and this decision has been partly influenced by the fact that shops close at 11.30.

Mr. Dunks—Bank employees do not finish at 11.

Mr. O'HALLORAN—No. If the shops in the metropolitan area remained open until 12.30 I suggest that the banks would probably extend their business hours by at least one hour, and then the bank employees would not finish work until 12.30. Because shops close at 11.30 it does not mean that the shop assistants finish work then, because all sorts of things have to be done and it is after 11.30 before they finish work. Country shopping districts observe 11.30 a.m. closing. In fact, in Port Pirie Saturday shopping has been abandoned. The 40 shopping hours are confined to five days by a gentlemen's agreement between Port Pirie traders, and there has been no suggestion of any inconvenience arising

therefrom. The shopkeepers there do not desire to return to Saturday morning opening, nor is there any demand by the public for it.

Mr. Fletcher—There are no industrial areas outside Port Pirie from which workers would have to come into the town to shop.

Mr. O'HALLORAN—Port Pirie is a shopping area for a large section of country people, and the number of cars to be seen in the streets on Thursdays and Fridays bears out that fact. Nearly all the country people within a radius of 20 miles do their shopping there, and no demand has been received from them that those shops should open on Saturday morning. The custom of closing shops in early closing districts throughout the State at 11.30 a.m. on Saturday morning should be legalized. A reversion to 12.30 p.m. closing, as might easily happen in future, should not be permitted. Last year in a debate on a similar Bill it was suggested that workers in industry would be inconvenienced by the suggested reform; but I would be one of the last to introduce legislation which would in any respect inconvenience workers unless there were some more important over-riding consideration. In this regard there is no such consideration, because, except in the case of round-the-clock shift workers, the 40-hour week worked in five days is universal throughout industry at present. That gives the worker ample time to do his shopping either while off shift or on Saturday morning before 11.30. This matter has been considered by the United Trades and Labor Council of South Australia, the premier workers' organization in this State, which unanimously recommended 11.30 a.m. closing on Saturdays; therefore, the Bill has the imprimatur of the workers and will, if passed, result in the endorsement of something which has been achieved by co-operation between employer and employee. I have heard members, particularly Government supporters, repeatedly speak in favour of such co-operation. Only last week we heard some excellent speeches from members opposite on co-operation in the agricultural industry. It was said that it was unnecessary to amend the Industrial Code so as to provide for the conditions of rural workers, because already by co-operation between employer and employee a position had been reached where conditions were far superior to those which could be established under the Industrial Code. I hope members who voiced those sentiments were sincere and that they will now support something which has been achieved by co-operation between employers and employees in this industry.

Mr. Dunks—Is not the present 11.30 a.m. closing a true reflection of that co-operation?

Mr. O'HALLORAN—Precisely, and I desire to protect that splendid agreement and see that the spirit established as a result of that co-operation is maintained. I do not want to leave it open to assault by any piratical, profit-making employer who may desire to get an advantage over the more decent employer next door by remaining open for an hour longer.

Mr. Dunks—The honourable member wants compulsion instead of co-operation.

Mr. O'HALLORAN—No; but when people voluntarily combine in their own interests to do the right thing it is the duty of this Parliament to see that their combination is protected from assault by those who desire to do the wrong thing; therefore, I suggest honourable members should be mindful of the conditions now existing which are fair and just to all sections of the community. I move the second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—This Bill amends section 35 of the principal Act by striking out the words "twelve-thirty" and inserting in lieu thereof the words "eleven-thirty." This applies in cases where shops are closed for half a day such as in the metropolitan area on Saturdays. I was struck by the honourable member's remark that here the law and custom were at variance. The law says that a shop shall close at 12.30 p.m., but in practice it could close at 11.30 a.m. The law is designed to enforce the compulsory closing of shops, but it does not mean that anyone is compelled to keep his shop open until 12.30 p.m. He could refrain from opening at all. The law merely provides that shops shall not remain open after a certain time. The custom has grown up that some shops do not remain open until 12.30. The associations mentioned by the honourable member have members mainly in the metropolitan area. The matter of closing shops at 11.30 on Saturdays does not apply to country areas to the same extent as in the metropolitan area. If for the convenience of his customers a country shopkeeper desires to remain open until 12.30 p.m. there is nothing in the Act to prevent him, but if the Bill is carried he will be forced to close at 11.30 a.m., irrespective of his own convenience or that of his customers. I do not know of any ground which would prompt me to support the Bill. I have the duty of enforcing the present law, which is subject to continuous difficulty. Never

a week passes in which I have not the duty of prosecuting a considerable number of people for having sold some trifling item after the declared closing time. I am not excusing them for not complying with the law, but I mention that to show that there is a public demand for an extension of hours. Many people work when shops are open and by the time they have ceased work the shops have closed. A man would not keep his shop open unless a number of people wanted to be served. Many countries older than Australia which are matured in their judgment on these matters do not hamper trade or the convenience of the public to the same extent as we do. No grounds have been made out for a further curtailment of hours. In a certain industrial town in South Australia the unions suggested that the shops should be compulsorily closed on Saturday mornings, and the large storekeepers agreed to close voluntarily. It was found that the prominent advocates of Saturday closing were in actual fact buying in shops that had not closed, and within a fortnight the whole thing broke down.

Mr. O'Halloran—That is the best argument you can use in favour of the amendment.

The Hon. T. PLAYFORD—It is not Parliament's duty to hamstring the people unnecessarily, but if something were being done detrimental to another man's interests then we should look into it. I hope the House will give the same verdict on this Bill as on a similar measure last year. I oppose the second reading.

Mr. LAWN (Adelaide)—I support the Bill. Mr. Dunks suggested that the Leader of the Opposition desires to make compulsory a gentlemen's agreement. I do not know whether he believes in conciliation and arbitration.

Mr. Dunks—I do.

Mr. LAWN—So do I. I do not know whether he will agree with me that with a large section of industrialists the emphasis has always been upon conciliation and that they want arbitration only when forced to accept it. Many industrialists prefer conciliation so that they can work out their problems. When they have arrived at an agreement beneficial to both sides they can then approach the arbitrator, who ratifies the agreement if it is not detrimental to public interests. In the case under review we have an agreement as to closing time arrived at between both sections of retail business. The parties have decided that the most appropriate time for shops to

close down on Saturdays is 11.30 a.m. I understand that the present law makes certain exceptions as to closing time. Now that the parties have come to an agreement an approach has been made to the law makers instead of to an arbitrator, asking that effect be given to it. That it is not detrimental to the public interest. The Premier says he knows some people sell goods after hours and this proves that there is a demand for goods after hours. I think he would agree that if shops remained open until midnight on Saturdays there would still be some people wanting goods after hours. Many people are always late and do not bother about purchasing goods until they want them. Would the Premier suggest that because of a few breaches of the Early Closing Act the law should be altered in the interests of the persons concerned? If so, why does he not amend the traffic laws to permit people under the influence of liquor to drive motor cars? Instead, he proposes to provide heavier penalties for drunken drivers. He implied that because some people purchase goods after 12.30 p.m. on Saturdays or 5.30 on week-days that is a reason for extending trading hours. It is not. If people break the law they should pay the penalty. If members opposite are sincere in their statements that they believe in conciliation and arbitration they should vote for the Bill. There is no dispute between the parties involved in this measure, which merely seeks to ratify an agreement between them. The Leader of the Opposition pointed out, and was supported by the Premier's remarks, that some people on either side sometimes break an agreement. The Bill proposes to protect employers abiding by the agreement by ensuring that no scab employer can flout it. It will also protect employees by ensuring that the existing agreement cannot break down in the future.

Mr. FLETCHER (Mount Gambier)—I oppose the Bill. I supported a five-day week for manual workers when I was a member of the Mount Gambier district council because it gave country employees the opportunity to come into town on Saturday mornings to do shopping or jobs that they or their wives and families were unable to do during the week. However, this Bill is the thin end of the wedge and it would not be long before stores were closed altogether on Saturday mornings and country employees would then need a day off to do their shopping. The proposed reduction of one hour in Saturday trading would be detrimental to the interests of country workers. It may work in the city, but there the workers'

and business organizations have their arms around one another's necks on this matter because what is good for the goose is good for the gander. They do not consider the needs of country people. The provisions of the Bill are detrimental to the public interest.

Mr. O'Halloran—Which public?

Mr. FLETCHER—The working public.

Mr. O'Halloran—They have not said so. Can you instance one protest from a worker in Mount Gambier against the Bill?

Mr. FLETCHER—They have never heard of this measure and are not likely to. I was accused by members of the Labor Party of being opposed to the closing of shops at 5.30 on week-days, but I supported it. I am prepared to take what is coming to me as a result of my remarks on this Bill. I know the workers in my district would be opposed to the measure. It takes them all their time now to get to town to do their shopping. I doubt whether any country member has been asked by his constituents to support the Bill. Even the present restricted trading hours cause a mad rush to do shopping.

Mr. FRED WALSH secured the adjournment of the debate.

COURSING RESTRICTION ACT AMENDMENT BILL.

Second reading.

Mr. SHANNON (Onkaparinga)—I am in duty bound to clear up certain matters about which there is obvious misapprehension in the minds of some people, and perhaps even members, as a result of unfounded statements in the press. I should have thought the Royal Society for the Prevention of Cruelty to Animals would be the last to make the statement it did. I have always supported, and still am a strong supporter of the society, as every person with human attributes must be. Animals cannot protect themselves; they are subject to the whim of man, and if it were not for the excellent work of this and kindred societies we would be back in the dark ages. However, it left me speechless when its chief executive officer, Mr. Banister, rushed into print with such an astounding statement as appeared in the *News* about the shocking brutalities associated with greyhound racing without first having the decency to ask somebody closely associated with the sport whether his charges were well founded. I cannot understand how such a responsible officer should have been so irresponsible. Mr.

Hall, secretary of the Adelaide Greyhound Racing Club, approached Mr. Banister and quoted a number of rules. One of them reads:—

Any person being an owner or trainer, or carrying out official duties relating to racing, who infringes or attempts the use of live game in the training of greyhounds, plump-ton or open coursing excluded, together with all dogs belonging to such person or persons, shall be disqualified for life.

There can be no more harsh sentence than the infliction of life disqualification by a sporting body on an individual or animal. The other rule reads:—

Disqualification imposed on any person or dog by the committee of the club or the stewards shall not be removed without the consent of the committee of the National Coursing Association expressed in writing under the hand of its secretary or other officer authorized for the purpose.

That association enjoys the patronage of His Excellency the Governor, Sir Willoughby Norrie. It is obvious that its affairs are properly conducted. The Adelaide Greyhound Racing Club is controlled by the association, and its decisions are subject to the rules of the association. If Mr. Banister had any doubt as to the wisdom of his rash statement in the *News* he had the opportunity to do the gentlemanly thing and retract it. The opportunity was presented to him and if he had accepted it—and as a gentleman he should have done so—nothing would have been said about it this afternoon. All Mr. Banister said was false, and despite what Mr. Hall told him he said, "If you must be mixed up in such a thing you must take what comes your way." If that is the attitude of Mr. Banister on the matter he must be prepared to take what is coming to him. Mr. Banister was actuated by a motive not connected with the merits or demerits of the Bill. Whether he has some information not yet disclosed, time will tell. May be he will come back at me after my remarks today, and if he does I shall be glad, as a gentleman, to hear what he has to say. It is proper that members should know of the many little inferences or suggestions from certain people which have been going the rounds ever since it was suggested that the measure would come before Parliament. Some of the sister bodies of the Adelaide Greyhound Racing Club were approached regarding what appeared in the *News*. The attention of the Hobart Greyhound Racing Club was drawn by Mr. Hall to the statement, and two letters came from it. The first one is dated October 4, 1951,

and it was addressed to the *News*. I did not know that the correspondence was taking place and I did not keep my eyes closely on the *News* to know whether the letter was published. It reads as follows:—

I was amazed to read an article in your issue of the 2nd inst. headed "Says Tin Hare Sport Brutal" and attributed to Mr. Banister, R.S.P.C.A. Secretary. No doubt Mr. Banister made his comments on mechanical hare coursing in good faith; however his facts are wrong. No live game of any description is used in connection with mechanical hare coursing, nor is there a killing pen on any mechanical hare course in the world. The R.S.P.C.A. in Victoria recently supported the introduction of the mechanical hare in preference to live hares, as at present used on Victorian racing tracks. Enclosed please find letter from Mr. B. L. D'Emden, Secretary of the Hobart R.S.P.C.A., fully refuting Mr. Banister's allegations. I would appreciate publication also of Mr. D'Emden's letter.

That communication was signed by Mr. M. A. Morgan, secretary, Hobart Greyhound Racing Club. The following is a copy of the enclosure, dated September 5, 1951:—

To whom it may concern.—This is to certify that greyhound racing as conducted in Hobart uses only a mechanical hare and no live hares or rabbits are used therewith or allowed on the grounds. Also, there is no killing pen at the end of the course. This society has watched the operations of the mechanical hare coursing in Hobart for the past 16 years and never had to report any acts of cruelty.

That letter was signed by Mr. B. D'Emden, honorary secretary, the Royal Society for the Prevention of Cruelty to Animals, Tasmania. The following is an extract from a letter signed by the secretary of the Launceston Greyhound Racing Club, dated October 5, 1951:—

There are no killing pens. Never have I in all my whole life read such a gross misstatement of facts. Evidently Mr. Banister does not know anything whatsoever about greyhound racing.

I shall not quote the whole of the letter. All these letters are available for perusal by members if desired. The following are extracts from a letter dated October 4, 1951, addressed to Mr. H. C. F. Gibson, Adelaide Greyhound Racing Club, 12 Athol Street, Clovelly Park, South Australia, by Mr. J. Fell, who signed for Mr. J. Lister, secretary of the New South Wales National Coursing Association Ltd.:—

I desire to acknowledge receipt of your communication concerning a newspaper article headed, "Says Tin Hare Sport Brutal," and I was amazed and shocked to read an alleged statement by Mr. Banister concerning killing pens at the end of tin hare courses and greyhounds losing interest if they were not given

a kill at the end of the course. It is indeed unfortunate that a person who apparently has no knowledge of conditions in this State should make such statements, and for the information of all concerned I would point out the following facts. Greyhound racing in New South Wales is controlled by a statutory board comprised of a chairman appointed by the State Government, a representative from the Treasury, a representative of the Chief Secretary's Department, two members representing Greyhound Racing Clubs, and two representatives representing the owners and trainers. There is not and never has been a killing pen on any greyhound racing track and the alleged statement that greyhounds would lose interest if not given a kill at the end of the course is laughable. . . . I might mention that greyhound racing in this State comes under the jurisdiction of the Chief Secretary, who is also president of the R.S.P.C.A.

This correspondence clears up statements about the conduct of the sport in New South Wales and Tasmania, and it draws attention to the fact that the R.S.P.C.A. in Victoria is attempting to get away from the alleged cruelty. I cannot imagine that I would like to attend a fixture where a live game, a hare or a rabbit, races around the arena chased by dogs, and if it does not run off the course at the proper exit is caught by the dogs and torn to pieces. It is an undesirable feature and I applaud the Victorian R.S.P.C.A. for doing something about the matter. The Victorian association sees the need to use a mechanical lure. People point out that the Plumpton Greyhound Club uses a live lure on an enclosed track, but so far the R.S.P.C.A. has not voiced any complaint. We have heard no complaint from these animal lovers on what can be done under South Australian law today, and I suggest it is high time they pulled up their socks. Sir Willoughby Norrie is patron of the National Coursing Association of South Australia. Other gentlemen in exalted offices have seen fit to lend their patronage to this sport in other parts of the Commonwealth. A former Governor of Tasmania, Sir Hugh Binney, was the patron of the Hobart Greyhound Racing Club.

The SPEAKER—I point out that Standing Orders provide that members shall not introduce the Governor's name so as to influence debate.

Mr. SHANNON—I did not want to influence the debate, but merely wished to put the atmosphere surrounding the introduction of this Bill in its proper light. There has been an attempt by certain interests to cloud the issue and to defame certain people. From my

association with the officials of the Adelaide Greyhound Racing Club I am pleased to call them my friends; they are at least gentlemen who would not be a party to anything which could in any sense be called a cruel sport. I do not say that because certain people holding high offices have associated themselves with this sport members should support this Bill; but I have the right to clear up the unhappy state of mind of decent and reputable people who have been charged with being mixed up in a dirty business. In New South Wales the Lord Mayor of Sydney, the Rt. Hon. Mr. O'Dea, M.L.C., is a committeeman of the National Coursing Association. These examples indicate the respectability of the people connected with this sport.

There is a difference between the methods of training and using greyhounds in this sport and those in open or plumpton coursing where a live hare is used. The Adelaide Greyhound Club does not want to use live game; in fact, members may be expelled if they do. There are established courses at Adelaide, Peterborough, and Murray Bridge. Two clubs at Millicent and Kadina are in the course of formation. Although no actual decision has been made, the establishment of clubs at Clare and Peterborough is under consideration. There was a course at Mount Gambier, and it is anticipated that that will be re-established.

Mr. O'Halloran—There was one at Yongala years ago, but the Peterborough club took its place.

Mr. SHANNON—Then Yongala may not be re-established, as it is so near to Peterborough. If this Bill is passed clubs will be formed wherever enough greyhounds are bred for racing. At the Royal Show two years ago greyhounds were raced. Although the conditions of an ideal course could not be obtained, I have been informed by people who saw that event that not only was it a very attractive spectacle but that nothing happened to which exception could be taken from the point of view of cruelty to the dogs. There was no opportunity for the dogs to kill live game, and they could not injure their fellow runners because of the use of muzzles provided for by the rules. These do not affect the breathing of a dog, but prevent him from savaging another dog. The sport at the show-ground was well conducted, and I have been told that the dogs definitely raced, showing that they were keen and interested. The public apparently enjoyed the event. Indeed I can imagine no more innocent outdoor sport than such a race.

The Bill applies to all existing clubs and to those which may be formed for the purpose of greyhound racing. It gives them the right to dispense with live game as a lure which the law now requires them to use. It makes it legal to use a mechanical lure. The mechanical lure usually used by such clubs is commonly referred to as a tin hare, but actually it is a stuffed hare's skin propelled by electric motion around the track at a speed faster than that of the dog but not so fast as to take it out of sight. The term "tin hare" racing is a misnomer which I think has been used in an effort to decry the sport. The Bill excludes any possible change in the present plans of the clubs to race on Friday evenings in the metropolitan area and on Saturday afternoons or public holidays, except Good Friday or Christmas Day, in the country. This will obviate the waste of manpower and large quantities of petrol that takes place with mid-week racing. I am informed by club officials that they are quite happy about this arrangement.

Mr. O'Halloran—Could not country clubs be given the opportunity to race in the evenings if they so desired?

Mr. SHANNON—I am prepared to listen to any suggested improvements. If it can be shown that it would be wise to race on Saturday evening rather than Saturday afternoon, that there would be no greater waste of time or energy, and that it would meet the wishes of country patrons, I would not oppose such a suggestion. I have drafted this Bill along the lines of the existing practice in South Australia. The National Coursing Association of South Australia is the governing body of coursing and will be the licensing authority. Every greyhound racing club will at stated periods, at least once a year, have to apply to the association for a licence to operate. The licensing fee proposed is £3 3s., which is the amount paid by established clubs to the association now. The metropolitan area is defined as being the area within a 25-mile radius of the General Post Office, Adelaide, and for that only one licence shall be issued. Outside that area the association may issue 10 licences. I have discussed this matter with the people interested in greyhound breeding and racing and in their opinion an unlimited opportunity for the establishment of these tracks would be unwise. A handful of people might consider it a good idea to establish a track and after a year or two it might fall into disrepair and be an eyesore. In a careful survey of the areas likely to require grey-

hound racing tracks it was thought that six or eight might be ample, but as it is proposed that the National Coursing Association should be the over-riding authority to issue licences perhaps the number could be extended to 10. The association would use its discretion and not issue a licence unless it were warranted. There is to be no appeal to any other authority if an application for a licence is refused.

Mr. Dunks—Has it that authority now?

Mr. SHANNON—It has for the three clubs operating. I have provided that the association shall not capriciously withhold a licence. Before refusing an application it must satisfy itself that a licence would not be in the best interests of the sport. A major issue which will arise is the provision of betting facilities at such fixtures. It is said by those seeking an excuse to oppose this very reasonable request that the Bill is the thin edge of the wedge for providing additional betting facilities, and they contend that once the sport is legalized it will not be long before the people who asked for it would want gambling facilities provided. The Adelaide Greyhound Racing Club has said that not only will it not be a party to seeking such a facility, but if any group of people approaches Parliament for the facility it will do all in its power to oppose it. I have that on the authority of the chief executive officers of the club. If that is not true the Bill can be thrown out. I have told the club that I would not be a party to the establishment of betting facilities, as there are already ample opportunities for fattening the bookmakers. I see no reason for depriving people of this clean and desirable sport. It is not like horse racing in which clever jockeys with strong reins can interfere with the ability of the animal to win. It is admitted that a greyhound could be doped so that it could not win, but it would involve a life banishment from the sport for the culprit found guilty. The rules of the club provide that not only can the owner of an animal which is suspected of having been doped be questioned, but the animal itself can be impounded.

Mr. Quirke—Is it not also a condition that the dogs must be in their kennels for a stipulated time before a race?

Mr. SHANNON—Yes. The animals are under the control of the committee of management for a time sufficient to ensure that the public will see them at their normal best. There is already much patronage for this sport without facilities for betting. The Bill

sets out to legalize a sport which in New South Wales and Tasmania is associated with gambling.

Mr. Moir—And they run lotteries there.

Mr. SHANNON—Despite the fact that New South Wales, Tasmania, Queensland, and Western Australia have legalized lotteries, South Australia has not, and it is illogical to suggest that because I am denying gambling in this Bill that can be used as an argument that the Bill is a first step towards that end. Some years ago while I was still a member of this House a Bill for legalizing gambling on this sport was introduced, but defeated, and if there should be another approach to Parliament on the same subject I am sure members will once again use their common-sense and refuse facilities for gambling on this sport. It is not a very debatable Bill because it only sets out to legalize a practice which is humane from the point of view of the dogs and desirable from the point of view of greyhound owners. South Australia possesses some of the best greyhound blood in the Commonwealth and I believe that some of the best dogs are to be found on Yorke Peninsula. I understand that dogs from this district have won more Waterloo Cup events than dogs from any other part of the State. Greyhound breeding in South Australia is a small industry. South Australia exports dogs to every State of Australia, to New Zealand, and even to South Africa. The prices secured for our best animals would amaze some members, as they often run into hundreds of pounds. There is no harm in the breeding of greyhounds. It brings a little grist to the mill as well as providing for the greyhound enthusiast. Every man who loves an animal is fundamentally sound and has some good in him.

The Hon. S. W. Jeffries—Every man has some good in him, whether he loves animals or not.

Mr. SHANNON—I know the member for Torrens has much good in him, but the good in some men is not quite so obvious. I love an animal and can see some good in encouraging people who want to breed greyhounds, and this Bill will at least do that. I commend the measure to members, and trust it will receive an unbiased judgment and that members will not be swayed by outside statements which cannot be supported by fact or by statements made in the Chamber of the horrors that may occur. This is not the first stepping-stone towards illegal gambling on coursing. I shall be pleased to consider any amendments moved in Committee. I move the second reading.

Mr. TAPPING (Semaphore)—I support the Bill and congratulate the member for Onkaparinga on his fine discourse. The measure is based on democratic principles. It provides facilities to a section of the community which they do not now enjoy, but which have been given to other sporting organizations, such as racing and trotting clubs. Coursing is undoubtedly a poor man's sport. Big money is sometimes paid for dogs, but it is possible for an ordinary man to buy cheaply a dog which may develop into a champion. Many considerations are given to racing and trotting clubs. A totalizator is granted as well as legalized book-makers, but coursing authorities merely ask Parliament to allow them to conduct the sport with a mechanical hare. There is no suggestion of betting. Is it fair to give considerations to trotting and racing clubs but not to coursing clubs? Some years ago I had the privilege of seeing plumptown coursing conducted. I had been told that this was regarded as a cruel sport because the hare had no chance. It was almost abandoned here because some people hostile to it turned loose the hares. There could be no cruelty under this Bill, despite what the secretary of the R.S.P.C.A. said, that there are killing pens at the end of the course, for the dogs are muzzled. I do not know where he got his information, but I accept the versions of the people sponsoring the Bill that there would not be any cruelty. It is remarkable that Mr. Banister condemned this legislation on the basis of cruelty. I have never heard his organization protesting about cruelty in horse racing. I have seen race horses up to 16 years old forced to jump steeples and drop dead in the effort, but heard no protest from him. Is that because racing and trotting clubs are privileged organizations? Moreover, spurs are frequently used to excess. I have noticed blood oozing from the beast, but no condemnation from Mr. Banister's organization. Racing and trotting have been classed as an industry and I subscribe to that view. The member for Onkaparinga made it clear that coursing, too, is an industry. I have evidence that a South Australian dog which promised to be speedy was sold to a man in another State for £75. It was later found to be so fast that it brought £1,050. Dogs have not sufficient opportunity in South Australia to prove their speed, but if a mechanical lure were used they could.

Mr. Shannon—And the breeder could get his just reward.

Mr. TAPPING—Yes, and money would flow to South Australia for the dogs. Rule 31 (b) of the Adelaide Greyhound Racing Club states,

“Live game shall be prohibited.” That is evidence of the honourable intentions of the club. Some people have suggested that this legislation might have a detrimental effect upon industry but this is essentially a night sport.

The Hon. S. W. Jeffries—The Bill only provides for afternoon meetings?

Mr. Shannon—Evenings in the metropolitan area and Saturday afternoons in the country.

Mr. TAPPING—Industry will not be impeded. On August 9 the Premier was asked whether he would take steps to abolish mid-week racing, but he replied, “I do not think it advisable to discriminate against one form of sport.” If we give concessions to racing and trotting bodies we should allow the mechanical lure to be used. It has been said that this is the first step towards legalizing gambling on greyhounds, but that is not the object of the club, which is out to make the sport more attractive. If plumptown coursing meetings were still held bookmakers would be allowed to operate. The action taken today will eliminate the bookmaker from the coursing field. The sport would then be conducted for the love of the game, although some say that without gambling it could not prosper. The club has conducted its affairs so well that I am sure it would make a success of the game and thousands of people would be attracted to it. Visitors would come from other States and even from New Zealand if the mechanical lure were allowed. In 1950 the Adelaide Greyhound Racing Club approached the Royal Agricultural and Horticultural Society for the purpose of demonstrating the mechanical hare. Members who were present will remember that it was a pronounced success. However, the Crown Law authorities viewed the practice as illegal.

Mr. Shannon—I should have said that some members of the club were fined up to £20 for using a mechanical lure.

Mr. TAPPING—That is a fact. Dozens of men in the Semaphore district follow the sport. They cannot afford to buy a racehorse or a trotter, but a dog appeals to them and they can find the money required to buy and maintain one.

Mr. HEASLIP (Rocky River)—I approach this question not as one interested in coursing, for I have not attended coursing meetings to any extent, but because I think we should consider any reasonable request from a sporting body. If we pass the Bill we will be granting the right to train dogs under the methods adopted in the eastern States. Our

trainers should not suffer any disability by having to sell untried dogs at a lower price than can be obtained when dogs are properly trained. This is the premier State in the small industry of breeding greyhounds, and it is an industry worth a lot to South Australia. We export many dogs to Tasmania, New Zealand, South Africa, and the United States of America. On at least four occasions South Australian dogs have been successful in Tasmania in winning the premier prize of £1,000. Once a dog won two premier prizes in the one year, both prizes being valued at £1,000. Two dogs from South Australia have won the greyhound racing championship in the United States of America. In one instance a South Australian dog was sold to a New South Wales owner for £25; eventually it was re-sold for 4,000 guineas. I cannot see why the breeder of a dog in this State should not get the big reward which can be ultimately obtained on its resale by an owner in another State. If we permit dogs to be tried here before being sold, breeders and trainers will get the benefit of the higher prices. In my district one man breeds dogs as a hobby. On the average he exports to the United States of America four dogs each year, and on the average these dogs return him £1,000, which means dollars for South Australia. People who train greyhounds in the open air get the benefit of physical exercise which is not obtained by those who merely sit and watch other people play games.

The Bill enables greyhound racing to take place with the aid of a mechanical lure. The matter of cruelty when live lures are used has been mentioned. I cannot see any ground for bringing up the matter of cruelty in the discussion on this Bill, because it seeks to eliminate cruelty. At trotting and racing meetings horses are encouraged to do better by the use of whip and spur, but there is no such encouragement in greyhound racing. It is said that greyhound racing is a poor man's sport. That is true, because at no great expense a person can train greyhounds and win prizes, whereas considerable expenditure occurs in the training of horses for trotting and racing meetings. Last session I opposed a Bill providing for legalized betting in one direction, and if this Bill meant legalized betting I would oppose it. Rather than increase it will eliminate betting. Legalized bookmakers will not be allowed to operate under the Bill. The Leader of the Opposition referred to dog racing in the country. In

Committee I intend to move amendments to clause 3 with a view to enabling dog racing meetings to take place either during an afternoon or night, and to provide that where a club holds a meeting on an afternoon it shall not hold one on the night of the same day. In some country towns there is shift work, and if meetings were confined to only the Saturday afternoon many people would be unable to attend them, or would stay away from work in order to do so. Under my proposal there will be the option to hold a meeting either during the afternoon or night. I support the second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—I approach this matter from an entirely different angle from other speakers. The Bill contains some fairly simple clauses, but the meat of it is in clause 3. Under new section 3a (1) it is proposed to remove the embargo Parliament placed on tin hare racing in 1927. The legislation was not introduced then because of happenings in South Australia, but to prevent in this State what was happening in other countries. I cannot understand why Mr. Shannon did not seek to repeal entirely the 1927 Act. It is clear that he proposes to wipe out the purpose of that Act because he wants permission to use mechanical lures. He also wants to provide for a licence being granted to one club in the metropolitan area and 10 in the country. There appears to be no limitation on the number of meetings which can be held under the Bill, except that there is only one Friday and one Saturday in each week. Under paragraph (a) of subclause (4) of clause 3 it would be possible to hold about 60 meetings a year, and under paragraph (b) about 600. Experience in other countries has shown that where this racing is permitted it grows like a bushfire and can never be caught up with, and there is inevitably gambling. Excessive gambling is no good to anyone. That is borne out by reports of Royal Commissions all over the world.

Mr. Shannon—All members agree with that.

The Hon. T. PLAYFORD—They cannot help it; Royal Commissions in many countries have found that excessive gambling has followed the introduction of dog racing. If the 660 coursing meetings possible under this Bill are held, the whole of the police forces throughout the world could not police the illegal gambling associated with these meetings. One member said bookmakers would not be allowed at meetings, but the Bill contains no prohibition on the attendance of bookmakers at the course. This is

not a new topic, although this Bill is slightly different from previous ones dealing with it.

Mr. Shannon—This Bill is well drafted.

The Hon. T. PLAYFORD—It may be from the honourable member's point of view; but if passed, it would be a calamity to the community. One member said that he did not support a similar Bill introduced last session because it provided for gambling. I did not support it either; but does that member say that increased facilities for gambling is not the purpose behind the Bill? Mr. William Brown, appearing before a Royal Commission in Great Britain on behalf of the British Greyhound Tracks Control Society, was asked, "Supposing betting was eliminated, would you get the attendance?" He replied, "No, it is primarily for betting." That reply came from the man controlling these affairs. I am unable to say whether cruelty would be associated with this sport; but I have with me a scrap book of cuttings from interstate newspapers dealing with this matter.

Mr. Moir—We have been advised not to take any notice of them.

The Hon. T. PLAYFORD—I am expressing no opinion. I understand that this racing is carried out under different conditions in different places, and I do not know the conditions which might apply here; but it is undeniable that in New South Wales and Victoria there has been the grossest cruelty connected with this sport.

Mr. Shannon—What is the date of the latest report you have?

The Hon. T. PLAYFORD—They cover many dates. The purpose of this Bill is to establish additional facilities for gambling.

Mr. Shannon—I deny that.

The Hon. T. PLAYFORD—One report I have reads:—

Members of the South Australian Owners, Trainers, and Breeders Association now conducting the night meeting at Plympton are confident that they will be granted betting facilities sooner or later.

The article sets out the history of this legislation. For a number of years Parliament was asked to pass Bills providing for outright betting facilities.

Mr. O'Halloran—Only twice in 13 years.

The Hon. T. PLAYFORD—A Bill was introduced last session, and I think the Hon. Stanley Whitford previously introduced one in another place. If this Bill is passed the following argument will soon be used: "Now that we have the sport, why shouldn't we have the same betting facilities as other sports?" This Bill will be used as the thin edge of the wedge

to introduce a type of sport which has proved detrimental in every country where it has been permitted.

Mr. O'Halloran—In what way?

The Hon. T. PLAYFORD—In many ways. Already citizens of cities where this sport is operating are issuing pamphlets in an effort to curtail it. I hope members will oppose the Bill. If passed, it will prove detrimental, will give us trouble, and will lead to illegal betting. Later it will be argued that, because illegal betting cannot be controlled, it should be legalized. The evidence given before Royal Commissions all over the world has shown that the sport is primarily used as a means for betting. I hope members will reject this proposal.

Mr. FLETCHER (Mount Gambier)—I support the Bill. I was surprised to hear many of the Treasurer's remarks. I have not taken an active part in the conduct of coursing but have been associated with it since my youth. No people did more to promote the old open coursing than our pioneers. In those days of open coursing it took a very good dog to kill a hare, because the hare was on its home ground, knew where it was going, and could fool the dog. I have seen open coursing conducted with a 22-dog course, and only four hares killed. The dogs were carried back beaten. Those times have gone and open coursing is not prevalent today. Plumpton coursing has never been a success; but the introduction of the so-called "tin hare" coursing has meant that lovers of the sport have been able to continue their activities. In my district a number of men have made a good living from breeding greyhounds. In one instance a man was unable to make a living from a Crown lease. He took up the breeding of these dogs but it was impossible for him to try them out here and they were sold in another State. They were an overwhelming success at coursing and were sold at a big figure. Taken by and large breeders are not so much interested in betting. They are, however, interested in breeding good dogs.

Mr. CLARKE (Burnside)—I unreservedly oppose the Bill. I accept the assurance of its sponsor that he has no intention of allowing any facilities for gambling in connection with this occupation. Although Parliament cannot do anything to direct the actions of a future Parliament it can, by passing the Bill, lay the foundations for a new and wide extension of gambling in the community. I have no direct interest in any kind of racing, either as a pastime or occupation, but those who at one

time urged greater horse racing facilities here said they did so, amongst other things, to raise the standard of horse breeding in Australia. We do not see any suggestion that horse racing should be curtailed because horses, as an economic unit, have almost ceased to exist. There is no less racing because the demand for horses for agricultural and similar purposes has declined.

Mr. O'Halloran—Horses were most valuable on the farm.

Mr. CLARKE—Yes, but horses are becoming increasingly less valuable and the demand which formerly existed for horses for army remounts has completely dried up. The argument was put forward by the sponsor of the Bill that the measure would raise the standard and quality of dogs. Greyhounds are not working animals and are not in the same category as sheep or cattle dogs, and to attempt to develop the argument put forward by the sponsor is fallacious. Dog racing is not a sport which uplifts the participants either emotionally, physically, or morally. In other places it has brought in its train grave social problems, some of which the Premier referred to. A Royal Commission in England, which examined the widespread ramifications of this business referred to the poverty, distress, family troubles, moral degeneration among young people, and even embezzlement and misdemeanours through betting on dogs.

Mr. O'Halloran—Was it abolished in England?

Mr. CLARKE—I am not saying it was abolished; I am merely drawing attention to its ramifications. I am informed that dog racing is not particularly attractive from an onlooker's point of view without gambling. A race only lasts about 20 seconds, so I am prompted to ask, "What do the watchers do between races during an evening?" The Hon. T. D. Oldham, former Attorney-General in the Victorian Parliament, in a debate on the subject said the sport was not one in which the average Australian would find any great zest. He said that the main attraction was gambling. That very wise and great old man, Winston Churchill, referred to greyhound racing tracks as "animated roulette wheels." A South African Royal Commission examined the effects of dog racing from all aspects and in evidence it was proved conclusively that the continuance of dog racing was extremely harmful to the development of young minds and character. In 10 years it had grown enormously. As a result of the Royal Commission's finding dog racing was completely banned in the Transvaal. In Australia, on the grounds of hygiene

and public nuisance, strong objections have been raised to the training and exercising of dogs in public places. One New South Wales municipality had to prohibit the exercising and training of dogs in its public parks because of the nuisances created. In this State respectable and worthy communities have been annoyed by the noise of dogs and the things which go on in connection with their training, and petitions were presented asking that the nuisance be abated.

I repeat that it is not the intention of the sponsor of the Bill to ally gambling with dog racing, but I ask, "How long will any Parliament be able to resist the pressure which will be brought forward when it is found that the training of dogs for economic purposes is not sufficient to bring people to see the pastime?" There is no public demand for this sport. I am not impressed with the argument that dog racing will improve the breed of dogs; greyhounds are not useful working dogs like cattle or sheep dogs, and if dog racing is allowed to spring up it must divert manpower and materials in directions which are neither necessary nor helpful to our work and leisure.

Mr. QUIRKE (Stanley)—The first ban which should be placed on anything is a ban on red herrings in this debate. We have heard a lot today about the value of greyhounds and other dogs, and of dogs which have no value at all. The member for Burnside told us about the sheep and cattle dogs and their value, but the only sheep dog he knows anything about is the one that follows its leader. Much has been said about cruelty. The member for Onkaparinga went to great lengths to show that there was no cruelty in coursing. There is a lot of pussy-foot nonsense about this so-called cruelty. The hare has been endowed by nature with speed for its defence. There is not a hare born that dies a natural death. Its fate is to be torn to pieces by foxes and other animals when age destroys its power of speed. I have seen cats drag in aged hares which, through their declining age, have fallen victims. It is a most spectacular sight to see two wedge-tailed eagles coursing a hare over a paddock and witness the marvellous manoeuvrability with which Nature has endowed the hare. I have seen a hare, with only one low sapling in a paddock, defeat the efforts of eagle hawks. The direct, instantaneous death a hare meets with when caught by dogs is the death it would have met in any case if it had lived longer.

Hares in the country have to be kept down. Let anyone speak to a gardener who has an area planted with young fruit trees. It is practically impossible to obtain wirenetting to keep out hares. What is the difference between coursing hares in country districts, feeding them strychnine poisoned apples, from which they die in agony, trapping them, or snaring them round the heads when they pass through a hole in a wire fence? All these methods are adopted because, if a fruit garden is not protected with wire, it is easy for one hare to destroy 100 young fruit trees in a night. If coursing is stopped how is it proposed to dispose of hares and keep them down? Are we to allow them to breed *ad libitum*? Hares are vermin and, like rabbits, must be kept down and the most humane way of killing them is by using dogs. That is an answer to this pussy-foot nonsense about cruelty.

The Bill proposes to allow races for greyhound dogs. Last year I introduced a Bill extending totalizator facilities to existing dog race tracks. The measure met a most unworthy fate. My introduction of that Bill pre-supposed that I supported dog racing. I do not care if a body of men wants to race horses, dogs, or blue-tongued lizards. They have organized certain sports and horse racing is organized. It is cruel to see a horse spurred and whipped along over the last furlong of a race with a whalebone whip, but it is not classed as cruelty. If a man has a pet sheep in the back yard and allows it to starve action is taken against him by the R.S.P.C.A., but if a farmer overstocks his property and starves 1,000 sheep to death that is just bad luck. As far as I am concerned if a man wants to race dogs he can do so, just as any other man if he likes can get together a team of performing fleas. Everyone has his ideas of what constitutes a sport. I have no objection to allowing people to organize dog racing but undoubtedly there would be betting. If we could be transported to Korea to see the men who have earned the magnificent tribute mentioned in today's paper of being at the spearhead of the attack and with their "stickability" refusing to retreat, and smashing wave after wave of enemy onslaughts we would find that within half an hour of their being taken out of the front line at least 50 per cent would be in a two-up ring. If not, they must have slipped back a lot since I was in the army. There will be betting if dogs are allowed to race. In

spite of that I will support the Bill, having no false ideas concerning the cruelty of the sport.

Mr. GOLDNEY (Gouger)—I live in a district where the people conduct open coursing. During the last week or so I have tried to discover whether there is any enthusiasm for mechanical coursing, but have been unable to discover any sign of it. Those sponsoring the Bill are in a small minority and there does not appear to be any general demand for this type of sport. Mr. Shannon has declared that there is to be no gambling associated with it, but I am afraid that gambling in this age has reached tremendous heights and will be associated with this sport. I consider gambling one of the greatest curses not only in Australia but in most other countries. I fear that if the Bill becomes law there will be a demand for betting facilities. In the absence of any great demand for the sport, I oppose the Bill.

Mr. MOIR (Norwood)—I think a fair case has been submitted by those desiring the introduction of dog racing. I was fortunate enough to see coursing at night and came to the conclusion that it was a clean, honest sport. I observed the boxes where the dogs were penned before starting, saw the lure and noticed that the dogs had muzzles. The only aim of the dogs when racing is obviously to be first home. Gambling has been used as a red herring in the debate. I am president of the Adelaide Kennel Club and consider that a wellbred dog is worth seeing, and when racing is a pretty sight. I was surprised to hear the Premier's remarks regarding what happened in the other States, some of which have lotteries which largely help to support hospitals. The people advocating dog racing have come forward with an honest request. No cruelty is associated with the sport. Yet we hear Mr. Banister (secretary of the R.S.P.C.A.) saying what criminals these people are. I contradict his statement about greyhounds being killers. I am not interested in what happens in the other states, but only in what happens in South Australia. I know quite a number of people in the Reeves Plains, Two Wells and Korunye districts who practically live for their greyhounds. Yet many of them would not invest 2s. in a bet on their dog. In that respect they are like certain people who own some of the best horses in the State, but never bet. I support the Bill and hope that greyhound owners will be given the same opportunity to race their animals as are the owners of gallopers and trotting horses. They

are not asking for a totalizator or bookmakers to be made available for the sport, but if they do then members will have the opportunity to refuse the request.

Mr. LAWN (Adelaide)—I support the measure, particularly after hearing the remarks of the Premier, who went from the sublime to to the ridiculous and was consistent in his inconsistency. He has built up a reputation for encouraging industries to come to this State. We have heard from Mr. Tapping and Mr. Heaslip that in the other States thousands of pounds are being made from an industry there, but some of the money rightly belongs to the citizens of this State. We have been told that one greyhound was sold for £25 and subsequently brought £4,000 and Mr. Tapping mentioned that one was sold for £75 and later brought £1,000. If there were an opportunity to induce an industry to come to South Australia, the Premier would possibly do everything in its interests, but in discussing this Bill says it is really the thin end of the wedge and would result in excessive betting. If a Bill were before the House to provide for the earlier closing of hotels, he would, if consistent, say it was the thin end of the wedge for ultimately banning all hotels. That would be ridiculous. There is some fear in people's minds when they say, "This is the thin end of the wedge." They are not prepared to discuss a subject on its merits and lack confidence in themselves and in this House. I am prepared to discuss any Bill on its merits and if I think it right will support it. Let us deal with the second portion of the Premier's suggestion that it will lead to excessive gambling. Twice a week the Bob Dyer radio show is broadcast from Sydney. It is a competition in which all that the citizens of Australia have to do is to guess the name of a certain noise and write it on a piece of paper. No money is involved except the prize and all the people of Australia except South Australians are eligible to compete. This prohibition against South Australians is an example of extremes in the other direction.

Mr. Clarke—That is a contravention of the Trading Stamps Act and has nothing to do with any gambling legislation.

Mr. LAWN—The Treasurer tried to ridicule the Bill by comparing clauses 3 and 4 and I ask the mover to put the matter in its proper perspective, because in introducing the Bill he invited suggestions for improving it. I suggest that it is not intended to permit 660

meetings a year, as the Premier implied, but if some alteration of detail is needed let us discuss it. There is nothing wrong with this measure in principle, and I suggest that the Premier did not advance one reason why this House should not pass it. I support the Bill.

Mr. STEPHENS (Port Adelaide)—I support the Bill, but should like to have learned from the mover whether the controlling body is incorporated or whether its only purpose is the making of profits, for I have seen many other sports with which I have been associated crippled by the profit motive. I have been somewhat disappointed at the attitude of some members towards gambling. Although they are trying to hide their own transactions they know they have all had a gamble and will again, yet they criticize others who gamble: not a member of this House would be here today if he had not taken a gamble in the elections, for had he lost he would have had to pay out. More gambling takes place on the stock exchange in one day than in all the other gambling we know of. People say that gambling ruins homes. I know instances where gambling on the stock exchange has done so.

The SPEAKER—This Bill does not provide for gambling.

Mr. Shannon—It prohibits it.

Mr. STEPHENS—I know that, but the Premier and the member for Burnside had a lot to say about gambling. I do not want to be on the same side as the secretary of the R.S.P.C.A., who has made certain statements about killing pens which have been shown to be untrue. He has held a prominent public position for a long time and if the killing pen has been in existence for a long time it is rather peculiar that he has neglected his duty and done nothing to stop it. I would like to know from the mover whether the controlling body is to be incorporated, for if it is a proprietary concern I do not feel like supporting it.

Mr. Shannon—It will be non-proprietary.

Mr. STEPHENS—If that is so I give the Bill my whole-hearted support.

The House divided on the Hon. S. W. Jeffries' motion for the adjournment of the debate—

Ayes (17).—Messrs. Brookman, Christian, Clarke, Dunks, Goldney, and Hawker, Hons. C. S. Hincks and S. W. Jeffries (teller), Mr. Macgillivray, Hon. M. McIntosh, Messrs.

McLachlan, Michael, and Pattinson, Hon. T. Playford, Messrs. Quirke, Teusner, and Whittle.

Noes (15).—Messrs. Dunn, Dunnage, Fletcher, Heaslip, Hutchens, Lawn, McAlees, Moir, O'Halloran, Shannon (teller), Stephens, Stott, Tapping, Frank Walsh, and Fred Walsh.

Majority of 2 for the Ayes.

Motion thus carried; debate adjourned.

INDUSTRIAL CODE AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 3. Page 771.)

Mr. HUTCHENS (Hindmarsh)—The purposes of this Bill are to give rural workers the right to approach the Industrial Court for a code of wages and conditions and to reduce the number of employees required for registration in the court. The trend of the debate has been disappointing, for the Leader of the Opposition started it on a high plane. He proved that the demand for our primary products is great in this country and throughout the world, but that our production has decreased alarmingly. The second purpose of the Bill has been ignored by some who have opposed it, particularly members representing country electorates. This was apparently because of a parochial or selfish approach. Some of their remarks would be funny if they were not debating an important matter deserving serious consideration. I took notes of some speeches and found that the member for Alexandra opposed the measure because conditions in the country were so good that the provisions suggested are unnecessary. In the next breath he said it would mean that the farmer would either have to observe the code or adopt the alternative of not employing labour. That is contradictory. He also suggested that the relationship between employer and employee should not be interfered with by any outside body. I suggest the present relationship between employer and employee in rural areas is one of "love and leave you," and this has been established by the Leader of the Opposition. It is strange that so many in this House advocate no third-party interference in the working conditions of rural employees, but the member for Flinders spoke in glowing terms of one third-party interference. However, I have not heard any objections to the suggestion of a third-party interference by the Prime Minister when

speaking at a meeting in Adelaide on September 3. I was present and know he was correctly reported in the *Advertiser* of September 4 as follows:—

It was humiliating to realize that within the next five or six years Australia might become an importer of a considerable proportion of her foodstuffs, Mr. Menzies said. That was a real possibility unless there could be directed into the rural industries the men and machinery needed for their fuller development.

Is not that a desire for a third-party direction of manpower into the rural industry? A full report of Mr. Menzies' speech was not given. I know several members of this House were present and they can correct me if I am wrong in saying that he stated if the Commonwealth Government were denied the power to direct men into the industry it may have to do so by economic sanction, in other words by creating a temporary recession.

Mr. Brookman—Do you believe in the direction of manpower?

Mr. HUTCHENS—I have no need to answer that question because the honourable member knows the views of my Party. Mr. Brookman said there was a shortage of labour in primary industries and it was clear that the industries would be helped if more labour were available. I agree, but I was surprised to hear him say that because on August 1 he said there had been much talk about the labour shortage in the country, but that it had been overstated. He also said that farmers were not doing as much work as in the past.

Mr. Brookman—You are not quoting me correctly when you connect those sentences. I said something in between.

Mr. HUTCHENS—The honourable member stated that conditions for employees vary from fair to extremely good at the best, but an award would have a levelling effect. He said in effect that the best employers in rural industry would take the earliest opportunity to lower the wages and conditions of employees. He also said a farmer told him about the conditions under which he employed his workers, that he was astonished to hear of them. I was astonished to think that he would ask us to believe that the statement was correct. I do not think for a moment that the honourable member believed the statement to be correct. If he did he could have at least told us the district in which those working conditions were available. Although he said he was astonished to hear of this isolated case, the member for Flinders said it was not an isolated

case. Members opposing this measure should learn something about conditions in the country.

Mr. McLachlan—Would you be the teacher?

Mr. HUTCHENS—I know whom I can teach and that some people will not be taught. The member for Victoria opposed the Bill and said that members on this side of the House found it necessary to refer to the dim and dark ages. He mentioned a statement made by the member for Thebarton in regard to the Tolpuddle martyrs and an employee of his who had been on the grog. I am surprised that isolated instances should be brought before the House to try to convince members that they should vote against an important measure. They cannot carry much weight. I am reminded of the story of the clergyman who said to a man who occasionally drank too much, "Why do you find it necessary to occasionally get under the influence of liquor?" The reply was, "When I am intoxicated I feel as I would like to feel when sober." I wonder whether Mr. McLachlan's employee drinks so much in order to escape the miseries of his employment. The honourable member agreed that rural workers would always get good conditions which employers were forced to give them owing to the shortage of labour, but it is apparent that as soon as possible those workers will be on the lowest possible level, and then they will be back in the dim, dark ages. There is definite evidence in this matter and only an award by an industrial tribunal will provide continuous good conditions. I was engaged in the wool industry in 1948, and I remember members of the Storemen and Packers' Union talking about going to the court for an increase in wages. The woolbrokers' representatives offered what I thought was a 12 per cent bonus, but the press said it was a 10 per cent bonus. I was questioned about the advisability of accepting the bonus, and I suggested going to the court in order to get something permanent, but it was not done. Immediately the wool price fell the employers took away at least half the bonus. Mr. McLachlan, with a smile on his face, said that whilst employees were disorganized the Labor movement could not organize them, and that that was worrying members on this side of the House. For once the honourable member was right. We on this side have believed for years that unity amongst the workers is the hope of the world. It is not in the best interests of the community to have disunity amongst

the workers. I have previously said that there are many employers with good intentions, but conditions obtained under a court award provide protection for the workers. A certain small section of industrial financiers, unscrupulous and callous in their exploitation of other humans, to satisfy their greed for what to them in the final analysis is valueless treasure, take from others their needs by the hidden pressure of vile nature; like the gloved hand of murder they direct the action of the well-intentioned employer into grave discredit.

Both employers and employees derive benefits from award working conditions. Awards are made according to what the nation can afford. City dwellers depend upon the products of the land, and industrial workers provide the machinery for farming. We should have everything in common, even an Industrial Code, for the protection of all engaged in the development of the nation, be they employers or employees. The right to have an award should not be denied to rural workers, and it cannot be denied much longer. Mr. Christian said that there have been many changes in the industrial world in recent years, that constant dripping wears away the hardest stone, and that the proposal in the Bill could eventually become law as the result of constant agitation. He also said that argument against the proposal needs to be put strongly and frequently. I remind those who oppose the Bill that when the Labor Party believes something is right it will continue to fight for it until success is achieved, and that there will always be a Labor Party. I ask leave to continue my remarks.

Leave granted and debate adjourned.

ADVANCES FOR HOMES ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

IMPRINT BILL.

Read a third time and passed.

PHARMACY ACT AMENDMENT BILL.

Read a third time and passed.

Sitting suspended from 6 to 7.30 p.m.

CONSTITUTION ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 9. Page 827.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—As the Premier properly remarked in moving the second reading, South Australia

has in recent years been most fortunate in her Governors, and probably in no case more so than in the present Governor and his charming wife. They have mingled with the South Australian community in a most helpful manner and set an example to all citizens which I fear few can emulate. I realize the difficulties with which His Excellency must be confronted in these times. In view of the fact that we have granted some amelioration of conditions to many other sections of the community with claims on the public purse, I feel that what is suggested in the Bill to restore the value of His Excellency's emolument to what it was when the last adjustment was made in 1922 merits the support of this House. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Allowances to Governor for expenses."

Mr. MACGILLIVRAY—Can the Treasurer say why the Governor's allowance should be related to the "C" series index number and calculated on the formula set out in paragraph (b) of proposed subsection (1)?

The Hon. T. PLAYFORD (Premier and Treasurer)—The object of new section 73a is to keep the value of the allowance constant. In matters of this kind His Excellency is anxious to comply with all the forms of law, and any alteration of this nature is always referred to His Majesty the King for his signature. Under those circumstances it would not be fitting if we had to send a Bill to England every year to adjust this allowance. The figure 1657 is the present level of the "C" series index. If the cost of living falls this formula, which has been worked out by the Public Actuary, will *pro rata* reduce the allowance from £4,000; but if it rises it will *pro rata* increase the allowance.

Mr. MACGILLIVRAY—Whilst thanking the Premier for his explanation I say the whole system of fixing the allowance is distasteful to me. The allowance payable to the representative of His Majesty the King should not be associated with any kind of formula. It would have been a gracious and fitting act if this Parliament had fixed the allowance for the expenses of His Majesty's representative without relating it to the "C" series index.

Clause 3 passed.

Title passed. Committee's report adopted.

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

Adjourned debate on second reading.

(Continued from October 9. Page 828.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—When I secured the adjournment of this debate yesterday I hoped the member for Port Pirie, who I understand is keenly interested in it, would be present today; but unfortunately, because of a conference on a very important industrial matter in his home town, he has been prevented from attending. I have studied the Bill and it appears to me that it is introduced at the request of the organization concerned in order to facilitate its excellent work. As it is to be considered by a select committee I have no reason further to debate it. Any machinery provisions which require scrutiny will no doubt be scrutinized by the select committee. I support the second reading.

Bill read a second time and referred to a Select Committee consisting of Messrs. Pattinson, Whittle, Pearson, Davis, and McAlees, with power to send for persons, papers, and records, and to adjourn from place to place; the Committee to report on November 6.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 10. Page 835.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill amends a law, which has evolved down the years, dealing with the use of the King's highway the purpose of which is to see that the rights and privileges of all His Majesty's subjects who use the highway are protected. It is deplorable that in the twentieth century it should be necessary to lay down in statute form rules and regulations to ensure that the rights of others should not be abrogated by people using our roads. I think there are a number of causes, but the pre-eminent one is that, for some reason, there is a great lack of consideration for others on the part of many citizens.

Mr. Shannon—A lack of common courtesy.

Mr. O'HALLORAN—Yes; but whether it be for that or other reasons it is necessary to treat this Bill as an important measure because human life and safety are at stake and many provisions are designed to afford greater protection to persons using the roads. For that reason I have carefully considered the measure

and, in the main, I am satisfied with the provisions. It is true, of course, that it deals with other matters than road safety. It makes substantial amendments to the Act and as it contains many machinery clauses the easiest way to approach the subject is to refer to each amendment in its order.

Clause 4 provides that the fee for registration of diesel vehicles shall be twice that of corresponding petrol motor vehicles. The reason given by the Premier is that the distillate used to propel diesel vehicles is not subject to petrol tax which is used for the construction and maintenance of roads. These vehicles are mainly of heavy weight carrying capacity and are responsible for considerable damage to our roads.

Mr. Quirke—They are comparatively light.

Mr. O'HALLORAN—That does not improve their position materially, because the owners of light petrol driven vehicles have to pay substantial petrol tax. The argument that we should right that by charging increased registration fees for diesel driven vehicles has much to commend it. There are some parts of the State where diesel driven vehicles are used where there are few made roads and as many of these areas are in my electorate I am not unmindful of the hardship that may be imposed on carriers who use diesel trucks for moving freight, mainly wool, to railway lines because they are not engaged in competition with the railways. My possible opposition to this clause is mitigated by the fact that revenue derived from the registration of motor vehicles is automatically paid to the Highways department and is used for making and maintaining roads throughout the State. I trust that a proper quota of the increased revenue will be spent in the areas which are served by the vehicles referred to.

Mr. Christian—The provisions of this clause will not mean that additional revenue will be collected from interstate operators.

Mr. O'HALLORAN—I think this is a matter that might be considered by State and Commonwealth authorities jointly and some provision might be made for a tax to be imposed on distillate used for propelling road vehicles instead of increasing registration fees. I think the reason why this fuel was originally exempt from petrol tax was that at the time petrol tax was first imposed distillate was used almost exclusively in tractors, stationary engines on farms, and in some instances, in boats. Since then circumstances have entirely changed.

Mr. Hawker—Wasn't it used for road hauling at that time?

Mr. O'HALLORAN—It may have been used to a limited extent. Petrol tax was imposed in South Australia in either 1924 or 1925. Subsequently the Act was declared *ultra vires* by the High Court. Later the Commonwealth Government adopted the South Australian scheme and imposed a general charge on all petrol, the revenue received therefrom to be returned to the States for use in road work. Another point is the pace at which many semi-trailers propelled by diesel engines travel on our roads. I understand that a semi-trailer is not permitted to travel at a greater speed than 25 miles an hour, but I have travelled extensively on roads in South Australia and notice that it is the exception rather than the rule for semi-trailers to travel at that speed. In fact, the majority travel about 40 miles an hour—15 miles more than the permitted speed limit. I believe it is this excessive speed of heavily laden vehicles that is responsible for much of the damage to roads. I do not oppose road hauliers, as I believe they play a useful part in our transport system, serving the community in a manner which can only be done by road haulage, but they should be mindful of other people who contribute the revenue to build the roads over which they travel.

Mr. Macgillivray—Doesn't the road haulier himself provide through the petrol tax much of the money to make the roads?

Mr. O'HALLORAN—I am talking of road vehicles are powered with diesel oil. There is a speed limit for semi-trailers and I would be pleased to see an amendment fixing speed limits for vehicles carrying over a certain tonnage. If we restrict speed much of the damage to our roads will not occur and much of the criticism against road hauliers will not be heard.

Mr. Quirke—Most of the vehicles are governed back; there is a limit to their speed and they cannot be over-driven.

Mr. O'HALLORAN—I have found that they travel about 40 miles an hour.

Mr. Quirke—That is about their maximum.

Mr. O'HALLORAN—It is 15 miles an hour above the speed they are permitted to travel. I make these suggestions, not in any spirit of antagonism to road hauliers, but to see that the tremendous cost of maintenance of our roads today is reduced to an amount within the State's capacity to pay. Is the proposed new registration fee for vehicles not consuming petrol purely arbitrary or is it based on some

comparison with other vehicles as regards wear and tear and contribution towards the maintenance of roads? It is purely arbitrary and the suggestion I made some time ago about diesel oil when used exclusively for road hauling, is much fairer. If any such system is adopted the whole of the revenue derived therefrom should be returned to the States for roadmaking purposes. Clause 7 provides that when a diesel engine is substituted for any other notice must be given to the Registrar of Motor Vehicles. It is a machinery clause, perfectly just in its application. If we provide for an additional tax on motor vehicles powered by diesel engines it is obvious that, if a vehicle owner substitutes during the registration period a diesel engine for a petrol engine he should, for the balance of the period, pay at a higher rate. Clauses 5 and 6 provide that the transferor of a vehicle registered at a reduced fee is entitled to a refund of the unexpired portion of the registration fee and that the transferee must make fresh application for registration. This corrects a position which should not have been allowed to arise, that is, in cases where the transferee is not entitled to the benefit of a reduced registration fee. This is again a machinery provision.

The next matter affects traders' plates. Clause 8 makes it an offence for the owner of traders' plates to lend them to other persons for use in circumstances not permitted by the Act. This is an ordinary provision, with which I agree. The next amendment deals with the spreading of the issue of drivers' licences over the whole year. Clauses 9 and 10 provide that a driver's licence shall expire 12 months after the commencement of the month in which it is issued. This will have the effect, gradually, of spreading renewals over the whole year (instead of concentrating them in June and July as under the existing law). This will, of course, only apply to new licences as those at present in force all expire as at June 30. It will take a long time before the issue of licences is spread evenly over the whole year.

Mr. Pattinson—It should have been started years ago.

Mr. O'HALLORAN—Yes. It may not be too late to try to expedite the matter by offering a small inducement to people to take out licences for a shorter period in order to bring about a balanced spread of the issue of licences.

Mr. Quirke—It could be done by some sort of alphabetical arrangement.

Mr. O'HALLORAN—That would undoubtedly relieve the pressure on the Motor Vehicles Department because all licences fall due for renewal at the end of the financial year. Clause 11 provides that vehicles or loads that are more than seven feet wide must have a mechanical or electrical signalling device. I suppose that the reason for this is that effective signalling by hand is either impossible or unsatisfactory. Consideration might be given as to what constitutes a satisfactory mechanical signal, especially as regards construction, colour, extension and so on, by regulation. The length of these vehicles affects the visibility of signals, as well as the distance between the driver's seat and the off-side edge of the vehicle or load. I cannot say whether there is power under existing law for this, but there should be some power which will permit of regulations being made to see that these devices are of such a standard and colour that they can be clearly discerned by people from the rear. I have frequently noticed mechanical signalling devices which, although they may conform to the law, require a lot of discernment on the part of people looking for them.

Clause 12 provides for the dipping of lights and requires drivers of vehicles having lights capable of being dipped to dip them when approaching other vehicles or driving in streets lighted by public street lamps. The question arises, "How can it be ascertained whether the vehicle has a light-dipping device"? That opens up a difficulty in administration. I think that modern motor vehicles are equipped with a red light on the dashboard which indicates when the lights are full on, and when they are dipped the red light goes out. Another question is the degree of illumination from street lights, an important factor. Clause 12 provides:—

(2a). The driver of a motor vehicle which is fitted with a device for dipping the main beam of its headlights shall keep the headlights dipped at any time when, between half an hour after sunset and half an hour before sunrise—

(a) The vehicle is being driven on a road at any place within 100yds. of a lighted street lamp.

That might be all right in the metropolitan area where the principal streets are well lighted, but in many country towns not even the principal streets are so lighted, this not being due to any remission on the part of the council, but to practical difficulties. At Peterborough, five or six of the principal streets are comparatively well lighted, but a

multitude of back streets are inadequately lit. A person driving along those streets at night, even though there is little or no traffic, is always in danger of running into a pedestrian or an animal. If he is to be forced to switch his lights on and off every 100 yards or so that will introduce the sublimely ridiculous into what should be a serious Bill.

Mr. Quirke—Could not that be confined to the metropolitan area?

Mr. O'HALLORAN—I think that paragraph (a) should be eliminated. Paragraphs (b) and (c) are as follows—

(b) the main beam of the headlights of any other vehicle approaching the vehicle from the opposite direction on the same road have been dipped while visible to such driver, and thereafter until the vehicles pass one another;

(c) the vehicle is within three hundred yards of any other vehicle approaching it from the opposite direction on the same road.

In those circumstances lights should be dipped if they can be dipped. I agree with those provisions, but not that it should be a general principle that lights must be dipped and kept dipped while passing through a lighted area. Many old vehicles built before light dipping was invented are not such a menace, their speed being such that anything apart from a tortoise could dodge them.

Mr. Pattinson—They are a dying race.

Mr. O'HALLORAN—Yes, and possibly will not be with us for any great time. The next point concerns the production of a driver's licence within a specified period after he has been involved in an accident. Clause 13 provides that the licence must be produced at a police station nominated by the driver to the police officer requesting it. The present law provides that a driver conforms to the law so long as he produces his licence at any police station within 48 hours of an accident. The amendment will not impose any hardship on him because he has the right to nominate the police station at which he will produce his licence. It will facilitate administration and iron out the difficulties arising from the present provision.

I now come to the important amendment of the law relating to penalties for driving while under the influence of liquor or drugs. Clause 14 provides for a first offence imprisonment for not more than three months as an alternative to a fine of £30 to £50. The disqualification from holding a licence for not less than three months remains. In view of what has happened in South Australia recently, I think the increased penalty is warranted. It should act as a deterrent to persons who

attempt to drive vehicles while so much under the influence of liquor or drugs as to be incapable of properly managing their vehicles and thus constituting a menace to other road users. For that reason I offer no objection to the proposed increases in the penalty. However, I think the House might consider the question of the licence disqualification. I can visualize the court ordering imprisonment for a month, or perhaps two months, for this offence, and after a person has served his term he will be released, but the disqualification of his driver's licence would, in the case of imprisonment for two months, continue for a further one month, and if the sentence were one month the disqualification would continue for a further two months. For a first offence where imprisonment is ordered, the disqualification of the licence should not be insisted upon, because it is obvious that while in gaol he would be unable to use his vehicle. The law can be served by his licence being indorsed to the effect that he had been in gaol for the offence. When he came out again it could be expected that he had learned his lesson and would not again infringe the law and therefore should be able to resume driving. For a second offence it is provided that there shall be imprisonment for from one to six months instead of the present penalty of a fine of £50 to £100 or imprisonment for from two to six months. According to my information, imprisonment for a first offence is in line with the penalty imposed in the other States.

Clause 15 provides that regulations may prescribe chain guards on motor vehicles, and also deals with methods by which trailers may be attached to motor vehicles. These are necessary because of serious accidents which have actually occurred through the absence of guards and because of faulty trailer attachments. One would have thought that the Act already enabled regulations to be made for these purposes. It might be wise to include this provision in the Act so that by looking at the Act a person would know what safety devices he had to use rather than having to search through the regulations.

Penalties for driving while already under disqualification is the next point dealt with in the Bill. Clause 16 provides that the penalty shall be imprisonment up to six months (with an alternative penalty of a fine up to £100 where circumstances justify not imposing imprisonment). The present provision is for a maximum fine of £20, which is considered too light in view of the nature of the offence—

contempt of court—and its frequency. I agree with that provision and shall support it.

Clauses 17 and 18 provide that insurance cover for each passenger shall be £4,000, with no aggregate limit, and that this limit shall apply to injury sustained even when the vehicle is not being used in carrying passengers for hire, except where a hit-and-run driver is involved. The present individual limit of £2,000 is inadequate and the aggregate limit of £20,000 for each vehicle has the effect of reducing individual cover below £2,000 when the number of passengers exceeds 10. The official explanation of this provision was rather sketchy in that we were not told clearly what the position was in relation to vehicles not being used to carry passengers for hire at the time. It is only a machinery provision and it seems to me that the compensation which will be available to persons injured under those circumstances is reasonably adequate.

Mr. Quirke—What increase will there be in the cost of insurance?

Mr. O'HALLORAN—As this clause will apply to vehicles carrying passengers for hire there will be some increased cost to insure these vehicles, and I take it that, in turn, that cost will be passed on to those using the vehicles. In the country a large number of motor vehicles are used to carry mail, and at times passengers. If they are to be involved in very heavy insurance risks, probably some of them will have to relinquish carrying passengers. That will result in hardship on some people particularly those in the sparsely populated parts of the State. There are mail services in my own electorate which run out 140 or 150 miles from the railway which readily carry passengers, and I do not know that sufficient consideration has been given to such cases. It may be possible to do it under regulation, but that is a point which must be considered in Committee before we permit this Bill to pass. Clause 19 deals with medical attention at the scene of accidents and increases the fee for a medical practitioner from 12s. 6d. to £1 1s., and for a nurse from 10s. 6d. to 15s. Here again I am wondering whether this Bill has been drafted with an entirely metropolitan viewpoint, for I know of accidents in the country where the medical practitioner has had to travel up to 30 miles. Is the doctor expected to travel that distance for a fee of £1 1s., or in addition is he entitled to charge mileage for his car?

Mr. Brookman—Is there any reason for that provision?

Mr. O'HALLORAN—I do not know; it is here and no doubt was inserted in the Bill either on the recommendation of the Traffic Committee or the Police Department, but I should have imagined that a machinery provision of this nature, apparently designed to protect insurance companies more than the injured, would have found its proper place in the waste paper basket. Clauses 20, 23 and 24 deal with right-of-way and cross-overs and provide that a vehicle in a cross-over must not enter a carriage-way on a double road unless the latter is sufficiently clear of traffic, and that this rule shall apply whether the cross-over continues beyond the double road or not. That is just about as clear to me as the provision which caused so much contention last year. I hope that it does remove the doubts which have revolved about the provision inserted last year, and for that reason I am prepared to support it. Clause 14, dealing with the right turn on a carriageway of a double road, provides that the vehicle shall veer to the right-hand side of the carriage-way from which it is turning. This appears to be quite a sound provision and it is designed to clear up some confusion which exists owing to the general rule for traffic on two-way traffic roads.

Now we come towards the end of the Bill. Clause 22 refers to traffic lanes and provides that all lines shall be double, and that where the line nearest to the vehicle is unbroken the vehicle must not cross it, and where that line is broken the vehicle may do so according to circumstances. The explanation given us is silent on the significance of two unbroken lines. As I understand the present law there are either two unbroken lines or a single line and it is an offence to cross over the two unbroken lines from either side. Now it appears we are going to have two lines, one broken and the other unbroken and it will not be an offence to cross the double lines when travelling on the lefthand side of the broken line, but it will be an offence when travelling on the lefthand side of the unbroken line. Just what useful alteration that makes to the present law I do not know. I have had less than an hour to study the Bill, and I am somewhat puzzled to know what substantial alteration it makes, but on the assumption that it is useful, and on the further assumption that it will not do much harm in any case, I am prepared to accept the proposed amendment. Clause 25 provides that if a person fails to report an accident because he did not know it occurred, not due to carelessness or recklessness, he is to be

acquitted and not convicted without a penalty as is now the case. I think that is a useful amendment, because even though a man is convicted after he has proved complete lack of knowledge of the accident the conviction still stands and may be used against him in other court proceedings in which his car may be involved. Therefore if a man can show that he is ignorant of the fact that an accident had taken place, and if the court is satisfied that his plea is genuine it has power to acquit him. The last clause provides for the examination of defective vehicles and empowers the Registrar of Motor Vehicles and the Commissioner of Police to authorize examination of vehicles suspected of being unsafe for use on roads, and registration may be suspended until the vehicle is put in order. Although that is a desirable clause it is one that has to be administered with much judgment and wisdom, for in country districts there are on farms and stations many very elderly vehicles, some of which are qualified for the vote. For instance, there are still some 1916 vintage Fords on farms in my electorate and occasionally they may be driven into the town to pick up something when the standard vehicles are otherwise engaged. Some of them are also used by odd job men in the country, such as fencing contractors and well sinkers, who perform a very useful function in the community. They never seem to acquire sufficient savings to purchase a really good vehicle and have to depend on something out of the secondhand market. These vehicles are not a menace to other road users for they are incapable of travelling at a speed which would menace anyone except the driver himself, and then only if they capsized and fell on him. Therefore, although I approve of the amendment it is one which must be administered with considerable circumspection or great injustice may be done to many worthy people. With those few reservations I support the second reading.

Mr. PATTINSON (Glenelg)—This Bill of 26 clauses deals with about 20 different subject matters, none of which is closely related to any other, and the Premier in his second reading speech gave an adequate explanation of every clause, even if, of necessity, a brief one of some of them. The Leader of the Opposition has posed some very interesting questions for debate in the Committee stages and his was a very helpful and penetrating speech. In my opinion this is essentially a Committee Bill to be dealt with clause by clause and I do

not intend to deal with many of them at this stage. However, I desire to touch on two or three matters of considerable urgency. Some of the minor clauses, which the Leader of the Opposition referred to as machinery clauses, have been recommended either by the Commissioner of Police or the Registrar of Motor Vehicles. They are desirable and necessary, but are not of great moment. The majority of the amendments are based on reports and recommendations of the State Traffic Committee. Usually that Committee considers only matters referred to it by the Government of its own volition or at the request of interested organizations or persons, but infrequently the committee acts of its own volition, and perhaps the most controversial clause is that dealing with increased penalties for persons driving under the influence of intoxicating liquor. This was not referred to the committee by the Government, or any other authority, and I accept the sole and full responsibility of requesting the committee to deal with the matter and urging it to make the recommendations it did. I was strongly supported by the Commissioner of Police and the Deputy Chairman, Mr. Bean, and every member of the committee, including the representative of the Royal Automobile Association. Here I would like to say that I think a special tribute of respect should be paid to the Royal Automobile Association of this State for the broadminded manner in which it approaches all problems dealing with motorists, because it directly or indirectly represents all motorists in the State and it might be pardonable if, on occasion, it adopted a partisan attitude. In my four years as chairman of the committee not only its representative on the committee, Mr. Fisher, but also its secretary, Mr. Bruce Boykett, whom we have frequently consulted, have adopted a realistic attitude towards all matters affecting the safety of road users and shown an anxiety to secure for every section of the public, motorist or pedestrian, a fair and reasonable use of public highways. I hope the clause increasing the penalties for driving under the influence of liquor will be accepted, but I fear it may encounter an immovable object after it emerges from this House, though I may be wrong.

Mr. O'Halloran—Have you any views on the suspension of licences of persons imprisoned?

Mr. PATTINSON—Yes, but I will come to that later. There are two main objects in penalizing breaches of the law; firstly to punish the wrongdoer, and secondly to deter

others from copying his bad example. If a class of offence becomes increasingly prevalent it is the duty of the courts to ask themselves whether they are imposing sufficiently deterrent penalties within the limits of the law. If they consider they are not and then inflict the maximum penalties, but the offences still increase, it is the duty of Parliament to consider increasing those penalties by amending the appropriate Act. It must be obvious to all members that the penalties provided for driving under the influence of liquor have not proved sufficiently deterrent, for in 1948-49 there were 148 convictions under section 48, in 1949-50 there were 196, and in 1950-51 the staggering total of 332. It is generally acknowledged that the persons convicted under this section are only a small portion of those who actually offend. The Commissioner of Police and others who administer the Act freely acknowledge that to be a fact and say that in most cases where persons are convicted the detection of the offence arises as the result of a collision between two motorists, a motorist and a pedestrian, or with a stationary object. The heavier penalties proposed would bring legislation in this State into line with that in every other State, the Australian Capital Territory, New Zealand and Great Britain. In Western Australia the penalty for the first offence is a fine of up to £50 or imprisonment for up to three months. In Tasmania it is a fine of up to £20 or imprisonment for up to three months; in Canberra a fine of not less than £5 or more than £100 or imprisonment for not less than 14 days or more than six months. In New South Wales it is a fine of up to £100 or imprisonment for up to one year, or both fine and imprisonment; in Victoria a fine of up to £30 or imprisonment for not less than 14 days and not more than three months; in Queensland a fine of up to £100 or of imprisonment up to six months or both; in New Zealand a fine of up to £100 or imprisonment up to three months; and in England a fine of up to £50 or imprisonment for up to three months. Further, disqualification in some States and countries may be of much longer duration than in South Australia; in some cases automatic disqualification is provided.

Mr. Stephens—The penalties in other States and countries that you just quoted are all for first offences?

Mr. PATTINSON—Yes. Those penalties can be inflicted by a court of summary jurisdiction.

Mr. Dunnage—Will our accident rate be decreased if we come into line?

Mr. PATTINSON—I do not know, but we have an unduly high proportion of convictions for driving under the influence of liquor and of such offences which are not detected.

Mr. Shannon—Have you the relevant accident figures for other States?

Mr. PATTINSON—No, but I shall refer to the standard of proof in other States. Statistics on this matter would not be entirely reliable because in some other States and countries there is a much lower standard of proof. For example, in Tasmania all that is required to secure a conviction is to prove that the person having charge of a vehicle was under the influence of intoxicating liquor. The same applies in Canberra, Queensland and Victoria. Numerous decisions in those States hold that only a small quantity of intoxicating liquor having been consumed is sufficient to constitute a person being under the influence, whereas in this State we have a much higher standard of proof. A person here must be so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle or he must at least be appreciably under the influence of liquor.

Mr. Stephens—Very few convictions are obtained except after accidents.

Mr. PATTINSON—I have made that point.

Mr. Macgillivray—You do not suggest that our standard of proof should be lowered?

Mr. PATTINSON—No; I am only answering questions by the member for Unley and others about how our ratio of convictions for breaches of section 48 compare with the statistics of other States. I think our convictions are relatively higher, but if not the statistics of at least four other parts of the Commonwealth would not give a true comparison because it is so much easier for the police there to obtain convictions. Further, their provisions are not necessarily related to ability to drive a vehicle at a given time, whereas here the police have to prove a person was so much under the influence that he could not effectively control a car or that he was appreciably or noticeably under the influence. From my considerable experience of these cases I know that the courts require a high standard of proof. The State Traffic Committee has had the benefit of evidence from Dr. Welch, who has been the police doctor since 1936. He has examined nearly 1,000 persons who were apprehended by the police on suspicion that they were driving under the influence. He gave us the benefit not only of his experience, but information about the tests to which he

subjects people. Parliament should know that it is not easy for an innocent person to be convicted.

Mr. Dunks—Can a person arrested demand to be examined by his own doctor?

Mr. PATTINSON—Yes, or by several doctors. He can also demand to have his solicitor present. People often demand to be examined by their own doctors, who do not give evidence because they form the same opinion as the police doctor and it would be undesirable for their medical evidence to be tendered in defence because it would of necessity corroborate that for the prosecution. As briefly as I can I want to outline to members and the public who may be a little frightened of the consequences of this option which we propose to give magistrates to impose imprisonment for the first offence, the procedure adopted by Dr. Welch. I have appeared in a number of cases where he has been the doctor for the prosecution. He has two assistants, Drs. McPhie and Barnes, and in actual practice they carry out almost precisely what Dr. Welch mentioned to the committee in evidence. I have heard him give evidence on numerous occasions. He asks the person being examined for the time, his name and address, occupation, whether married or single, and other questions about his domestic relationships. He also asks for the name of the person's insurance company, as well as other particulars. They are very easy questions to answer, and any normal person should be able to give a ready answer. This is done to test the mental faculties of the person. In fairness to the person being examined, the doctor inquires whether he has suffered from any previous accident or illness. He endeavours to get a medical history, and in particular asks whether the person is suffering from malaria, diabetes, or any other illness where the antidote may give a similar reaction as intoxication. He also inquires whether a person is suffering from shock as the result of a recent accident or collision. In particular he asks whether the man is a returned serviceman to see if he is suffering from a latent illness or defect, or whether he is particularly susceptible to the effects of shock. Then the doctor tests the person's ears, eyes, nose, feet, arms, and legs to ascertain the muscular reaction. He takes the pulse, examines the face and tongue, and looks for the reactions of the eye pupils. He gives them the rhomberg test to ascertain the nervous reaction. He asks the person to obey simple instructions and commands which any ordinary normal child would be able to obey.

He looks for the response to things which should be responded to automatically. The test usually takes from 20 to 30 minutes and as Dr. Welch pointed out in evidence it is a grim job for the doctor because he always has to be on the *qui vive* so that he will not make an honest and innocent mistake to the detriment of the person being examined. As I have said, I have appeared in cases where Dr. Welch has given almost precisely the same evidence concerning a particular individual as he gave to our committee generally concerning many cases. I have heard Drs. McPhie and Barnes give almost the same evidence about the tests, both physical and mental, to which they subject persons.

Mr. McLachlan—What percentage of cases examined by Dr. Welch does he recommend should not be gone on with?

Mr. PATTINSON—I do not know the percentage, but in a considerable number of cases he says the person examined is not so much under the influence as to be incapable of effectively controlling a vehicle. He may say that the person is under the influence of intoxicating liquor, but he may not be willing to go so far as to say that he is appreciably under the influence.

Mr. Hawker—Does not the law refer to faculties being impaired?

Mr. PATTINSON—No. It says they must be appreciably impaired. In some of the other States and Canberra a person need only be under the influence, and that does not necessarily relate to the person's effective control of a motor vehicle.

Mr. Dunnage—How long after an accident does the examination take place?

Mr. PATTINSON—Sometimes it does not take place for one hour or two hours. In some cases several hours may elapse because the doctors may be out on other jobs. There may be several calls from metropolitan stations at the one time and often there is a long delay before an examination is made. There is no doubt that time runs in favour of the person to be examined. I feel that I should place these facts before members and the public generally because there is a natural inclination on the part of some members to impose unnecessarily severe penalties, particularly if there is any element of doubt.

Mr. Teusner—When a country doctor is called in by the police to make an examination does he apply the same test as Dr. Welch?

Mr. PATTINSON—I cannot say that, but to my knowledge the standards of testing for the degree of intoxication are now pretty well established throughout the medical fraternity,

but there may be practitioners who do not give the same exhaustive examinations. I cannot answer the interjection with any certainty. A partial answer may be that the magistrates who hear the cases are experienced and in consequence they will not be satisfied with anything less than an examination on those standards by an experienced practitioner. Even when the experts give elaborate evidence the magistrates may not be satisfied beyond reasonable doubt. In several cases to my knowledge, where I was the happy counsel, the magistrates dismissed the cases because they were not satisfied on the evidence that an offence had been committed beyond reasonable doubt. The Police Magistrate in Adelaide, Mr. Wilson, has stated very positively in recent months that penalties within the existing limits of the law have not proved a deterrent. The magistrates have now moved right up to the present limits of the law in sentencing offenders. I feel this is a class of offence which should be tried by no-one of lower status than a magistrate. I have seen reports of some cases heard in the country and, to my regret, in the metropolitan area, by justices of the peace. Despite my profound respect for them, I do not think they should try cases of this kind, for I do not think the average justice of the peace is in a position adequately to weigh the technical medical evidence, the technical legal cross-examination of that evidence and the arguments submitted to him. I hope that in future some means will be found by the Attorney-General to discontinue the practice of allowing justices of the peace to hear these cases where there are pleas of "not guilty." Cases of persons driving whilst disqualified for holding a licence are prevalent. Evidence has shown that one person was convicted on three separate occasions for offences; but during the periods of his suspension he blithely continued to drive his vehicle. Apart from the seriousness of this offence, it amounts to contempt of court and I believe it should be put down as firmly as the Bill seeks to do. I ask leave to continue my remarks.

Leave granted; debate adjourned.

PUBLIC SERVICE ACT AMENDMENT BILL.

Introduced and read a first time.

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—This Bill has been prepared with the main object of giving effect

to the recommendations of Mr. President Morgan respecting the Public Service Commissioner's salary. There are, however, some other problems which have arisen in connection with the public service on which legislation is desirable. These have been dealt with in the Bill. Clause 3 relates to the Commissioner's salary. The present law is that this salary is fixed by the Governor at or before the commencement of the Commissioner's term of office and is not subject to alteration except that the Public Service Board may periodically adjust it in accordance with alterations in the cost of living and in the general level of public service salaries. Mr. President Morgan was of opinion that the Commissioner's salary was one which should be fixed by Parliament only and that if any alteration were necessary that it should be effected by an amending Act and not by a Governmental authority. His Honour recommended a rate of £2,300 a year. The Government has accepted the recommendations and by clause 3 of the Bill it is proposed to strike out the existing provisions of the Public Service Act relating to the fixing of the Commissioner's salary and to substitute a declaration to the effect that the salary is to be at the rate of £2,300 a year. This new rate will operate from the commencement of the present financial year.

Clause 4 is a consequential amendment only. Section 24 of the principal Act contains a reference to certain matters dealt with by the Public Service Board. These matters are no longer dealt with by the board but by the Commissioner and it is necessary to strike out the reference to them in section 24. Clause 5 gives the Public Service Board additional powers respecting overtime and payments for board, lodging, fuel, light, and rations provided by the Government. With respect to overtime, the present law provides that the Public Service Board can only compensate an officer for overtime work by a monetary allowance. In some cases, however, officers and departments prefer that compensation for overtime should take the form of time off rather than a monetary allowance, but the board cannot make an award to this effect at present. It is proposed to give the board power to award time off as compensation for overtime. As regards the charges for board, lodging, fuel, light, and rations the present position is that while the Public Service Board has power to deal with rent chargeable for houses supplied to officers by the Government it has no power to

fix a charge for board, lodging, fuel, light, or rations. A regulation made in 1926 purported to give such a power, but it was held to be invalid and since then the board has acted in an advisory capacity only. It is obviously necessary that the authority which fixes salaries should also have authority to determine the deduction to be made for such matters as board, lodging, fuel, light, and rations, and it is desired to give the board such a power.

Clause 6 deals with the temporary employment in the Government service of persons over the age of 65. In view of the present shortage of labour, particularly of tradesmen, it often becomes desirable that persons over 65—usually tradesmen who are capable of giving satisfactory service—should be employed. Section 49a of the Public Service Act deals with such employment, but contains some restrictions which have considerably reduced its effectiveness. For example, it does not permit the Government to employ any person who has not previously been employed in the Government. This restriction is not only unnecessary but has prevented departments from obtaining the services of urgently-needed workers. It is proposed, therefore, to strike out the provisions which limit section 49a to those who were previously employed in the Government. Other limitations are that no-one is to be employed after the end of next year, or after the end of the war. It is desirable to strike out these time limits, especially that referring to the end of the war and fix a new time limit. Clause 6 therefore provides that persons over 65 may be employed up to the end of 1954. A further amendment made by clause 6 is to clarify the position of these over-age employees in relation to leave. It makes it clear that such employees may receive annual and sick leave and special purpose leave to the same extent and on the same conditions as temporary employees in the particular department who are under the age of 65.

Clause 7 deals with appeals respecting appointments within the Public Service. The main object of the clause is to give the Public Service Commissioner the right of audience before the Public Service Board when such appeals are being heard. Until recent years the Commissioner has himself been a member of the board hearing such appeals and therefore no question of giving him a right of audience could arise. But since the appointment of the present board, the Commissioner does not sit as a member when it is hearing appeals and there is no provision in the Act

giving him a right of audience. The question has arisen whether he is entitled to be represented before the board and make submissions. It is obviously desirable that the Commissioner should have this right since he is primarily responsible for the proper staffing of departments and in most cases is familiar with the careers and qualifications of the various applicants. It is proposed, therefore, to re-draft the provisions as to the procedure on appeal, making it clear that the Commissioner has the right of audience and also placing upon the board the duty to hear any submissions from the head of the department in which the vacancy occurred. The existing rights of the Public Service Association and its general secretary in relation to these appeals are retained.

Clause 8 is an amendment to state more clearly the interpretation of section 76a of the principal Act, by inserting some definitions in it. Last year Parliament enacted this section providing for cash payments in lieu of long service leave to all officers who had reached the statutory retiring age. Some doubts have arisen whether the term "officer" in this particular provision includes all the employees who are entitled to long service leave on their final retirement. It is proposed, therefore, to insert some definitions making it quite clear that the section applied to all persons entitled on their final retirement to long service leave. At the same time a more accurate definition of the retiring age is inserted. These amendments will not affect the existing practice in relation to this matter. I move the second reading.

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

INDUSTRIAL CODE AMENDMENT BILL (No. 3).

Adjourned motion on second reading.

(Continued from October 9. Page 832.)

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—This is another Bill which has been rendered necessary by the general alteration in wage levels and the reduction in the purchasing power of money. Its object is to increase the monetary limit which restricts the jurisdiction of industrial boards under the Industrial Code. Section 167 of the Code provides that an industrial board cannot make a determination for the payment of wages or remuneration in excess of £15 a week, except in the case of employees of municipalities and district councils. This limit of £15 was fixed in 1948, having previously been £10. When the limit of £15 was fixed the basic wage was £5 17s.; it is now £9 4s. and in addition the margins for skill have substantially increased. In view of the increases which have taken place and those which are to be expected in the near future, it is clear that the present limit of £15 is too low. In one case already a board has, by agreement between all parties concerned, fixed a rate in excess of £15; but it is doubtful whether such a decision is valid as a determination, whatever its force as a contract may be. The Government is of opinion that the limit should be raised to £20 and the Bill is for this purpose. I move the second reading.

Mr. FRED WALSH secured the adjournment of the debate.

ADJOURNMENT.

At 9.27 p.m. the House adjourned until Thursday, October 11, at 2 p.m.