

HOUSE OF ASSEMBLY.

Tuesday, November 27, 1951.

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

CABLE SUPPLIES FROM U.S.A.

Mr. O'HALLORAN—Has the Premier anything further to report on the negotiations which he instituted whilst in the United States recently to secure an additional supply of the copper cable which is badly needed in South Australia?

The Hon. T. PLAYFORD—I do not know the exact position, but as far as I know the matter is going forward all right. I point out that the cable concerned was not copper cable but steel cord aluminium cable. I will take the matter up, but I have had no word that there has been any hitch in the proceedings.

LIQUOR LICENCES.

Mr. PATTINSON—At the last State elections a local option poll was taken in the Glenelg electorate at which electors were given the option to vote for one of the three following resolutions:—

- (1) that the number of liquor licences in the electorate be reduced;
- (2) that the number of licences be not increased or reduced;
- (3) that the Licensing Court may increase the number of licences in the electorate.

If the third resolution had been carried the Licensing Court would have had the power to increase the number of licences in the electorate by up to one-third of the existing number. The third resolution was carried by a majority of the electors in the area of the Brighton Corporation where one extra licence was desired, but it was defeated by a majority of the electors in the other subdivisions of the electorate. Last March I introduced to the Premier a deputation from the mayor of Brighton and members of his council, who requested several alterations to the Licensing Act. One suggestion which I made to the Premier was that the Act be amended to allow a quorum of electors to ask for a poll regarding the specific alteration they desired, namely, that the number of liquor licences in the electorate be increased by one to provide, as in the case required at Brighton, for one additional hotel licence for the electorate. I understood from a letter I received from the Premier that he had instructed the Parliamentary Draftsman to draft a Bill on the matter for submission to

Cabinet. Can the Premier say whether anything further has been done in the matter or, if not, whether during the recess the Government will consider this request so that when, as is inevitable, a further poll is asked for at the next election the electors will have the opportunity of voting for precisely what the sponsors ask for?

The Hon. T. PLAYFORD—The honourable member's suggestions and those of the deputation which he introduced were submitted to the Parliamentary Draftsman for a report, and that report was considered by Cabinet. It has also been discussed with various authorities since then, but there is no easy solution to this problem. While it would be quite reasonable to accept the honourable member's suggestion that a poll be provided upon a specific question—and that seemed to me at the outset to be a very reasonable request—the problem found to exist was that, if at that time nine organizations came forward with nine different specific questions, which of those would be the one to submit at the poll? There is nothing to stop a number of electors coming forward with a number of different proposals, and that problem was immediately reported on adversely from the point of view of administration by the Crown Law Office. The matter is being investigated, but no finality has been reached on it. As soon as possible I will advise the honourable member on what action the Government can take in the matter.

CEMENT CARGOES.

Mr. FRANK WALSH—Yesterday, at the invitation of a member of the executive of the Waterside Workers Federation and in company with the members for Semaphore to Port Adelaide, I inspected the unloading of English cement from the *Benny Skou* at No. 16 berth. Will the Premier consider approaching the overseas shipping company, either directly or through the Federal Minister for Shipping, on the question of the loading of this cement? If the cement were loaded into hatches that were directly open, it could be unloaded more easily, which would have the double effect of conserving cement during unloading and also of preventing the waterside workers becoming covered with dust, as sufficient air would be allowed to circulate. At the same time it should be arranged that other merchandise could be unloaded so as not to delay the ship, which will be another day or day and a half unloading cement. I understand the cement in this ship is carried in

tanks because it was constructed for war purposes and the derricks are not easily operated; consequently the bags are frequently torn. Will the Premier either take up my representations himself or co-opt the assistance of the Commonwealth Minister for Shipping?

The Hon. T. PLAYFORD—I will have the matters examined to see if any solution of the problems can be found. The Government recognizes that there are problems in handling cement and for that reason much of the Government's importation is in the form of clinker which can be handled mechanically, and will be bagged in South Australia at the appropriate time. That arises out of the difficulty with all shipments of bagged cement that the paper bags break, causing losses and also difficult handling conditions.

WINE INDUSTRY STRIKE.

Mr. MACGILLIVRAY—An extract from a letter I have received states, *inter alia*:—

In view of the interest you have taken in the recent wine strike I beg to ask your advice.

The writer sought advice following on the demand by the Liquor Trades Union that he pay certain levies imposed by the union. He said he felt the strike was illegal and therefore it would be unlawful for him to support it, but apart from moral considerations he has two children and is paying for his house and any levies deducted from his weekly pay envelope would seriously unbalance his household budget. I advised him that, while I sympathized with everything he said and thought he was right in his attitude, he should pay the levy to the union because the cost of obtaining justice would be a much bigger drain on his resources than paying the levy. Seeing that the industrial laws give no protection to a working man who is mulcted in fees by his union contrary to the law, will the Premier go into this question during the recess to see whether amendments can be introduced to protect the worker in the circumstances outlined?

The Hon. T. PLAYFORD—The honourable member has raised a big question, and I would not be prepared at this juncture to commit the Government to any policy. However, I will have the ramifications of his question examined and in due course give him an answer.

FIRE HAZARDS IN THE COUNTRY.

Mr. HEASLIP—Has the Minister of Railways a reply to the question I asked recently about fire hazards, particularly in relation to the use of oil-burning locomotives?

The Hon. M. McINTOSH—Following on representations made by the honourable member and others I took up the matter with the Railways Commissioner, and in view of the great fire hazard I think it desirable that I should read his report. It states:—

The fire hazard throughout the State this year is unusually high due to the prolific growth of grass throughout the agricultural areas and every precaution is being taken to minimize the outbreak and spreading of fires. We have sought the co-operation of local governing bodies and landholders whose properties adjoin the railway lines in the provision of adequate firebreaks. I am pleased to advise that we have received this year a greater number of requests from landholders than in former years offering their co-operation with our efforts in the ploughing of firebreaks and other precautions to protect their properties. As stated by the Honourable the Minister, we will be pleased to make early appointments between our responsible officers and local governing bodies to mutually discuss the position as it exists in each particular area and come to a decision on co-operative action for increased protection and fire warnings. We are giving close attention to the mechanical condition of our locomotives and although we have 89 oil or oil-coal burning and two diesel-electric main line locomotives in service, it will still be necessary to use a large number of coal burning locomotives to maintain the train service for essential traffic. We will use oil burning locomotives on the high speed passenger trains on the Terowie and Port Pirie lines and when the diesel-electric locomotives take over the Overland between Adelaide and Serviceton, we propose to use oil-coal burning 600 (or Pacific) class locomotives on the passenger trains between Tailem Bend and Naracoorte as a further precaution against fires in the South-East. If landholders provided firebreaks on their land adjacent to railway lines to the standard set out in the regulation applying to section 30A of the Bush Fires Act, 1933-1945, I feel sure that these firebreaks, together with the firebreaks and burning of grass on railway land would, with constant vigilance by all concerned, reduce the risk of fire throughout the State to less than a normal summer hazard.

OIL FOR LOCOMOTIVES.

Mr. HAWKER—Following on the question asked by Mr. Heaslip, in view of the trouble in Persia can the Minister of Railways say whether there is any likelihood of a shortage of oil for the diesel or oil-burning locomotives proposed to be used?

The Hon. M. McINTOSH—I do not think so. Our budget does not indicate that we will have difficulty in carrying out intentions during the summer period in giving priority to diesel engines on the routes indicated.

GENERAL MANAGER, TRAMWAYS TRUST.

Mr. MOIR—Has the Minister of Works a reply to the question I asked last week about the appointment of a new general manager of the Municipal Tramways Trust?

The Hon. M. McINTOSH—The honourable member asked whether the trust was in a position to fill the post of general manager. The chairman of the trust reports:—

Applications for the position of general manager of the M.T.T. were advertised in the leading daily newspapers in all the Australian States on three occasions. Applications closed on October 1, 1951. It is the intention of the trust to make the appointment at an early date.

TRAMWAYS TRUST FINANCES.

The Hon. S. W. JEFFRIES—There has been considerable agitation from many sources concerning the affairs of the Municipal Tramways Trust, and many contradictory statements made. Can the Premier make a general statement on the matter and state the Government's attitude generally to the trust's problems?

The Hon. T. PLAYFORD—The general position of the Municipal Tramways Trust is akin to that of nearly all transport authorities. Its costs have risen much more steeply than its income, and as a result it has had substantial deficits for the last two years. Unless it either reduces expenditure or increases revenue the deficit will be even greater in the future. The trust supported a move to have a committee appointed to inquire into its finances and future policy. They are big questions, particularly its future policy, and will preclude an early report being made, notwithstanding the fact that the committee is doing its utmost to expedite the inquiry so as to settle the matter one way or another. A few days ago I received a communication from the chairman of the trust asking whether I would be prepared to meet a deputation from the trust to discuss four matters. The first was an increase in fares, and the second a shortening of the length of sections. Now some sections are very long and others comparatively short. The proposal was to make the sections of uniform length. The third was the payment of subsidies by the Government to the Tramways Trust for the running of trams through the parklands. I think an amount of £220,000 was mentioned. The fourth was a rating system for ratepayers in the metropolitan area to help to meet trust deficits. Up to date I have examined two proposals and in view of the finances of the trust, and after

consultation with Mr. McCann, it has been decided to inform the trust that the Prices Commissioner will not oppose the first and second proposals. As far as the third and fourth are concerned, there is no item on the Estimates which would provide for the payment of the subsidy suggested. In my opinion it would be an item disallowed by the Grants Commission because there would be no corresponding item in other States. At present the Government would not be prepared to entertain these proposals, especially as an expert committee is going into the whole matter.

MANNAHILL PASTORAL LEASES.

Mr. O'HALLORAN—Can the Minister of Lands say whether finality has been reached as to the means to be adopted to lease or otherwise dispose of land in the Mannahill district which has been closed for a number of years for soil conservation purposes, and commonly known as the Homeward Bound and Teetulpa Goldfield leases?

The Hon. C. S. HINCKS—On two or three occasions the Leader of the Opposition has asked questions in connection with this land, which comprises in all 52½ square miles. I have obtained the following report from the chairman of the Pastoral Board:—

The board is of the opinion that in normal times these blocks would be insufficient to provide a living on their own, and that they should be held by settlers holding land in the vicinity. It is proposed, therefore, to subdivide the Teetulpa blocks into two parcels and leave the Homeward Bound block as a separate unit. The board would recommend to the Land Board that the three blocks be gazetted open to application under miscellaneous lease condition for a term of 10 years with a footnote preference. The miscellaneous leases would contain certain stocking restrictions, and, on expiry, consideration would be given to the inclusion of the areas in the adjoining pastoral leases. A valuation has been made of the improvements on the blocks, and action is now being taken to have the necessary detail prepared. It will probably be at least two months before the land can be gazetted open to application.

LOCKLEYS SCHOOL.

Mr. FRED WALSH—Last June, following on representations made to me by the Lockleys School Committee, I took up with the Education Department and the Architect-in-Chief's Department the matter of lighting in the Lockleys school. At the moment there are only three rooms lighted, one in the main building, the head master's room, and the multi-purpose room, which was built by the school committee with the help of the department. In addition to the rooms

of the main building there are five portable rooms and all are without electric light and power. As a result the children are badly affected by the poor lighting. The night cleaner has to work with his own lighting arrangements. A Tilley lamp is used, and one can appreciate what can be done when this type of lamp is used instead of proper lighting. I have been told by the Architect-in-Chief's Department, Electricians' Branch, that a contract would be let for the work and at the time it was said that it would take about two months to complete it. Will the Minister of Works ascertain from the department whether a contract has been let for the work and, if so, what is the cause of the delay?

The Hon. M. McINTOSH—Yes. I shall be glad to do so and let the honourable member have a reply either tomorrow or not later than Thursday.

CLAY IMPORTS.

Mr. DAVIS—A fortnight ago I asked the Premier a question regarding a shipment of clay which was to be unloaded at Port Adelaide. Has he made any investigations as to the use of the clay?

The Hon. T. PLAYFORD—I have asked for an investigation in connection with the matter, but I have not yet had a report. The honourable member for Stanley thinks the clay has something to do with a process in wine making, but I have not yet had that verified.

PARINGA RAILWAY BRIDGE AND KINGSTON PUNT ROAD.

Mr. MACGILLIVRAY—Last week Mr. Stott and I interviewed the Minister of Railways regarding the re-spiking of the Paringa railway bridge and the possible re-opening of the Kingston punt road. Has he any information on these matters?

The Hon. M. McINTOSH—Yes. Regarding the repairs, I took up the matter with the Maintenance Department and I take it that the work will go on. In regard to the opening of the punt road, I took up the matter with the Highways Commissioner and he has given me the following report which covers all the points mentioned:—

Although the river is dropping, this particular section of road is not yet clear of water, and as the whole area is saturated traffic will not be able to use the road until it has dried out. It is estimated that three or four weeks will be required for this process (approximately December 17) so that the road cannot be described as "practically usable." Advantage was taken of the cessation of punts to under-

take the periodic overhaul necessary in the interests of safety. A spare ferry was put in at Berri for limited use and the Berri vessel slipped for overhaul. This work will be completed in approximately two weeks, when it will be replaced at Berri, making the spare available for use at Kingston, while the latter ferry is in turn undergoing overhaul. It is anticipated that a vessel for the Kingston crossing will be installed and ready for operation before the road is in condition to take general traffic.

This report is dated November 19, 1951.

LAND TAX ASSESSMENT.

Mr. O'HALLORAN—Has the Treasurer a reply to my question of November 14 relating to the State quinquennial land tax assessment?

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

The last quinquennial report, printed as a Parliamentary Paper, known to me was for the year 1925. Why these were discontinued I do not know, nor does there appear to be any information on this subject. In 1930 and 1935 the reports were compiled but not printed. As the information in these reports was incorrect and misleading, and it would take considerable time to extract from the present system of assessment books a report which would be correct the printing of them has not been revived. Information emanating from a Government department should be correct and therefore these statistics should not be issued at present. It is expected, however, that a report and statistics will be issued at quinquennial periods, or perhaps annually, when the work of establishing the new system of assessment books has been completed.

The system of assessment books established in 1885 by this department and used up to the present for recording land was not a good one. It departed from the basic identity of land as originally surveyed into sections and confusion therefore arose—as the State developed that confusion became greater and inaccuracy resulted. I have, therefore, been forced to alter the whole system of recording land and ownerships in assessment books. The construction of this new system could only be carried out by an officer expert in land identification and real property work. Steady progress has, however, been made and it should be completed in time for the 1955 assessment. In reply to Mr. O'Halloran's remark that this information is required by municipal bodies, it can be pointed out that correct assessments in detail for a council area can be supplied to any council asking for them. Owing to the work involved this is only done if requested.

PINE FORESTS AND BUSH FIRES.

Mr. MOIR (on notice)—

1. Is the Government aware of the great bush fire danger this year, particularly in the pine forests, due to seasonal conditions?

2. Does the Government intend extending fire services in pine forest areas?

3. Has a considerable amount of burnt pine timber been sold to timber merchants at reduced prices, and at a loss to the Government?

4. Does the Government intend planting some thousands of acres of pine trees this season to replace previous heavy losses from bush fires?

5. Was every effort made to determine the cause of bush fires which recently destroyed much good timber in the south-eastern areas of the State?

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

1. Yes.

2. Fire control measures in forest areas are continually being extended.

3. No.

4. Arrangements are being made to re-plant all areas that have been burnt and that are suitable for further afforestation.

5. Yes.

COMMITTEE ON SEXUAL OFFENDERS.

Mr. MOIR (on notice)—

1. Is the Government aware of the public demand for the report of the committee appointed to investigate the question of sex offences and sex offenders?

2. If so, is it the intention of the Treasurer to lay the report upon the table of this House?

3. If not, what opportunity will members be given to become acquainted with the committee's findings?

The Hon. T. PLAYFORD—Consideration of this matter has been delayed upon a recommendation of the committee which has recommended that further information be obtained by the Assistant Crown Solicitor, who was requested to make further investigations while abroad.

FRIENDLY SOCIETIES' PHARMACY SHOPS.

Mr. FLETCHER (on notice)—

1. Is the Treasurer aware that the Federated Pharmaceutical Guild of South Australia has notified the friendly societies of South Australia that after February 29, 1952, the guild will not contract for the supply of medicines to friendly society members?

2. If so, is it the intention of the Government to introduce a Bill to amend the Pharmacy Act to permit the Friendly Societies Medical Association Inc. to open more shops than are now authorized in the Pharmacy Act?

The Hon. T. PLAYFORD—It is understood that the agreement is not being renewed at the existing rates.

MANNUM-ADELAIDE PIPELINE.

Mr. TAPPING (on notice)—

1. Is the Minister of Works able to indicate the progress made with the Mannum pipeline?

2. What benefit is it expected will be derived by residents of LeFevre Peninsula and Albert Park?

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

1. It is not possible in reply to a question to give a full resume of the progress made in connection with this pipeline, but in short it can be stated that the whole of the plans and specifications, involving a work costing several millions of pounds, have been completed and surveys have been made and land and easements along the route have been secured. Orders for all the steel and cement required have long ago been placed, but the delivery thereof is beyond the control of the Government. Orders have also been placed for 12 pumping plants and accessories for the three main pumping stations which have been designed. Contracts have been let for nine concrete tanks of 2,000,000 gallon capacity each. Sufficient pipes have been delivered on the line for the first six miles and these are being laid as fast as manpower permits. Large volumes of earth and rock have been excavated for the pumping station and tanks. A Housing Trust contractor is erecting 44 houses at Mannum to encourage married men to work on the undertaking, and generally strenuous efforts are being made by the Government to obtain all the steel, cement, and manpower needed for the pipeline construction.

2. The pipeline will connect with the trunk main feeding LeFevre Peninsula at Findon and will supply ample water to assure satisfactory pressures on LeFevre Peninsula and in nearby localities. The scheme is planned not only to provide for a vast increase in domestic and industrial consumption in the whole of the metropolitan area, but to provide water for areas not now having a reticulated service (adjacent to the route of the main) and for branch mains to rural areas connected therewith.

HOMES FOR AGED AND INVALID PENSIONERS.

Mr. TAPPING (on notice)—Is the Treasurer able to intimate the number of homes or flats proposed to be constructed by the Housing Trust for the purpose of housing aged and invalid pensioners? Is he able to give some indication of any such proposal and the progress made thereunder?

The Hon. T. PLAYFORD—Although the South Australian Housing Trust does not build houses specifically for occupation by aged and invalid pensioners, it builds small houses which are suitable for occupation by these persons as well as others. Approximately 3 per centum of all the rental houses built by the trust are of three rooms. The trust has a contract in progress for 200 flats of which approximately one-half will be of three rooms and the balance of four rooms. In addition, approximately 100 (of which 15 are to be constructed) of the emergency dwellings consist of one bedroom and a kitchen-living room.

BY-LAWS: WRAPPING OF BREAD.

Mr. O'HALLORAN (on notice)—

1. Have any councils made by-laws, in accordance with the power given them by Parliament, to provide for the compulsory wrapping of bread?

2. If so, how many?

The Hon. M. McINTOSH—No local governing body has submitted a resolution adopting the model by-law in respect of the wrapping of bread.

POLICE FORCE PERSONNEL.

Mr. FRANK WALSH (on notice)—

1. What age limits apply in respect of applicants for entry into the police force?

2. How many police officers have (a) left the police force during the year ended October 31, 1951; (b) retired during the same period?

3. Did the number of resignations and retirements exceed the number of new entrants during the year ended October 31, 1951?

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

1. (a) Junior constables 18 to 20 years; (b) adult trainees 21 to 35 years.

2. (a) Resignations, 94; (b) retirements, 20.

3. Excess of resignations and retirements over intake for the year ended 31/10/1951, 19. During the same period four men were dismissed and eight deceased.

GARDEN SUBURB (REPEAL) BILL.

His Excellency the Governor, by message, recommended to the House the appropriation of the amount to the credit of the Garden Suburb Fund for the purposes set out in clause 4 of the Garden Suburb Repeal Bill.

The Hon. M. McINTOSH (Minister of Local Government) moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the

Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to annex the Garden Suburb to the municipality of the city of Mitcham, to repeal the Garden Suburb Act, 1919-1936, and for incidental purposes.

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

HAIRDRESSERS REGISTRATION ACT
AMENDMENT BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Hairdressers Registration Act, 1939-1946. Read a first time.

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—The purpose of this Bill is to make some amendments to the Hairdressers Registration Act which have been suggested by the Hairdressers Registration Board of South Australia. The Hairdressers Registration Act provides for the registration of hairdressers which is granted by the board to an applicant who passes the appropriate examinations conducted by the board. The board depends upon its examination and registration fees for the income to enable it to carry out its functions. These various fees are fixed by section 21 of the Hairdressers Act and the board has pointed out to the Government that these fees are now inadequate to meet the necessary expenses of the board. In fact, during the financial year ending June 30, 1951, the board's accounts showed a deficit of £240. Accordingly, it is proposed by clause 2 to increase certain of these fees. At present the fee for examination is £1 1s. This is increased to £2 2s. The existing fee for registration and the annual fee paid by registered hairdressers are now £1 1s. In each case it is proposed that the fee should be increased to £1 11s. 6d. The registration and annual fees for an employee are now fixed at 5s. and no alteration to these fees is made by the Bill. Section 29 of the Act makes it an offence for an unregistered person to use the title of hairdresser. The Act does not prohibit unregistered persons from carrying on the business of cutting hair or otherwise acting as hairdressers but it prohibits them from calling themselves hairdressers. The purpose of clause 3 is to make it plain that the prohibition in section 29 extends to companies. Obviously, if an unregistered person is prohibited from calling himself a hairdresser he should not be

able to evade the section by carrying on business under the name of a company or other like body. I move the second reading.

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

EDUCATION ACT AMENDMENT BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Education Act, 1915-1949. Read a first time.

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—This Bill deals with the long service leave rights of Government employees who transfer to the teaching service of the Education Department. The present law on this topic is that upon such a transfer the employee becomes entitled to long service leave on the scale prescribed for teachers, as if all his service under the Government had been service as a teacher. The South Australian Public Officers Federation has pointed out to the Government that, under these provisions, where an employee becomes a teacher after some years of other service under the Government, he stands a risk of losing the whole or some part of the leave rights which he has accumulated in respect of that service. One of the difficulties arises from the fact that whereas Government employees other than teachers become entitled to long service leave after 10 years' service, a teacher cannot be granted such leave until he has completed 15 years. Therefore, if a man transfers to the teaching service with 11 years' previous service, he may have to serve four years as a teacher before any of the long service leave which he had earned by his previous service could be granted to him. If he should retire or die before completing the four years' service no leave could be granted. A similar difficulty arises from the fact that in order to qualify for leave in excess of 90 days a teacher must complete 25 years' service. It follows that if a man is transferred to the teaching service after having earned 180 days' leave by 20 years' service he would have to serve a further five years as a teacher before he could be granted the full amount of leave which he had earned before the transfer.

The Government is satisfied that a case has been made out for further legislation in order to preserve the leave rights of persons who transfer to the teaching service. In this Bill, therefore, provisions have been included to ensure that the existing long service leave rights

of such transferees in respect of their previous service will be retained and that they will, in addition, be entitled to earn long service leave in the Education Department, due regard being had to the length of their previous service. It is proposed that a person who transfers to the teaching service with less than 10 years' service will be entitled to be credited, for the purpose of leave as a teacher, with one and a half years' teaching service for every year of his previous service as a Government employee. Those who transfer with more than 10 years' service will retain the leave rights earned before the transfer and will, in addition be entitled to earn up to 90 days' leave for their first 10 years of service as a teacher, and a further 90 days for a second 10 years. In no case, however, will a Government employee who transfers to the teaching service be entitled to more than the maximum amount of leave available to a public servant, namely, one year. I move the second reading.

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

CATTLE COMPENSATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

MINING ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

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

Returned from the Legislative Council with amendments.

SWINE COMPENSATION ACT AMENDMENT BILL.

Second reading.

The Hon. Sir GEORGE JENKINS (Newcastle—Minister of Agriculture)—The Swine Compensation Act, 1936, which came into force on March 1, 1937, provides for the levying of a stamp duty to be payable on the sale of any pigs. The duty imposed is at the rate of 1d. for every 10s. of the sale price but it is provided that the maximum duty payable on the sale of any one pig is 2s. 6d. The proceeds of this stamp duty are paid into a fund which is applied in the payment of compensation to the owner of pigs or carcasses of pigs which are condemned by reason of disease as defined by the Act. In the case of a pig which is

condemned, the Act provides that, if after destruction the pig is found to be free from disease, the market value of the pig is to be paid whilst, if the pig is found to be diseased, three-quarters of the market value is payable. It is provided, however, that the market value of any one pig is deemed to be not more than £15. Compensation for condemned carcasses is payable according to a scale prescribed by regulation and the regulations prescribing this scale conform with the maximum market value of £15. This market value was fixed by legislation passed in 1936 and it is obvious that this amount is not in accord with present-day market values. It is therefore proposed by clause 2 of the Bill that the maximum market value be increased from £15 to £30.

If this proposal becomes law, it will be necessary to make regulations making corresponding alterations in the prescribed scale for compensation for carcasses. It is considered by the Government that, if the maximum market value is increased and as a necessary consequence the maximum amount of compensation payable is increased, it is necessary that provision should be made to increase the amount which will be derived from stamp duty payable under the Act. It is not proposed to vary that rate of duty, that is, 1d. for every 10s. of the sale price of a pig, but it is proposed by clause 3 to increase the maximum duty payable on the sale of a pig from 2s. 6d. to 5s. and thus increase this maximum in the same proportion as it is proposed to increase the maximum compensation. At June 30, 1951, the amount standing to the credit of the fund was £51,914. During the year ended June 30, 1951, the receipts paid to the fund amounted to £12,879 whilst payments from the fund amounted to £8,550. If the proposals put forward by the Bill are accepted, the increased revenue will, under normal circumstances, be more than sufficient to meet the increased expenditure. It is, however, most important that this particular fund should have a substantial credit. Swine are extremely liable to infectious disease and it must be always borne in mind that an epidemic of infectious disease may occur which will give rise to very substantial claims for compensation. The stud and commercial sections of the Australian Pig Society agree that the provisions of the Bill are necessary. They are aware of the position that might arise if we had an outbreak of swine fever and agree with the fixation of the increased compensation rates proposed. I move the second reading.

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill conforms in principle with the measure just passed by both Houses altering the basis of compensation under the Cattle Compensation Act. As the principle has already been accepted by the House, I think properly, and as there is to be no increase *pro rata* in the contributions, I see no objections to the Bill. I shall not seek to amend the Bill now but I suggest that the Minister and his advisers consider whether some form of compensation can be provided when losses occur through the death of animals on their way from the country to the abattoirs.

Mr. MICHAEL (Light)—I support the Bill. In connection with the Swine Compensation Fund, there is a contribution based on the price the pig brings when sold. There has been a greater strain on the Swine Compensation Fund than on the Cattle Compensation Fund, with the result that the former is not in the same healthy condition. The Bill is justified because contributions will be collected on the full amount received on the sale of a pig. At present the Act says that for every 10s. or part thereof there shall be a contribution of one penny on the sale of a pig. If a man sold 10 pigs at different prices the contribution would be calculated on the price obtained for each pig. I have been informed that it will save much clerical work if the contribution is collected in accordance with the total proceeds of the sale. If 10 pigs were sold and the sale proceeds were £150, the contribution would be based on the £150.

Bill read a second time and taken through its remaining stages.

Later the Bill was returned by the Legislative Council without amendment.

WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 22. Page 1434.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—I regret that this Bill has been introduced. Although I cannot object to its drafting or the way it was introduced by the Minister of Agriculture, I take strong exception to the principles on which it is founded. Those responsible for their acceptance may in years to come regret the adoption of this death blow to the principles of stabilization. In season and out of season during my many years of Parliamentary life in the Federal and State spheres I have sought financial stability

for primary producers. I have raised my voice and wherever possible voted in support of such stability. I shall not go into the long and tragic history of the fight to get the stabilization scheme which was finally adopted in 1948, and which this Bill amends, made the law of the various States and the Commonwealth. In days gone by farmers used to carry resolutions saying that if they could be guaranteed a cost of production price their problems would be solved. The legislation in 1948 was the result of a searching inquiry into the cost of production before it was finally agreed to by the then Commonwealth Government and farmers' organizations, and later submitted to the States for ratification. The basis of the agreement was that for five years the farmers would be guaranteed a cost of production price for 100,000,000 bushels of wheat for export, plus whatever quantity was consumed in Australia. This cost of production price was to be on the basis established by the body to which the matter was referred for an exhaustive investigation prior to 1948, and which was to be varied annually in accordance with increases or decreases in the cost of production decided on by the Agricultural Bureau of Economics. The price in respect of the 1948 Bill was 6s. 3d. a bushel. Australian wheat-farmers were guaranteed a cost of production price for producing, I think, between 150,000,000 and 160,000,000 bushels. A stabilization fund associated with the agreement provided that if the overseas market price for wheat was more than the Australian price 50 per cent of the difference, with a maximum of 2s. 2d. a bushel, would be paid into the stabilization account. There was a proviso that when, in the opinion of the Wheat Board, the fund had grown to such an extent that it would be sufficient to take care of the future the excess funds were to be returned to the growers in the form of payments. The fund has grown into more than the Wheat Board considers necessary as a precaution, and payments have been made to the growers. Simultaneously the Bureau of Agricultural Economics has considered from time to time the cost of production in accordance with the formula adopted. In the first 12 months the price was raised from 6s. 3d. to 6s. 8d. a bushel, in the next period to 7s. 1d. and, during the current year to 7s. 10d. a bushel. This Bill indicates that the adjustment which will be made at the end of this week and which will apply to the sale of the coming season's harvest will increase the Australian price to about 10s. a bushel. The basis on which these figures have been

arrived at is a regimen which has been compiled as a result of the first inquiry and which includes the following items:—Fertilizers, corn-sacks, fuel, maintenance of machinery, maintenance of tractors, farmer's labour (including the cost of his own and other labour), interest on borrowed capital, interest on farmer's equity in his property, depreciation, cartage, rent, rates and taxes, insurance, seed, and miscellaneous. Those factors were given a denominator by the bureau and provision exists for a variation to be made by the Bureau of Agricultural Economics in the event of substantial variations from year to year. The complete stabilization scheme was established in 1948 and it was provided that, if the amount in the stabilization fund was not sufficient to enable the local Australian price to be paid to the farmers for a production of 160,000,000 bushels of wheat a year, the Commonwealth Government would, at the expense of Australian taxpayers, provide the difference. In other words, for a period of five years and irrespective of the overseas price the producer was guaranteed the Australian price for the wheat under the agreement. I entirely supported that principle then and I entirely agree with it today.

At that time the farmers did not visualize that the world price of wheat would soar to almost unheard of heights and they thought it was a very good deal. In fact, their accredited and competent representative in this House, Mr. Stott, said on that occasion:—

The provision of a guaranteed price sets up a new principle. The grower contributes while prices are high in order to get the guaranteed price and in the event of overseas prices falling to disastrous levels and the reserve fund being exhausted the Commonwealth Government will provide finance to make up the guaranteed figure. The wheat industry should be thankful that it has such a provision because it means that they will always get the cost of production. I have every confidence that once the legislation is placed on the Statute Book it will be continued. Say the overseas price commences to fall in five years' time.

To an interjection by Mr. Dunks that some people were saying that the price would fall in five years, Mr. Stott replied:—

But the industry will still be safeguarded. If it does not fall growers will still benefit because rebates will be made to them. If the price did commence to fall in five years' time many growers who have opposed the proposal will be all for it because then they will want to get the guaranteed price.

That was a correct statement of the position then and it is correct today. That legislation was an attempt to accomplish something which wheatgrowers had desired for years—stability which would include stabilization of land

values, stabilization of employment in country areas, and stabilization of business conditions in country towns. The proposal we are asked to accept this afternoon will strike a death knell at stabilization in this country because people other than wheat farmers, such as poultry farmers, pig raisers and dairymen, will be vitally affected by this measure. Most of these are small farm producers who have not enjoyed the prosperity enjoyed by the wheat farmers as a result of the high wheat prices over the last three years, who are now to be asked to pay 2s. more than the Australian price for their feed wheat, and who are to be limited to 26,000,000 bushels at that price, thus precluding any possibility of expansion in these industries. Is it not necessary that they should be expanded? Is not every member aware of the dearth of pig meats and eggs in this country? Have members forgotten that only a little more than two months ago we were faced with a butter famine and unofficial butter rationing in this State? Have we forgotten the appeals made to patriotic Australian people during the war and in the immediate post-war years that we should step up the production of these commodities to assist people in the Old Country? Does not that need still exist? However, because of one thing alone we are asked to strike a vital blow at the principle of stabilization. What is that thing? It is the increase in wool values. In 1939 when we had no stabilization of wheat prices the price of wheat for the previous quinquennial period averaged 3s. 9d. a bushel. At that time farmers would have cheerfully accepted the cost of production ascertained on the basis I have referred to. At that time the price of wool was 9.10d. a lb.; last year it had risen to 14d. a lb. We are told we must accept this proposal, otherwise farmers will continue to desist from growing wheat in order to extend their wool-growing activities. The average price of wheat this season is about 11s. a bushel, and the average price of wool is still over 7s. a lb. In 1939 it took 4 lb. of wool to equal in value one bushel of wheat, but today a bushel of wheat is worth about 1½ lb. of wool; therefore nothing we can do at present will correct the position.

Furthermore, associated with the stabilization of the wheat industry in Australia there is an international wheat agreement under which we contract to sell, at the ascertained price under the agreement, which this year is 16s. 1d. a bushel, 89,000,000 bushels of wheat per annum to various overseas countries which are parties to the agreement, but we are at

liberty to sell any surplus production at a price which any country not committed under the agreement is prepared to pay. I am told the present price for this surplus wheat, if it were available, would be about £1 a bushel. Is not that a sufficient incentive for farmers to grow more wheat? for if they could step up production to 20,000,000 bushels more than the quantity provided for in the international wheat agreement, they would collectively receive £20,000,000 to be distributed amongst them.

Last Friday's *Advertiser* contained a statement by the secretary of the Australian Primary Producers Union, who pointed out certain facts regarding four farmers' incomes and taxation commitments. One farmer whose income was £13,164 had a taxation commitment of £14,998; another with an income of £24,800 had a taxation commitment of £34,143. Another man's income was given at £32,324, and his taxation as £40,869. In another case the income was £14,674, and the taxation £19,166. I do not know whether they were representative farmers, but if so the farming community has certainly become very prosperous as a result of, amongst other things, the wheat stabilization scheme of 1948.

The Hon. Sir George Jenkins—Those farmers will not be so prosperous after they have paid their taxes.

Mr. O'HALLORAN—That is true, but the picture is not as bad as Mr. Retaille suggests, because they should have a substantial reserve fund with the Taxation Commissioner, particularly if they are wheat and wool growers, as a result of the wool levy of last year and the provisional tax for which they were liable.

The Hon. Sir George Jenkins—The figures you have quoted take all that into account.

Mr. O'HALLORAN—Then, if the figures I quoted are correct, it is about time the farmers, instead of worrying us about legislation of this nature, descended *en masse* upon Canberra and saw the Federal Treasurer, because he is their enemy, not the pig breeder, poultry farmer, or dairyman, who is getting wheat at the contract price agreed to by all concerned in 1948. In what way will it benefit the farmer if we give him more for the 26,000,000 bushels of feed wheat? Obviously, it will only increase his liability to taxation and involve him in greater losses. The Commonwealth Government made a proposal at a conference of Ministers of Agriculture held about a month ago that the price of all feed wheat be increased to 16s. 1d. a bushel and that the egg producers should be subsidized through

the Egg Board to the extent of the difference between the local price of perhaps 10s. a bushel and 16s. 1d. The dairyman and the pig raiser would have had to pay the full 16s. 1d. without any subsidy or assistance. South Australia agreed to the proposal, but the other five States did not. The proposal outlined in the Bill represents a compromise agreed upon at a later conference. I think the latest proposal is better than the former, although it disturbs the basis of stabilization, but the first proposal merits some consideration. The egg producer was to receive a subsidy from the Egg Board, but it would have excluded the back-yard poultry man entirely from any benefit, that is the man who keeps fewer than 20 fowls for domestic purposes and sales to neighbours. If he desired to benefit from the subsidy he would have had to sell his few eggs to the board and pay handling and grading charges before buying them back for his own use, but the cost involved would have been greater than the subsidy provided by the Commonwealth.

Mr. Pattinson—How will he benefit under this Bill?

Mr. O'HALLORAN—He will get his feed wheat at 12s. a bushel, and the Commonwealth will make up the difference between that amount and 16s. 1d. to the wheat farmer.

Mr. Pattinson—But he will be on the end of the line for the 26,000,000 bushels of wheat.

Mr. O'HALLORAN—Probably so.

Mr. Pattinson—Who will ration the 26,000,000 bushels?

Mr. O'HALLORAN—There are many factors that I have not yet dealt with, but I am trying to compare the first proposal, which was rejected by the majority of the States, with the compromise which was apparently accepted. A substantial concession was given to two States, Tasmania and Queensland. Tasmania has always been a wheat importer, and Queensland imports periodically. I understand that this year it will be a large importer because of climatic factors resulting in the failure of its crops. The Wheat Board will meet the cost of freighting wheat to those States and, according to a statement I saw, although I do not know if it was authoritative, it will be about £300,000 a year. If the local price of wheat rises to 10s. a bushel, as expected, the 26,000,000 bushels to be earmarked for stock feed purposes will be sold to approved poultrymen, pig raisers, and dairymen at 12s., and the difference between that price and the current international wheat

agreement price of 16s. 1d. will be met by Commonwealth subsidy.

Mr. Macgillivray—How would you define a poultryman?

Mr. O'HALLORAN—Many things will be difficult to define under this Bill. For instance, all wheat over the 26,000,000 bushels for stock feed is to be sold at 16s. 1d., so there will be three different prices for wheat in Australia—10s. for human consumption, 12s. for stock feed purposes (with a maximum of 26,000,000 bushels), and 16s. 1d. for all other stock feed wheat whether sold to approved producers or not. The owners of racehorses and trotters were instanced as people who will pay 16s. 1d. I cannot see how it will be possible to police those provisions. Assuming a man owned a dairy herd and racehorses, how can it be ascertained whether he gave any of his feed purchased at the concession rate to the racehorses?

Mr. Hawker—It will pay racing men to keep a cow.

Mr. O'HALLORAN—Yes. This legislation arises out of conditions existing two or three years ago when the price of wool soared to unbelievable heights and some woolgrowers were able to purchase wheat for feeding sheep at the Australian price. I can understand the wheat farmer being aggrieved about that, but the problem could have been overcome at that time, and, I suggest, today, by imposing a levy on commodities exported at high prices and produced as the result of concessional rates. However, a Federal election was in the offing, and the previous Government, which was responsible for the stabilization scheme, desired that the scheme should stand, but the then Opposition, led by Mr. Menzies and Sir Arthur Fadden, desired to turn the shining hour to advantage and stated that if they were returned the position would be adjusted. Mr. Menzies, during the 1949 election campaign, said:—

We stand for the stabilization of rural industries wherever practicable on the basis of guaranteed minimum prices. Schemes to this end will not be set up unless growers by vote approve. The guaranteed price covering not only the found cost but also a reasonable profit for efficient production will be ascertained by independent cost-finding tribunals on the model of the Tariff Board. In particular, we support a long-term stabilization of the dairying industry for 10 years (by subsidy where the price is not raised) and believe that the Wheat Stabilization Scheme should operate for a similar period.

I agree with that statement, but if there is anything wrong with the present cost-finding system it should be rectified, and let us in

return for the stability given to the industry ask that it shall be prepared to supply the Australian people, particularly those in the small farming industries, at the ascertained cost of production, plus a reasonable margin of profit. Mr. Fadden, during the same campaign, stated:—

The Country Party is and always has been on the side of individual freedom, enterprise and initiative To stabilize wheat, dairying and other primary industries we favour the payment to producers of guaranteed minimum prices for at least 10 years. Home consumption prices will be paid for locally consumed primary products to be fixed periodically on the basis of production costs and parity plus an allowance to offset the burden imposed by national economic policy on the export industries. The guaranteed price will be decided and if the State price-fixing authorities are unable to co-operate, this ascertained price will be adjusted by means of Commonwealth subsidies. Wheat sold under Government direction at concessional prices beyond that under the reciprocal provisions for home consumption price will be recouped by the Government.

First there was the present Prime Minister's statement that the stabilization scheme should be continued with perhaps an alteration in the basis of ascertaining the cost of production figure, and there was Sir Arthur Fadden's statement that the difference between the export price and the home consumption price should be subsidized by the Commonwealth Government. The Party was elected, but it has done nothing to give effect to its promises. The State Governments are now asked to assist in raising the price of wheat purchased by dairy, egg and pig producers by 2s. a bushel this year, and nobody knows how much next year, in order that farmers may be placed partially in the position promised them. The cost of this pay-off will be reflected in every home. There will be increases in the prices of eggs, butter and bacon. It will be inflationary in its incidence and it will lead to a public demand for the abolition of stabilization schemes of this nature, because the public will properly ask what would be the position if instead of world wheat prices rising to more than the Australian wheat price they had fallen below it? The guaranteed price would not have been reduced. Like Shylock, they would have insisted on the letter of the bond. I am prepared to insist on that now, because I believe it is in the long term interests of wheatgrowers that the stabilization price should not be interfered with as proposed in the Bill. I realize I am impotent in taking effective steps to correct the position, because this Bill is the result of an agree-

ment between the States and the Commonwealth, and although I think it is a bad agreement I have no alternative but to accept it as such.

Mr. STOTT (Ridley)—Mr. O'Halloran made a comprehensive and logical approach to this matter, but I want to correct one or two statements he made. He said that there had been an agreement in 1948 between the wheatgrowers and the Commonwealth and State Governments, but that is not strictly true because the Wheat-Growers' Federation, which represented the wheatgrowers at many conferences with Commonwealth and State Ministers, did not agree to the price of wheat sold to the pig and poultry industries being the guaranteed price. The agreement was that the wheatgrowers should sell wheat for flour at the cost of production price, but it did not apply to wheat sold to the pig and poultry industries. At one conference the then Commonwealth Minister, Mr. Pollard, would not agree that the wheatgrowers should get the cost of production price for wheat sold for stock feed purposes. The wheatgrowers' representatives walked out and wrecked the conference. The wheat industry has agreed that the price of wheat sold for flour should be the cost of production figure and the Wheatgrowers' Federation has never departed from that principle. It still wants the various Parliaments to carry out the agreement. It is reported in Commonwealth and State *Hansards* that the Wheatgrowers' Federation, in adopting the scheme, asked the States to pass the necessary legislation, but reserved the right to continue the fight to get stock feed wheat paid for at the guaranteed price.

Mr. Pattinson—Was a vote taken on the matter?

Mr. STOTT—Yes.

Mr. Pattinson—Was the reservation agreed to?

Mr. STOTT—Yes. Meetings were held throughout the Commonwealth.

Mr. Pattinson—To what did the ballot refer?

Mr. STOTT—To the acceptance of the scheme. Having confidence in their organization the growers accepted the scheme, but reserved the right to fight for the anomaly to be corrected. In 1936 when the flour tax legislation was introduced the price of wheat consumed as flour was fixed at 5s. 2d. a bushel. At that time export wheat was being sold for as low as 2s. 6d. a bushel. I remind the Leader of the Opposition that at the time wheat for pigs was purchased at 2s. 6d. a bushel, yet the consumer of bread had to pay the equivalent of 5s. 2d. a bushel. After

inquiries the 5s. 2d. a bushel has been increased from time to time to 6s. 3d., then to 6s. 8d. and 7s. 10d., and there will be a further increase from Saturday next. It is said that the agreement was broken when the attempt was made to have the stock feed wheat price increased to 16s. 1d., but the price for that wheat was never covered by the agreement. The Leader of the Opposition referred to the agreement covering a quantity of wheat between 150,000,000 and 160,000,000 bushels, but the guaranteed price applies only to 100,000,000 bushels. In regard to wheat stabilization, the recent history is that the Wheatgrowers' Federation approached the Chiefley Government, long before any Commonwealth election, was suggested, to get the price of stock wheat increased to the average pool realization price, but the Commonwealth Minister of Commerce refused. Then a Commonwealth election loomed up, and Mr. Menzies, then Leader of the Opposition, undertook to rectify the position. He said in effect that he would recoup the losses incurred in concessional sales by the Wheat Board. The present Commonwealth Minister, Mr. McEwen, called a conference and accepted the proposals submitted to him by the Wheatgrowers' Federation. The principal amendment to the agreement was that the price for wheat sold as stock feed should be raised to the export level. He took the matter to a meeting of the Agricultural Council, where a resolution was carried that the Wheatgrowers Federation should accept the price between the guaranteed cost of production price and the ceiling limit reached under the international agreement, 16s. a bushel. Subsequently Mr. McEwen left for London and Senator McLeay acted as Minister for Commerce. I pay a tribute to Senator McLeay for the way in which he handled the negotiations. If he had not handled them I doubt whether an agreement would have been reached on this matter. He had great difficulty in securing agreement among his Cabinet followers on the principle that stock feed prices should be elevated to 16s. 1d. a bushel, but he eventually succeeded in getting their approval.

The Agricultural Council was called together and the South Australian Government was the only State Government to agree to amend its legislation to enable the Wheat Board to charge 16s. 1d. for the wheat sold as stock feed. Other State Governments disagreed on the ground that insufficient subsidy was to be paid to the pig, dairying, and poultry industries. In the words of the New South Wales Minister of Agriculture, the death-knell of the pig and poultry

industries would have been sounded if that proposal had been agreed to. It provided that the Wheat Board should sell wheat at 16s. 1d. per bushel if used as stock feed, the Commonwealth Government to pay a subsidy of £4,000,000 in the first year, which was equal to about 8½d. a dozen for eggs, to offset the increased cost of production. However, the other States would not agree. Two conferences followed and subsequently the States submitted the compromise proposal which is now before us. In my opinion it is worse than the original one. It will certainly be worse for the poultry industry, because under the original proposition it would have received a subsidy, but it will receive none under the Bill. It will have to pay 2s. a bushel more for wheat in the first 12 months up to December, 1952, and then in the next 12 months an increase of 4s. over the present price, making it equal to 14s. a bushel. There will be no compensating subsidy to offset the increased cost. The pig industry complained that it was not getting fair treatment; it will now have to pay 2s. a bushel more for wheat, making it 12s., and will receive no subsidy. The Wheatgrowers Federation took the view that these industries' costs would be increased because of the additional cost of wheat. It was only right and proper that they should be placed on the index cost formula and any increased cost indicated should be recoverable. The pig industry will also be worse off under the new proposal. As stated by the Leader of the Opposition, there is a catch in the Bill in that on the wheat sold to Tasmania and Queensland for flour and stock feed the freight will be paid by the Australian Wheat Board. Today wheat is being shipped from Port Lincoln to Brisbane because Queensland has suffered a drought, and the freight will be paid by the Wheat Board. The board calculates that Queensland will require 4,000,000 bushels and as the freight rate from Port Lincoln to Brisbane is 3s. 9d. a bushel freight amounting to about £750,000 will be paid by the board. On wheat shipped to Tasmania the freight will amount to about £250,000 (including the recent increase of 2s. 6d. a ton on interstate shipping). Therefore the aggregate freight on the wheat shipped to the two States will be £1,000,000. The clause provides for the deduction of transport charges and "other costs incidental thereto." That means the difference between the f.o.r. and the f.o.b. prices, which today is ½d. a bushel. That ½d. will be met by the board and when the wheat arrives at Brisbane it will have to be unloaded and placed on rail, which will entail

an additional charge amounting to, I believe, $\frac{1}{2}$ d. a bushel, which means that $1\frac{1}{2}$ d. a bushel must be added to the 3s. 9d. In effect, the receipts to Australian wheatgrowers will be reduced by £1,000,000. I submit that the procedure proposed—that the producer should pay freight to the consumer's port—is a complete departure from the accepted customs in trade and commerce. I enter an emphatic protest against this practice.

Mr. Whittle—We have to pay freight on potatoes sent from Western Australia.

Mr. STOTT—Yes, and we pay freight on apples, potatoes and sulphides sent from Tasmania, but Tasmania says in effect, "We want wheat from you and therefore the South Australian wheatgrower should pay the freight from Port Adelaide to Hobart." Such a principle should not be accepted as part of an Act of Parliament. Where are we going under such legislation? It passes beyond my imagination how far it will extend once this principle is accepted in legislation. It is not by agreement between the seller and consumer, but is to be enforced by legislative action.

Mr. Christian—We might extend it to fuel distribution.

Mr. STOTT—Exactly, but I do not think we would have much success with the big fuel companies. Consider the penalty clause of the Bill which says in effect that if the Wheat Board does not deduct the transport charges on wheat moved to Tasmania or Queensland, the Governor in Executive Council can suspend the operations of clause 2 of the Bill. That is most reprehensible and is political blackmail. Evidently the Commonwealth authorities responsible for the drafting of the Bill doubt the validity, in relation to section 92 of the Commonwealth Constitution, of this charging of freight, and so they have included this political blackmail penalty clause. Where are we going if the Governor can go beyond an Act of Parliament, because that is what it means? Under clause 2 it is provided that the price of wheat shall be 2s. above the guaranteed price. It says that the Wheat Board, "may" (it does not say "shall") "sell wheat in the State as feed for poultry, pigs or dairy cattle at a price per bushel equal to the price which would be applicable under the provisions of the last preceding subsection increased by 2s." If it does not charge that, the Governor can ignore an Act of Parliament and take action himself to suspend its operation. That is wrong and reprehensible and is a penalty never heard of before. I challenge any honourable member

with a better legal knowledge than I have to show me an Act of Parliament operating within the British Commonwealth of Nations which has such a reprehensible provision in it. It should not be accepted.

The position relating to Queensland is even worse than that of Tasmania, because although it expects the South Australian wheatgrower to pay the freight on the wheat forwarded to that State it is holding large quantities of sorghum and maize so that it can reap the benefit of a high export price. Why should not that State use its maize and sorghum as stock feed instead of expecting South Australian to pay freight on wheat forwarded to it? The Queensland maize and sorghum producers will be sitting pretty and gathering in the high export prices on their products.

Mr. Pattinson—Who asked for this Bill?

Mr. STOTT—We did not ask for it. It was agreed to by the recalcitrant States which would not come into line on the first proposal. I consider the Bill one of the worst-drafted measures I have had anything to do with. Sub-clause (6) of clause 4 provides as follows:—

Where the board makes in the State a sale of wheat to a purchaser who requires the wheat for transport to another State, the board may sell the wheat at a price equal to the price otherwise applicable under this section, less the estimated costs of and incidental to transporting the wheat to, and landing it at, the principal port in that other State.

Suppose we were unable to get ships to travel from South Australia to either Tasmania or Queensland. Under this provision transport charges could be included for railing the wheat from Port Adelaide to Williamstown (Victoria), and also wharfage. In 1945 both New South Wales and South Australia experienced a very bad drought and at that time wheat was moved by the Wheat Board from Fremantle to Sydney. We could have a repetition of those drought conditions—nobody knows. History has a habit of repeating itself, and if we had to move wheat from Western Australia to New South Wales or Queensland, as we did in 1945, freight charges might be as much as 7s. a bushel and no-one knows what they will be in 12 months' time. It is wrong that the producer should be forced to pay freight on his commodity to the consumer's port of destination, and under no circumstances will the Australian Wheat-growers' Federation or the South Australian Wheat and Wool Growers' Association agree to that principle. We will fight to get this anomaly removed from this legislation next

time it is before us. It may be argued that sugar may be bought through the Colonial Sugar Refining Company at the same price f.o.b. Port Adelaide as f.o.b. Brisbane, but the price f.o.b. Brisbane takes into consideration the overall freight charge.

Mr. Heaslip—In any case the producer does not pay that freight.

Mr. STOTT—That is correct. Wheatgrowers' organizations have agreed that the price of wheat sold for flour should be at the guaranteed cost of production, because in 1936 wheat for flour sold at 5s. 2d. a bushel while the export price was between 2s. 6d. and 3s. a bushel. Now that the export price of wheat under the agreement is 16s. 1d. a bushel and the price for wheat sold outside the agreement is 21s. 6d. a bushel, the consumer is getting the advantage, but we do not complain about that because we visualize at some time in the future the overseas price of wheat will fall and the pendulum will swing in the wheatgrowers' direction. The only agreement we have entered into is in respect of wheat sold for flour milling and not in respect of wheat sold as stock feed.

Mr. Macgillivray—Who inspired this Bill?

Mr. STOTT—The Commonwealth Government. The first proposals of that Government were not agreed to.

The Hon. M. McInstosh—That may be an unfair statement. The legislation was inspired by a desire on the part of wheatgrowers to get a better price.

Mr. STOTT—Mr. O'Halloran suggested that the wheatgrowers had entered into an agreement regarding the price of stock feed wheat. We do not want an increase in the price of wheat sold for flour, but if the export price of wheat falls below the consumers' price the pig breeder will be able to buy it at the lower price. Wheatgrowers told the Commonwealth Government that they would not agree to the principle of a subsidy, because Governments, irrespective of their political make-up, have seldom kept their promises. We could not be dependent in the future on the hope of getting a subsidy which might not be forthcoming. We cannot get it automatically under this Bill because the other States would not agree to the proposal, so provision must be made for a subsidy of 4s. 1d. from the Commonwealth Government. We will have to ask for a subsidy again next year when this legislation is brought before us again, and what hope will we have of getting it? The farmer does not know for sure that he will get the

subsidy, and consequently he changes over to wool production for a surer income. That is part of the reason for the fall in wheat acreage. I protest against the principles underlying the Bill but recognize that having come to an agreement between the States and the Commonwealth we have not much hope today of throwing out the Bill because of those bad principles. It represents a turn in the wheel of wheat stabilization, and the wheatgrower may get a little more while the Government is paying a subsidy.

Mr. Quirke—Do you agree with the Bill?

Mr. STOTT—No, I protest against it, but we cannot alter it, although portions of it are very unsatisfactory.

Mr. Quirke—What will happen if we throw it out?

Mr. STOTT—It will be the end of this legislation, and the wheatgrower will not get 16s. 1d. a bushel but will revert to the old principle that the portion sold as stock feed will be sold at the cost of production. Another provision is that the wheat sold as feed for sheep shall be sold at 16s. 1d. a bushel, but I point out that that provision cannot be policed, because who is to know whether wheat purchased as feed for pigs is not being fed to sheep? That clause is badly drafted, and a better method would have been to provide for a cost index system for certain industries. Two years ago before we experienced an abundant season the Wheat Board was pressed with inquiries for wheat to be sold as feed for sheep the wool from which brought 160d. a pound or more. Woolgrowers were able to buy that wheat at 7s. 10d. a bushel when the export price under the International Wheat Agreement was 16s. 1d. and the price for free wheat was 20s. Can anyone possibly argue that the wheatgrower should be expected to sell wheat to the woolgrower at 7s. 10d. a bushel?

Mr. Macgillivray—Hopeless!

Mr. STOTT—That is the sort of thing that will continue if we do not pass the necessary legislation. I shall reserve further remarks until the Committee stages.

Mr. HEASLIP (Rocky River)—I do not agree with all the remarks of the Leader of the Opposition. I think he was viewing the position from a different angle from that of the wheatgrower. He said that the Bill strikes a death blow at stabilization, but if the consumers do not realize that they are getting cheap wheat stabilization will go for good at the end of the term. It is supposed to come

up for review this year, and the growers will have to decide whether they wish to continue with stabilization or return to open marketing. The fact that the area under wheat has decreased from 14,000,000 acres to 10,500,000 during the past few years demonstrates that the wheatgrowers are not satisfied about the position. Mr. Stott pointed out that the growers did not agree to fixing the stock feed price at the home consumption price. I was present at Canberra when the States adopted the plan as we know it today, when the Australian Wheatgrowers' Federation gave partial consent to the scheme. A resolution, moved by myself and seconded by Mr. C. T. Chapman, stated:—

After considering the new wheat proposals submitted to the Agricultural Council, the A.W.F. recommends the Commonwealth and State Governments to pass the necessary complementary legislation so that this plan can be implemented. We require, firstly, one overall Commonwealth central marketing authority to have sole control over export sales and further we point out the following desirable improvements to be made to the plan, and reserve the right to seek amendments to the plan when it becomes law.

The first amendment was that the stock feed quantity be limited to 15 per cent of the exportable surplus. That shows that the meeting did not agree to unlimited stock feed wheat being supplied at cost of production. The other two clauses in the resolution dealt with the farmers' equity in the reserve fund and a decision that the plan be reviewed before 1952 with a view to its continuance for five more years.

Mr. Macgillivray—On whose behalf were you speaking?

Mr. HEASLIP—I was one of the two delegates from South Australia of the Australian Wheatgrowers Organization, which is a Commonwealth organization. The delegates accepted the plan, with the reservations I mentioned.

Mr. Pattinson—Was a ballot taken on the matter?

Mr. HEASLIP—Yes.

Mr. Pattinson—What was the question put to the growers?

Mr. HEASLIP—Whether they would accept stabilization or not.

Mr. Pattinson—Was the plan set out?

Mr. HEASLIP—Yes, and the ballot was carried, 63 per cent of the wheatgrowers of South Australia voting for it. However, they either had to accept the plan with all the

objectionable tags to it, or reject it. Under this Bill they have to accept the tags, which will cost them this year perhaps £1,000,000, or they will not get an increase in the stock feed price.

Mr. Macgillivray—Have the wheatgrowers been consulted about this Bill?

Mr. HEASLIP—There has not been any opportunity to put it before them, except by word of mouth. It was not on the files until last Thursday evening.

Mr. Macgillivray—That raises suspicions, especially as the Minister is seeking to rush it through at the end of the session.

Mr. HEASLIP—The Leader of the Opposition pointed out that we had a butter famine, but we may have a wheat famine as the result of farmers turning to more remunerative forms of production. I feel sure that the consuming public do not realize what the wheat industry has done for them. I appreciate that when wheat was from 1s. 6d. to 1s. 10d. a bushel the farmers were assisted to the extent of about £4,000,000 or £5,000,000, but during the last three years wheatgrowers have subsidized the cost of living to the extent of £85,000,000; £50,000,000 on wheat for human consumption and £35,000,000 on wheat for stock feed. They do not complain about their part in keeping down the price of bread, but they object to subsidizing other industries, some of which are in a far healthier financial position than the wheat industry. I believe that the various prices of wheat will be most difficult to police; in fact, I do not see how they can be policed.

Mr. Quirke—Are you in favour of the Bill?

Mr. HEASLIP—Yes, because I am forced to be. That is the thing I do not like. As with the stabilization plan, there are tags to the Bill, but we either have to accept the lot or lose all. Freights alone could cost wheatgrowers up to £3,000,000. There is no limit on the number of bushels that could be exported to Tasmania and Queensland.

Mr. Quirke—Is there any means of preventing wheat being bought at concessional rates for pig feed and re-sold for other purposes at high prices?

Mr. HEASLIP—The honourable member knows what has happened in the past. Last week, after the Premier returned from a conference held at Canberra, I asked him a question about the feed wheat price. He said that one or two subsidiary matters had been introduced into the alternative proposal, and that one was that wheat would be sold to Tasmania and Queensland at the same price as wheat sold in the main producing States, which would

mean that the States exporting the wheat would have to carry the cost of the importation into the other States. That is not correct, because the States will not bear the cost of the importation. It will be borne by the growers, and it will apply to all wheat required in those States. The Premier said also that there would be different prices to consumers, but there will be as many different prices for the growers. The human consumption price in New South Wales, South Australia, and Western Australia will be 10s. a bushel, but in Tasmania and Queensland it will be 10s. less the freight charge. For stock feed wheat for the pig, dairy, and poultry industries the price in South Australia, New South Wales, and Western Australia will be 16s. 1d. a bushel, but in Tasmania and Queensland it will be 16s. 1d. less the freight charge. I do not know how these various prices will work.

Mr. Quirke—What is the alternative?

Mr. HEASLIP—If we throw out the proposal it will be the death knell of stabilization; therefore it must be accepted. I do not think freight should have been brought into the matter. In the first year the Wheat Board paid freight on wheat for Tasmania, but then it refused to do so. Then the Commonwealth subsidized the wheat which went to that State, but I believe that on the last few shipments no subsidy has been paid. Up to date Queensland has paid the freight on all the wheat it has received. Queensland grows coarse grain which can be used as pig feed, and it is exporting that grain and sorghum at a price in excess of the stock feed wheat price. Barley growers are selling their product at 18s. and 19s. a bushel overseas and wheat is being bought at 7s. 10d. a bushel to feed pigs, cows, sheep, and racehorses. The wheat industry should not be expected to subsidize these other industries. Although I must vote for the Bill I oppose its principles.

Mr. Macgillivray—Why is December 1 the crucial date?

Mr. HEASLIP—In the original agreement December 1 was set out and the cost of production price is fixed as at that date. Mr. Stott said that £275,000 would be spent on freight on wheat for Tasmania. Queensland estimates that it will want 4,000,000 bushels of wheat and the freight on that will be about £700,000. Next year the State might want 8,000,000 bushels of wheat. There is no limit on which the freight will be paid. I do not like the Bill but if it is not passed the wheat-

growers will go back to the old price. I hope we will never have another Bill with such tags attached to it.

Mr. PEARSON (Flinders)—I support the Bill because it grants to the wheat industry something for which it has always fought. I compliment the Leader of the Opposition on a fine and logical speech, but from his point of view perhaps it was restrained. He said that the Bill represented a breach of the agreement made between growers' organizations and the public. Mr. Stott said that the growers' organizations had not accepted the principle that stock feed wheat should be sold at the human consumption price. The Act of 1948, section 14, provides that such wheat should be sold at that price, but Mr. Stott was correct when he said that the growers' organization did not accept it without protest. I was one of the wheatgrowers' representatives at the Federation conference in Sydney which drew up the 14 points submitted as a basis for negotiation. I assure members that we did not agree to the principle being incorporated in the Act. However, in this case, as in that case, we were presented with a compromise proposal which the representatives accepted whilst entering a reservation. We made a flour contract which we honoured and no commonsense wheatgrower has ever tried to alter it. It is estimated that freight charges will amount to £1,000,000 or £1,300,000, or some other figure which is difficult to estimate. I object to the inclusion of the freight principle in the Bill. It is not proper that the wheatgrower should be obliged to pay the freight charges, but it is in the proposal and we must accept it, although it is disliked. At present there are coarse grains being produced in Australia, and apparently there is a surplus above Australian requirements. One coarse grain is oats, which at present is worth between 8s. and 9s. a bushel at country sidings on Eyre Peninsula. For oats there is practically a free export market. I do not know what are the export restrictions on oats, but that commodity, which is an ideal food for sheep and cows is being exported whilst the wheatgrower has to provide the necessary food for the animals at a cheaper price.

Mr. O'Halloran—By how much has the production of oats increased in the last three years?

Mr. PEARSON—I do not know, but from my observations it would appear that the production is on the increase. When the price was low oats were retained on farms for

feed, but the issue of export licences has encouraged farmers to sell their oats and buy wheat.

Mr. Stott—The price for oats f.o.b. Port Lincoln is 12s. 5d. a bushel.

Mr. PEARSON—The price I gave was between 8s. and 9s. a bushel at sidings on Eyre Peninsula. Concern has been expressed about the difficulty which may be experienced in rationing the 26,000,000 bushels of wheat under a three or four price schedule, but I suggest the Wheat Board supply its old customers with their usual requirements as a first instalment and then make supplies available to those desiring to come in as new customers. The Bill has some desirable features and some which we do not like such as the freight provision, but it retains for the wheatgrower that for which he has fought for a long time. In general all consumers of wheat will contribute to the increased price obtained by the grower. We should accept the legislation because it makes an advance in the right direction. I support the Bill.

Mr. MICHAEL (Light)—I, too, support the Bill, which is the result of negotiations between the Commonwealth and the various State Governments. For some time it has been felt by the wheatgrowers that it was not fair for them to supply a considerable quantity of wheat at the guaranteed price to the poultry and stock breeding industries throughout the Commonwealth and there have been negotiations to bring about a change in that position. Wheatgrowers agree that they have achieved a good deal through this legislation and consider that this Bill gives to them a considerably higher price for the quantity of wheat consumed as stock feed throughout Australia than that obtaining under the old system, but I voice my protest at the freight charge on wheat transported to other States being made a charge on the wheatgrower. The provision is mainly concerned with wheat shipped to Tasmania and Queensland, and I suggest it is just as illogical to expect wheatgrowers to stand the cost of that freight as it would be to expect the Queensland sugar producer or the Tasmanian apple grower to stand the freight on the shipment of his product to other States. Wheatgrowers in the wheatgrowing States are supplying to Queensland and Tasmania wheat in quantities required and which are not grown in those two States as readily as in the other States, because other forms of production bring far better returns. This Bill is the result of agreement reached only about a week ago and

the scheme has been a long time coming into being. Many objections have had to be overcome and the State Governments have now agreed with the Federal Government on a scheme which offers to the wheatgrower considerably improved conditions. When the legislation comes up again for review efforts should be made to rectify the anomaly existing with regard to freight charges.

Mr. CHRISTIAN (Eyre)—The ground has been well covered by previous speakers in this debate, and I do not propose to say much about the Bill, but it would be somewhat a lack of duty if a wheatgrowers' representative did not say a word or two on such an important measure. I register my strong objection to the provision that the producer pay for the carriage of his product to the consumer. If that principle is accepted in every other direction we will certainly have a peculiar kettle of fish before we are through.

Mr. O'Halloran—It is accepted in most other directions. If you send a truckload of cattle to the metropolitan area, the consumer does not pay the freight.

Mr. CHRISTIAN—Yes, but when a drum of fuel is sent to my district I—and not the company which markets it—pay the freight. The principle of making the producer of wheat pay the freight on its carriage to the consumer is a pernicious one.

The Hon. Sir George Jenkins—What about the freight of sugar from Queensland?

Mr. CHRISTIAN—I am aware that sugar is sold throughout Australia at a uniform price, but I have never heard that the Queensland producer of sugar has to meet the freight charge. I rather think it is met by the consumers of the Commonwealth as a whole as it should be in regard to wheat, but here, because wheat has always been made a political question by the various Governments concerned, we have this obnoxious principle introduced into this legislation. I have received a number of telegrams from various parts of the State asking me to oppose the principle of freight being paid by the Wheat Board on behalf of the producer. It would be a relatively easy matter to say that I will oppose it, but if this State does not pass this Bill the whole scheme of increasing the feed wheat price will fall to the ground. We are in the invidious position of having to accept a bargain to which this particular tag is tied.

Throughout the whole history of assistance to the wheat industry as far as I can remember whenever something has been given to the

grower something else has been taken away. He has never received a clear-cut benefit without tags. We cannot do much about this, because the advantages which will accrue from the Bill outweigh its disadvantages, therefore we have to accept it or go back to the *status quo* which represents something which has never been voluntarily accepted. Right from the beginning I have felt it was an injustice that the wheat industry should be asked to subsidize stock feed. I have always felt that if world prices had fallen below the guaranteed price the stock feeder would not have been a purchaser under the guaranteed price, but would undoubtedly have clamoured to get his stockfeed at world parity prices if they had been lower than the guaranteed price or he would have turned to other and cheaper grains.

The wheatgrower has been subsidizing Australian consumers throughout the years in which stabilization has been in force and has met every requirement of the Australian market; but can that be said with regard to other producers? Australia produces lead, zinc, and other base metals which are very important to its economy, but its requirements of those materials have never been adequately met. There has been a home consumption price, but those producers get around that restriction by starving the Australian market and exporting the bulk of their commodities to the profitable world markets where the price is more than double that ruling in Australia. What have Australian Governments done about that? Apparently they are quite powerless, but the wheatgrower is a good mark at all times and can be compelled to do what should be done in the interests of the Australian economy. The big producer of lead, zinc, and other base metals is not under that same compulsion but can do as he likes, and because of that pernicious inequality I raise a strong protest against the type of treatment meted out to the wheatgrower, as some condition always attaches to what he is given by way of advantage.

If freight is to be paid in the manner provided by the Bill, that principle should apply to all commodities. The wheatgrower is being singled out for special treatment, whereas the principle should be incorporated in other legislation. We do not get Tasmanian timber from Tasmania or Western Australia at a price which is free of freight, and we could make this a happier community by sharing our costs. The principle should be carried to its logical conclusion.

Mr. Pattinson—A start could be made by charging proper railway freights in our own State.

Mr. CHRISTIAN—That is being done right now. There was a time when concessions were enjoyed in regard to the rail carriage of stock and superphosphate, but freights have risen considerably since then. It should not be forgotten that the wheat producer has subsidized the Australian consumer by about £85,000,000. It is often stated that for some years the consumer subsidized the wheat industry, but the help given by the producer to the consumer far outweighs any contribution by the consumer. I give my qualified support to the Bill, for there is no option regarding the provisions I have mentioned.

Mr. HUTCHENS (Hindmarsh)—I am convinced that those members who have spoken in support of the Bill support it reluctantly and fearfully. The members for Ridley and Flinders said the Leader of the Opposition was incorrect in stating that the agreement provided that wheat for home consumption should be supplied at a price equal to the guaranteed price. On July 13, 1948, the Minister of Agriculture replied to a question by Mr. Michael that he had not seen a certain statement appearing in the *Advertiser* of that day about wheat stabilization but would make a statement in regard to the points that would be covered in a Bill to be introduced later in the session. He said, *inter alia*:—

The State Ministers agree to recommend to their Governments the passage of legislation necessary to ensure the home consumption price equal to the guaranteed price.

The Minister made no reservations, so it is clear that he was referring to the home consumption price for all wheat consumed in Australia. In moving the second reading of the Bill on October 26, 1948, the Minister stated:—

The present Bill is submitted in the confident expectation that it will provide a definite solution of the problem. We have had a poll of wheatgrowers which showed that a majority of the farmers are in favour of the proposal in this Bill. There is therefore a good reason to hope that the long-standing problem of stabilizing the wheat industry is now about to be settled. . . . South Australian farmers knew fairly well what was proposed by the scheme and they voted with reasonable knowledge of what they might expect from it if it were put into operation.

I therefore believe that the Leader of the Opposition had every justification for making the deductions which he drew from statements made at that time by the member for Ridley, who said:—

But the majority of wheatgrowers do not expect anything excessive. All they expect is something reasonable, and that is what is provided for in the agreement.

For the member for Ridley to say now that the growers accepted the agreement with some reservations leaves me bewildered. In October, 1948, he had the opportunity to voice any protests. If the wheatgrowers, whom he represents, had any complaints he failed in his duty in not voicing them in the House. The stabilization agreement of 1948 was to remain in operation for a definite period and the provisions of the Bill cut across the principle that the term of any agreement should be observed. The Wheat Stabilization Agreement will not expire for another two years. This legislation will only aggravate the inflationary spiral and result in a reduction in the production of wheat. Mr. Stott was right in supporting the 1948 scheme and stated that the Bureau of Agricultural Economics had considered the cost of production and would put forward a scheme to adequately recompense wheat farmers. Most people agree that any man who is reasonably compensated for his labours and outlay should be satisfied. My chief concern is that some members have said if we reject the Bill it will mean the death knell of wheat stabilization. In a letter published in the *Advertiser* recently Mr. A. O. Badman made an alarming statement. He said:—

In his broadcast over 5AD on Sunday Mr. Stott said that if wheat stabilization broke down and wheat were sold at world parity in Australia it would cost 20s. a bushel and that the cost of bread would be three times dearer than at present. That would mean that a loaf of bread which now costs 9½d. would then cost 2s. 4½d.

I believe that the acceptance of the Bill would be the death knell of wheat stabilization. If the plan breaks down many commodities needed in the home will rise steeply in cost. The argument that the grower should be permitted a higher price as an incentive is ridiculous, and this point was amplified by the Leader of the Opposition when he quoted statements by Mr. Retailic. Primary producers are enjoying unbounded prosperity, but because of high taxation they may restrict production, and the provisions of the Bill will have an alarming effect upon the State generally. I am afraid the Bill will have fearful consequences.

Mr. QUIRKE (Stanley)—The member for Glenelg, by interjection, said that this Bill is probably an illegitimate orphan whose parentage is now being doubted by everybody who has spoken on it. The main bone of contention seems to be that Queensland and Tasmania will receive wheat, the freight on which will be paid by Australian growers.

The trouble about this Bill is that the production and price of wheat have been treated differently from that of other grains. The measure deals only with wheat, but what about barley? The price of barley is about 18s. a bushel, and it would pay any producer to sell it and buy wheat for his pigs. Under the scheme the wheatgrowers of States producing a surplus will pay the freight to Queensland, but if growers in Western Australia wanted maize from that State they would have to pay the freight. The producer of barley is sitting on top of the world.

Mr. Pearson—He does not get 18s. a bushel for all his barley; that is the overseas price. The price of feed barley is about 8s.

Mr. QUIRKE—He would pay 12s. and be subsidized to the extent of 4s. 6d. for wheat. Basically this legislation is unsound because if we get 16s. 1d. for export wheat we shall inevitably get increased charges for goods imported. Four months ago I purchased 10 tons of Swedish cement inside the sterling block at £18 a ton, but last week this cement cost £28 a ton, and there were no shipments from Sweden in the interim. Whereas we had overseas credits of about £800,000,000, we are now having quarterly deficits of about £40,000,000.

Mr. O'Halloran—At that rate our overseas credits will vanish in two years.

Mr. QUIRKE—I doubt if they will last two years. I suggest that we adopt a system for fixing an internal price for Australian-produced commodities and get what we can on the overseas market for exported goods, together with a subsidy on imported goods. We would then get somewhere, but under this scheme there is no cessation of the upward spiral. Irrespective of the gain overseas, there is no benefit to the producer because the gain is reflected in the cost of imported goods. There will be no benefit until we realize that Australians should not be hit by values obtained outside Australia, and until then we will not be able to reduce internal costs. I will vote for the Bill but I cannot give it any praise because it will get us nowhere. To the farmer every article of machinery has increased in price. Machinery prices have doubled, trebled, and quadrupled, but there has been no more production. The increase in the cost of production is borne by the consumer. We should divorce the Australian economy from values obtained outside Australia, and it can be done. We have been doing the opposite with wheat from what we have been doing with wool. It has been said that of all

people the wheatgrower has paid the highest subsidy towards keeping down internal costs. The woolgrower has sold his wool in the open market in Australia where there has been competition amongst people stockpiling for war. There should be no difference in the treatment meted out to wheatgrowers and woolgrowers. Before we can bring down the price of bread or of a suit of clothes prices must be based on the Australian costs, with no relation to export prices. Until it is done we will get nowhere. I will vote for the Bill because there is no alternative except to vote against it, and that will do no good.

Mr. Moir—Throw it out.

Mr. QUIRKE—If the majority say it should be thrown out members will soon see where I stand. We must take it or leave it. Whilst we have the stupidity of the existing system such things as this must be supported; the system must be made to work, rotten though it is. The Bill is another futile attempt to make the system work, and we know how much its machinery groans and moans today. The passing of the Bill will not stop the moaning and groaning.

Mr. Fred Walsh—It will probably groan more.

Mr. QUIRKE—It is groaning so much now that it will not be able to groan any more. Perhaps the machinery will wear out and the whole thing collapse, and then we may be able to resurrect the best parts, but there seems little hope of that happening. We still have the same advisers who wrecked the country years ago, and they will wreck it on this occasion. We will get nowhere until we build something out of the wreck, which we will eventually have if we continue to pass legislation of this sort. Because we must try to bolster up the present position I support the Bill, but because of stupidity and the thrusting of mountain upon mountain in the end the system will collapse.

Mr. MACGILLIVRAY (Chaffey)—I suggest that the Bill has the wrong title. Its title is, "A Bill for an Act to amend the Wheat Stabilization Act, 1948." To me it seems like a Bill to save the face of the present Commonwealth Government, which has fallen down on pledges made to the electors during the last Commonwealth election campaign. The definite pledge was given that in the event of the Liberal-Country Party being returned it would set up a board to protect the interests of primary industries in the same way as there is a board,

the Tariff Board, to protect secondary industries. The present Commonwealth Government has defaulted in the most barefaced and insolent way. It has shown utter contempt not only for itself and its promises, but for the electors who put it in office. Mr. Quirke's remarks were related to fundamental financial matters. The responsibility of financing the wheat industry has been considered by the present Commonwealth Government to be too big a task, and it has passed the buck on to the consumers. This will add to the inflationary spiral. Bacon and eggs, the traditional food of Australian workers, have gone up in price, and so have dairy products, the protective foods of the people. Soon production for export will be impossible. These things are condoned by the Playford Government and its servile supporters when they give lip service to this legislation. It would be far better for the Playford Government, and all other Governments, to stand first on principles and not expediencies. It is said that this Bill has been introduced with good intentions. I do not question the good intentions of the Government or its supporters, but the passing of the Bill can add only to the inflationary spiral. Its introduction is a betrayal of the people of Australia, firstly by the Menzies Government, and secondly by the Playford Government. I have no hesitation in saying that this is the worst-drafted measure introduced during my 13 years in this place, and I have not seen a Bill accepted in the same way as this one is being accepted.

New subsection (2) in clause 4 gives the board an option in the sale of wheat, but new subsection (7) provides an opportunity for legal blackmail. This Bill blackmails the board, because in effect it has no option. That seems a strong statement for a member of Parliament to make, but the Bill is drafted in such a way that it can be used to blackmail the growers' organization. Since I have been a member of this House I know of no other legislation to have descended to such a low level. Under subsection (8) of section 14 in clause 4 the Governor may revoke a proclamation under the previous subsection if the board does not comply with that subsection. The other States would never have agreed to this legislation unless they had been bribed to accept it. All that Government supporters do is to make abject apologies for this legislation. I intend to oppose the second reading because I believe the Bill is bad in form and draftsmanship and is impossible of implementation. It will

lead to numerous abuses. Consider the clause which says that wheat can be bought for 12s. a bushel for feed for poultry, pigs and dairy cattle. Mr. Stott has pointed out that anyone with a few poultry, dairy cattle, or pigs and a big flock of sheep or several race horses could buy wheat ostensibly to feed the poultry, pigs, or dairy cattle, but in actual fact feed it to his race horses or sheep. Who will police this stupid, illogical, ill-reasoned legislation? Mr. Whittle has said that it is futile to pass legislation which cannot be policed, and Mr. Pattinson also stressed the view that it is not right for Parliament to pass legislation which cannot be implemented. I challenge the Premier or anyone else to tell me how this legislation can be properly policed. I consider it cannot be policed and that is why I say this type of legislation is a mockery of Parliament. If we keep on passing such legislation we will lay ourselves open to the charge that Parliament is simply a body which yields to pressure politics, and that pressure does not come from the wheatgrowers. I have tried to ascertain during the debate who asked for the legislation. As secretary of the Federal Wheatgrowers Association Mr. Stott should know, and he assured me it did not come from his organization. Who asked for this Bill?

Mr. Heaslip—The five other States.

Mr. MACGILLIVRAY—If that is so it is contrary to the principles enunciated by South Australia.

Mr. Whittle—Without wheat stabilization the flour miller would have to pay export parity for his wheat.

Mr. MACGILLIVRAY—The price of bread is one of the items considered in the fixing of the basic wage. In practice, the consumer does not pay an increased price for his bread because allowance for it is made in the basic wage. In effect the whole community pays for the wheat used for this purpose. That might be fairer than the blackmailing system suggested in the Bill.

Mr. Pattinson—All consumers do not get the advantage of a rise in the basic wage.

Mr. MACGILLIVRAY—Not directly, but indirectly. I have come to the conclusion that this is not a producers' Bill. I am arguing from the point of view of the wheatgrower and not the consumer. I take it that the object of the Bill is to support the wheat industry and have come to the conclusion that from now on growers' associations will be a menace to all forms of farm production. It is

obvious that without this type of legislation the wheatgrower would be better off. Mr. Stott takes the view that the pendulum will swing, but I do not think it will in the foreseeable future. We are living in an economy built up on the fear of war, which means the building up of our secondary industries. If anyone questions that, I refer him to the position in England during the last war when skilled farm workers were taken from their jobs and put into the army, but were later returned to their work on the farms because it was realized for the first time that the primary producer was in the front line of defence in any war. We have the position today that as a defence measure we must keep up primary production. Possibly the dried fruit industry would be far better off without the present organization, because the tendency of that organization has been to keep prices down. I was wondering whether we would not be better off without these primary producers' organizations. I remember the time when Liberal advocates believed in the law of supply and demand and the rights of private property. The point about this legislation is that it will be of doubtful benefit to wheatgrowers. It is a form of legalized blackmail and will be of no good to the workers. It would be better to let the wheatgrower sell his product on the open market. I oppose the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Home consumption price of wheat.'

Mr. STOTT—The member for Hindmarsh took me to task for not explaining the home consumption price of wheat. I call his attention to a statement I made in the House in October, 1948, when speaking on the Wheat Stabilization Bill. It was as follows:—

It is well-known that the industry has stated it does not regard the proposed legislation as completely satisfactory and has reserved the right to seek amendments.

That is a complete answer to Mr. Hutchens. He was complaining that I had not made it clear that the industry had made an agreement on the question of stock feed.

Clause passed, Title passed. Bill read a third time and passed.

Later the Bill was returned by the Legislative Council without amendment.

Sitting suspended from 6 to 7.30 p.m.

PUBLIC SERVICE ACT AMENDMENT
BILL.

In Committee.

(Continued from November 22. Page 1432.)

Clause 7—"Filling of vacancies by appointments from within the service," which Mr. O'Halloran had moved to amend by inserting after "amended" the following passage:—

"(a) by striking out subsection (3) thereof and inserting in lieu thereof the following subsection—

(3) If the Commissioner makes a recommendation in pursuance of subsection (1) of this section, he shall forthwith—

(a) inform the person recommended thereof;

(b) inform the board in writing of such recommendation, together with his reason or reasons therefor and submit to the board a list of the names of other applicants for the position;

whereupon the board shall—

(a) inform those other applicants of the recommendation and of the date on or before which an appeal may be lodged with the board; and

(b) cause to be published in the *Gazette* a notice intimating that the Commissioner has made a recommendation and prescribing the date on or before which an appeal may be lodged with the board.

(b) By striking out the word 'and' in line five of subsection (4) thereof and inserting in lieu thereof the words 'or any applicant'; and (c)."

Mr. O'HALLORAN—When I moved the amendment I tried to show with the best of intentions that I was not suggesting there was anything unfair in the present method of hearing appeals by the Public Service Board or that any unfair practices would accrue from the Bill, but I wanted the procedure not only to be fair but to appear fair. The Premier made a vigorous attack on my amendment and suggested that it was in some respects unnecessary because it dealt with matters of procedure which should be provided for by regulations and not necessarily be included in the Act. I point out, however, that there is no provision in the Act or in the Bill for such procedure to be provided by regulation so there is no great force in the Premier's objection. It is highly desirable that legislative provision should be made to separate the functions of the board and the Commissioner's department. The Premier's second point of objection to the amendment was that the Commissioner would have to give reasons for his recommendation whether an appeal was lodged or not, whereas appeals are lodged only in about 20 per cent of cases.

The Hon. T. Playford—Actually it is less than that.

Mr. O'HALLORAN—I take that figure for the sake of argument. The object in providing for the giving of reasons at the time of recommendation was to obviate any suspicion there might be that reasons are thought up only if and when an appeal is lodged. However, I would be quite prepared to make it necessary for the Commissioner to submit his reasons only when an appeal is lodged. The third objection by the Premier was that under my amendment the board would be usurping the Commissioner's functions in notifying applicants and in other ways, but there is a point at which the Commissioner's functions cease and at which the board's functions commence, and it is conceded that the board should commence to function when an appeal is lodged. The amendment could be drafted to provide for the Commissioner to make the necessary notifications prior to the lodging of an appeal. The Premier said that the right of appeal would be possessed by all applicants, but my argument is that owing to the emphasis placed on seniority, in giving senior applicants the right to appeal, the qualifications of junior applicants might easily be overlooked. Giving junior applicants the right of appeal would tend to induce the Commissioner to give more adequate consideration to qualifications than to seniority in determining his recommendation. In view of the possibility of greatly extended appeals if junior applicants were given the right of appeal, I propose not to press for that particular amendment.

I have always accepted the principle that in any appointments to the Public Service or indeed to any branch of the Government, the principle of seniority—all other things being equal—should prevail. I was actuated in my amendment by a desire to ensure that in providing the right of appeal to juniors their special qualifications would receive the consideration they merit as against the special qualifications of seniors who have the right of appeal, anyway, under the present law. The Premier's fifth objection was that the right of appeal would, as in the Commonwealth Public Service, extend to all officers, but my proposed amendment in no way resembles the Commonwealth system. Senior officers who do not apply for positions already have the right of appeal under the Act, although, as I pointed out previously, how they can know of a recommendation in the absence of any provision for

publication of the necessary information is difficult to understand. Provision for the publication of a notice in the *Gazette* (not the name of the recommended person) was intended to convey as much information as was necessary on this matter to enable any senior officer to take advantage of the existing provision. The Premier also referred to the inordinate delays which would be occasioned by extending the right of appeal, as proposed in my amendment, but I point out that delays are not unknown even in the making of a recommendation, and I refer members to *Hansard* of 1949, page 369, where a matter of this kind was ventilated in this House. Generally speaking, applicants for any particular job are generally qualified for it. There are very few nuisance or crank applicants, and there would be very few such appeals. The general purpose of the amendments was to make explicit provision for certain necessary procedure involved in the lodging and hearing of appeals not now provided for either in the Act or by regulation and to ensure that the Commissioner could not unduly influence the decision of the board on appeals.

If procedural matters are properly set out in regulations, there would, of course, be no need to include them in the Act. If the board is allowed to deliberate in camera, after hearing all necessary evidence, I would not object to any person, including the Commissioner, appearing before the board in the interests of any party to the appeal. In my amendment I tried to set out a more elaborate procedure which I thought was necessary in the interests of justice in the hearing of appeals, but I am prepared in view of the Premier's remarks, to withdraw that amendment in favour of another which would ensure that the board will hear the Commissioner or the departmental head or any witness in a position to give evidence in relation to an appeal, but that when the board is finally deliberating on an appeal and coming to its decision it shall do so without any of the interested parties, including the Commissioner or departmental head, being present. In other words, all parties concerned shall retire before the board finally determines its attitude on the appeal. The new amendment would read:—

To insert after “(c)” in proposed new subsection (5) of section 52—

After all parties and witnesses have withdrawn from the hearing.

Paragraph (c) would then read:—The board shall—

(c) After all parties and witnesses have withdrawn from the hearing determine

the appeal in such manner as it deems just having regard to the relative efficiency or in the event of equality of efficiency, the relative seniority of the appellant and the person recommended.

Amendment, by leave, withdrawn.

The Hon. T. PLAYFORD—I have no objection to the proposed new amendment; indeed, I believe the board now comes to its decisions in the absence of any interested parties.

Mr. O'HALLORAN—The Parliamentary Draftsman has suggested that my new amendment should read—

“After ‘(c)’ insert ‘after all parties and witnesses have withdrawn from the hearing.’”
I move that clause 7 be amended accordingly.

Amendment carried.

The Hon. T. PLAYFORD—I move—

After “seniority” in the fourth line of paragraph (c) to insert “as defined in subsection (11) of this section.”

This is purely a drafting amendment.

Amendment carried; clause as amended passed.

Clause 8 passed.

New clause 5a—“Power of Governor and Minister as to certain salaries.”

The Hon. T. PLAYFORD—I move to insert the following new clause 5a—

The following section is enacted and inserted in the principal Act after section 32a thereof:—

32b. Where the Governor or a Minister has power (express or implied) under this or any other Act to fix the salary of any person employed by the Government of the State, he shall also have power unless the Act expressly provides to the contrary—

(a) to vary any salary so fixed;

(b) to declare that the rate of salary so fixed or varied shall come into operation on the day on which it is so fixed or varied or on any day before or after that day.

The Governor or a Minister has the power to alter the salaries of certain officers, but not the power to make the adjustments operate retrospectively. Investigations often have to be made before altering salaries and as a result the increases in salaries of some officers lag behind others. The purpose of the new clause is to enable salaries to be varied retrospectively.

Mr. O'HALLORAN—I have no objection to the new clause provided it is to operate only when salaries are varied upwards. A distinct injustice would be done to officers if their salaries were reduced retrospectively.

The Hon. T. PLAYFORD—I agree with the honourable member's remarks, but I assure him that the Government does not intend to

reduce any officer's salary retrospectively. However, if the honourable member would like a provision drafted to safeguard the matter I suggest he consult the Parliamentary Draftsman.

Mr. O'HALLORAN—The Parliamentary Draftsman considers it is not desirable to introduce an amendment to that effect because it would complicate the position as regards a number of other Acts. I accept the Premier's assurance that this Government will not make any retrospective reductions in salaries.

New clause inserted.

New clause 7a—"Retirement of officers."

Mr. SHANNON—I move—

Section 57 of the principal Act is amended by adding at the end thereof the following subsection—

(3) Notwithstanding subsection (2) of this section the Clerks of the Legislative Council and the House of Assembly shall retire on the thirty-first day of December next after they respectively attain the age of sixty-five years.

A Clerk of the Legislative Council or House of Assembly who is over sixty-five years of age at the time of the passing of the Public Service Act Amendment Act, 1951, shall retire on the thirtieth day of June next after that time.

The Clerks of the Legislative Council and the House of Assembly are the only two officers with any connection with the Public Service not subject to a retiring age. The judges of the Supreme Court for many years enjoyed an unlimited term of appointment, but Parliament some years ago fixed for them a retiring age of 70. Even such eminent public servants as the Crown Solicitor and the Parliamentary Draftsman, who have high academic qualifications, must retire at 65. Section 57 (1) empowers the Governor, upon the recommendation of the board, to continue in office a public servant who is of great value to the State and whose retirement might cause embarrassment to the Government. During my term in Parliament I have known of cases where the term of leading public servants was extended to the advantage of the State. I want it clearly understood that in moving this amendment there is no suggestion that, irrespective of ability, everybody serving in this Parliament in an important office must arbitrarily retire at 65 years of age. It has been suggested to me that when an officer has passed through his apprenticeship and been appointed Clerk, the condition that there should be no retiring age should be binding. That has some force behind it, but there are young men

serving as Assistant Clerks in both Houses who, under the Public Service Act, must retire at 65. I gained my interpretation of the matter after a discussion with Mr. Bean. Section 57, subsection (2), of the Act refers to "Clerks of the Legislative Council and House of Assembly." The words "Clerks" has a capital "C," and I understand that the word has reference to the highest officers in Parliament. Some of our Assistant Clerks will retire at 65 unless appointed to the Clerkship. Under the law today one of the Assistant Clerks could step into the position of Clerk and choose his own time for retirement. It is time we did something to alter that position. Parliament is its own master and can do what it likes with legislation and its Clerks. It would be beneath the dignity of Parliament to remove one of its officers from his position, and I would not be a party to such a move. It is suggested that I am a party to it in moving this amendment, but that is not so. It is said that my proposal affects more than the present two Clerks, and that it will affect the present Assistant Clerks and others who may ultimately be appointed Clerks. With the help of the Parliamentary Draftsman I was careful to draft an amendment to interfere as little as possible with the work of Parliament. The first paragraph of subsection (3) says that Clerks of the Council and the Assembly shall retire on December 31 next after respectively attaining the age of 65 years. If a Clerk should be 65 in January he would carry on for almost a year before retiring on the next December 31. On the other hand, if the 65th birthday were early in December the Clerk would carry on for a short period until the end of the year. The next paragraph in the subsection is an attempt to avoid being unnecessarily harsh on any officer. I feel that there should be some notice in regard to the retirement. I do not want to cut the painter and leave an officer who has given able and valuable service for many years without any opportunity to arrange his affairs after retirement. I did not take up this matter lightly. I felt it was an essential duty for me to clarify the position for future Parliaments.

The Hon. T. PLAYFORD—The amendment firstly seeks to fix the retiring age for Clerks of Parliament, and secondly it deals with the present Clerks of Parliament. Recently the Public Service Commissioner was enabled to make recommendations in regard to the salaries of officers of Parliament. It was a good move

because there should be a review of the salaries and it should be made by a competent body which has a knowledge of the salaries paid elsewhere. Various Governments have approved the principle of a retiring age of 65 years for public servants. I do not object to it, but there have been times when it has not been in the public interest to adopt it. Under the Public Service Act there is a provision to deal with special cases. The Governor-in-Council can direct that a certain officer remain in the Public Service, but I think provision is limited to his reaching 70 years. The first part of the amendment cuts across that because it says an officer shall retire at 65. I should think that because of its language the amendment would override the present position applying to the Public Service. If we accept the amendment it would be a harsher condition than that applying to the Public Service. Generally, all previous appointments of Clerks of the House did not include any retiring age, and a person mapping out his career takes such a matter into account. From the point of view of administration the matter is also serious, as the amendment provides that any officer who is 65 at present will cease to occupy his position at June 30 next. It would not be a good time to retire a Parliamentary officer as Parliament would possibly be in session. Under present-day conditions it is usual for the Treasurer to seek Supply before the end of the financial year and therefore the House meets in June. In discussing this matter with me, the President of the Legislative Council said that we should not change officers of Parliament while Parliament is in session. Taking that into account, I believe the amendment should at least provide that the time of retirement of a Clerk of the Legislative Council or the House of Assembly who was 65 years at the time of the passing of the Act should not be before December 31, 1952, at which time the session would have concluded.

Mr. SHANNON—The Premier is right when he says that the Governor-in-Council can recommend the extension of the service of a public servant but the same provision would not apply to a Clerk of either House. I was previously under a wrong impression. I should like a similar provision in this instance, so that the board could recommend the retirement at 70 of a valuable officer. As regards the other part of my amendment, it was not my intention to provide for a specified retiring age so much as the need for notice of retirement to

be given to permit the officer concerned to make his own arrangements. The Clerk cannot just walk out of his office, but must leave everything in order for the incoming appointee. That was the object of the second part of the amendment. An incoming officer should start his work at the beginning of a session. The sessions held in June are usually only for passing Supply and the constructive work is not started until the following month.

Mr. LAWN—I suggest that the simplest way to give effect to the honourable member's intentions would be to move that subsection (2) of section 57 of the principal Act should be amended by deleting all the words after "Industrial Court." Then the board would have the right to extend the service of an officer.

The Hon. T. PLAYFORD—The honourable member is suggesting that the words "and the Clerks of the Legislative Council and the House of Assembly" should be struck out in the proviso which exempts them from the retiring age. I doubt whether that would clear the position up. At present these men are not officers of the Public Service. The provision was inserted in the Act to make it clear that the Clerks were not to be subject to the retiring age, whether they were in the Public Service or not. The amendment virtually seeks to bring officers of Parliament under the provisions of the Public Service Act and remove them from the control of Parliament. Members are under a great obligation to officers of Parliament, who give them instruction as to how and when they can move amendments and on other procedure, particularly in connection with money Bills. Up to the present Parliament has exempted Clerks from the provisions of the Public Service Act, but if it desires them to come under the same conditions as officers under that Act it would be necessary to insert after "65 years" the words "provided that the service of any such Clerk may be extended by a direction of the Governor made on the recommendation of the board in accordance with and subject to paragraph (1) of subsection (1) of this section." That would enable the services of any future Clerk, on attaining the age of 65 years to be retained if for any reason it were necessary. If it is desired that Parliament shall retain control of its own officers, then these amendments obviously introduce a condition under which Parliament does not control them. I doubt the wisdom of bringing the Public Service Board into the question of the control of Parliament's

officers. I point out that the age limit of 65 years is rather harsher than has been provided with regard to Public Service officers generally. Later I will move to delete the words "thirtieth day of June next after that time" and insert "thirty-first day of December, 1952." Then any alteration made as a result of this amendment would come into operation when Parliament would not be sitting rather than at a time when it is in session.

Mr. STOTT—I do not like the new clause as I believe Parliament should retain control of its officers who may have been influenced in their choice of jobs by knowing that they would not be affected by a retiring age. Yet after many years' experience and wonderful service Parliament is to say that they are to retire forthwith. If Parliament wants to impose a retiring age on the younger men I would no object, but it should not do so on the present holders of office.

The Hon. T. PLAYFORD—I move—

To delete "thirtieth day of June next after that time" and insert in lieu thereof "thirty-first day of December, 1952."

Mr. SHANNON—I offer no objection to this amendment.

Amendment carried.

The Committee divided on new clause 7a as amended—

Ayes (29).—Messrs. Brookman, Clarke, Davis, Dunn, Dunnage, Fletcher, Hawker, and Heaslip, Hon. C. S. Hincks, Mr. Hutchens, Hon. Sir George Jenkins, Messrs. Lawn and McAlees, Hon. M. McIntosh, Messrs. Michael, Moir, O'Halloran, Pattinson, and Pearson, Hon. T. Playford (teller), Messrs. Quirke, Riches, Shannon, Stephens, Tapping, Teusner, Frank Walsh, Fred Walsh, and Whittle.

Noes (2).—Messrs. Macgillivray and Stott.

Majority of 27 for the Ayes.

Clause 7a as amended thus inserted.

Title passed; Bill read a third time and passed.

SURPLUS REVENUE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 15. Page 1292.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill arises from legislation passed, I think, in 1938 to provide assistance in establishing the cellulose industry in South Australia. It was established at Snuggery, near Millicent, and although it encountered early

vicissitudes and was the first industry subject to inquiry by the Industries Development Committee, which was appointed by legislation passed after 1938, it has passed the teething stage and has become a profitable one, a consistent employer of labour, and a useful market for the thinnings of the softwood forests nearby. There seems to be some confusion about events relating to the establishment of the industry and there are one or two points that I find hard to reconcile. In the year 1937-38 the State had a surplus, and allocated portion of it to underwriting the share issue of Cellulose Limited up to £100,000. The share issue was more successful than anticipated and the actual amount involved in the guarantee was only £27,800. What became of the difference between £27,800 and £100,000 I have not been able to ascertain, but I assume it has gone the way of other sums and has become part of the State's general pool of finances and has been used either to finance some other activity or to assist in meeting subsequent deficits. The payment of £27,800 discharged the Government's obligation under the Act, or could it be interpreted otherwise? The Auditor-General refers to an amount of £100,000 which was guaranteed by the Government through an arrangement with the State Bank, with which the company has an overdraft, but it seems to me that these two amounts are separate items. I believe the guarantee to the State Bank was the result of an investigation conducted by the Industries Development Committee. However, no details were given in regard to this matter by the Treasurer in his second reading speech. One of the conditions under which the Government underwrote the company's issue of shares was that it should have representation on the directorate. Originally the Government had one representative and when further Government backing was afforded it became entitled to another.

In the early stages at least, the directors who represented the Government performed Herculean tasks in getting the company over its initial difficulties and placing it on a sound economic basis. The State Bank took over the company's overdraft from a private bank, subject to the guarantee I have referred to. Now that the company seems to have succeeded the Government proposes to relinquish all control over it. In my opinion the wisdom of this step is subject to serious doubt, but as was pointed out by the Treasurer there seems to be no alternative if the shares

of the company are to be listed on the Stock Exchange, as is desired by the board. The company believes it will be successful in its call for additional share capital without Government control. The shareholders will then be able to freely elect their directors, but if the company is likely to prove highly successful, should not the Government either take it over or acquire sufficient shares to have a controlling interest in it? Many industries are becoming monopolistic in their control and either the raw resources of the State are not being exploited to the full or difficulties are being experienced in their exploitation because of the problem of getting sufficient capital. I am a firm believer in co-operation but when great developments require large sums of money the only form of co-operation likely to succeed is that between the Government and private enterprise on the basis of Government holding a controlling interest. The Treasurer might have stated the proposed total capital of the company. I understand the Government will purchase 20,000 shares at par and this will give it a total shareholding in the company of £48,700. What relation will that bear to the total share capital of the company and what say will it give the Government in the appointment of directors? The Treasurer said when the new capital is raised the Government will be relieved of its guarantee of £100,000 it has given to the State Bank, and the company's account with the bank will then become a normal trading account. Surely the Government's guarantee is purely a voluntary one and could have been withdrawn at the pleasure of the Government after giving due notice? Despite the lack of information about this Bill, I see nothing objectionable about it, and support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Power to take up additional shares."

Mr. CLARKE—Can the Treasurer say what is the total subscribed capital of the company?

The Hon. T. PLAYFORD—I have not the information offhand, but the present subscribed capital is, I believe, £150,000. When the new arrangement comes into operation the capital will be much larger because it is proposed to convert the debenture holdings into shares. I think the assets of the company total about £600,000.

Clause passed. Title passed. Bill read a third time and passed.

INTEREST ON CROWN ADVANCES AND LEASES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 22. Page 1420.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill deals mainly with advances mentioned in an Appropriation Act of 1944. It sets out the activities of a semi-Government nature which are subject to Treasury loans, and they will be affected to some extent by the passing of this Bill. We must pass the measure because of the considered policy of the present Commonwealth Government on borrowings. We are reaching the position when those controlling the lending institutions are beginning to again get on top of the producing section. Nobody knows how far this will extend. I hope it will not develop any further, but when we see how things are going, and remembering what has happened in the past, we wonder about the future. The proposals in the Bill are eminently fair. They provide that the increased rate will not apply to any advance made prior to the issue of a proclamation about the increase. Under the Bill the present rate will be increased by one half of one per cent. Let us take an advance for the purchase of a home. The limit of advance is £1,900, and in order to pay off that sum under the Bill £85 10s. per annum interest will be paid instead of the present £76. The future purchaser of a home will be at a disadvantage. Rising interest rates will apply the brake upon borrowing for the building of houses by people who want to possess their own homes. Such people deserve every consideration. Interest rates fixed by other lending institutions will rise in sympathy with the rate fixed by the Government, but, as I have said, there is no alternative but to accept the Bill.

Bill read a second time and taken through its remaining stages.

WILD DOGS ACT AMENDMENT BILL.

Second reading.

The Hon. C. S. HINCKS (Yorke Peninsula—Minister of Lands)—The purpose of this Bill is to provide statutory authority to use funds raised by rates levied under the Wild Dogs Act for carrying out aerial baiting for wild dogs. The question of aerial baiting for wild dogs was raised late in 1950 by a deputation from the Vermin Districts Association. Subsequently, a letter was received from the Stock-owners' Association supporting the suggestion of the Vermin Districts Association, and later a letter was received from the Superintendent

of Stock Routes, Queensland, suggesting that this State should co-operate with Queensland in an aerial campaign which it was proposed to conduct in the north-eastern portion of South Australia. The States of Queensland and Western Australia first commenced aerial baiting campaigns in 1948. The Pastoral Board has been in touch with the authorities in those States and the information received indicates that aerial baiting in these States has met with some measure of success. In addition, aerial baiting has been carried out by some South Australian pastoralists and, whilst no spectacular results have been reported, the general consensus of opinion obtained from those interested is that this mode of attack on dingoes is well worth persevering with.

The Pastoral Board has recommended to the Government that the time has now come when this State should participate in an aerial baiting campaign and that this should be carried out over an experimental period of three years. Before making this recommendation the Pastoral Board discussed the matter with the Dog Fence Board which concurs with the recommendation. The Bill accordingly provides that during the calendar years 1952, 1953, and 1954, the Minister may expend up to £2,000 per year in the carrying out of aerial baiting operations for the destruction of wild dogs. The funds for this purpose will be derived from wild dog rates imposed on pastoral lands under the Wild Dogs Act. The last rate declared under the Act was 6d. per square mile. The maximum rate authorized by the Act is 1s. per square mile. It is estimated that a rate of 3d. per square mile will yield approximately £2,000 so that, if the present rate revenue is insufficient to meet the present costs of the Act and the costs of aerial baiting, the rate will need to be increased by up to another 3d. per square mile. It may be mentioned that such an increase in rates has been contemplated by the Vermin Districts Association. The Bill, of course, makes no provision for an increase in rates as, if an increase in the present rate is necessary, this can be done under the existing provisions of the Act. However, as the Act limits the expenditure on aerial baiting to £2,000 per year, it follows that, in practice, any increase in rates which may be necessary will not exceed 3d. per square mile. It is provided by the Bill that, in carrying out aerial baiting operations, the Minister may seek the advice of the Dog Fence Board. On this board are representatives of the Vermin

Districts Association and the Stockowners' Association so that the board is so constituted that representatives of the persons most concerned will be available to advise the Minister as to the manner in which the aerial baiting operations should be carried out. I move the second reading.

Mr. RICHES (Stuart)—This Bill comes to Parliament with the full knowledge and endorsement of the Vermin Districts Association and the Stockowners' Association, who are the people most vitally concerned and who will be responsible for the raising of funds. Although I am not very keen on it, the legislation appears to have received the endorsement of the Western Australian and Queensland Governments, and pastoralists in my own district endorse it. The Bill gives the Minister authority on the advice of the Vermin Boards, to make funds available for certain purposes, and I see no reason why it should be opposed. Members on this side do not oppose it, although it is considered that it could have been brought before the House earlier so that a little more study could have been made of its provisions. Often mistakes have been made in legislation pushed through in one day, because members are not given an opportunity to check the statements made by its sponsors. I have no reason to doubt the Minister's statement that the people interested have been consulted and have indicated their support.

Bill read a second time and taken through its remaining stages.

HEALTH ACT AMENDMENT BILL.

In Committee.

(Continued from November 22. Page 1428.)

Clause 3—"Tuberculosis."

Mr. O'HALLORAN—New section 146c in this clause begins:—

If the Director-General suspects that any person is suffering from tuberculosis he may by notice in writing signed by him or by any person acting under his authority require that person to attend at a time and place specified in the notice and to undergo such diagnostic examinations as the Director-General arranges.

I move to strike out "suspects" and insert "as a result of a report from the Central Board of Health believes."

No-one should, on mere suspicion, have the right to call people up for an examination which might result in very great inconvenience and personal loss. I do not think the adoption of my suggestion would weaken the protective provisions of the Bill in any respect, for at

present any medical man who treats a man suffering from tuberculosis has to notify the Central Board of Health of that fact, so the information on which the Director-General would act would be readily available to him, and it would remove the possibility of a person being reported for less worthy reasons and of action being taken as the result of such a report. I think my proposal is fair and reasonable.

The Hon. T. PLAYFORD (Premier and Treasurer)—A considerable time ago in a long debate the most dire results were forecast because of certain provisions in the legislation dealing with venereal diseases. I was said that people would be called up and put to shame with all sorts of evil results, but since that legislation was passed there has not been one question in the House, nor, as far as I know, one letter in the press, about it. The fact is that venereal disease has shown an almost unbelievable decline as a social disease in this community. None of the many critics of that legislation have been able to point to one case of abuse of the powers contained in it.

Mr. Pattinson—The Venereal Diseases Act contains safeguards not included in this Bill.

The Hon. T. PLAYFORD—Yes, because it is a grave reflection on a person to allege that he has contracted venereal disease. A moral question arose in that case, but none of the consequences which were so feared in that case have arisen. This amendment deals with the power of the Director-General of Health to order the examination of persons suspected of suffering from tuberculosis. The Bill in its present form provides that if the Director-General "suspects" that a person is suffering from tuberculosis he may order him to be examined. The amendment provides that before ordering an examination the Director-General must, as a result of a report from the Central Board of Health, "believe" that the person to be examined is suffering from the disease. This amendment may make the clause unworkable. The word "believe" indicates that the Director-General would have to have a fairly high degree of certainty that a person was suffering from tuberculosis before he could order an examination. It is doubtful whether that degree of certainty could be attained before the examination had been held. Furthermore, there is no special value in requiring a report from the Central Board of Health before an examination is ordered. The board would, in the great majority of

cases, have no first-hand knowledge of the suspected sufferers. Any knowledge it might have would probably be obtained from or through the Director-General. There is therefore no point in requiring the board to report to the Director-General. The amendment would weaken the Bill, with no compensating advantages, so I ask the Committee not to accept it. This legislation has been adopted in other States.

Mr. O'Halloran—In how many?

The Hon. T. PLAYFORD—In Tasmania and Queensland for certain, and I hope it will be adopted as the general standard in all States. Tuberculosis can be wiped out if tackled resolutely. I suggest that the Bill be given a chance to prove itself.

Mr. SHANNON—It is impossible for one man, or group of men, to have a complete knowledge of the incidence of disease throughout the State, so it is essential that authority be vested in a person who would only act upon the evidence he gathered through his department.

Mr. O'Halloran—What sources would be tapped?

Mr. SHANNON—If a doctor in a country town were treating a person for tuberculosis he could inform the authorities of the fact and other members of the household could be examined. In other words, the Director-General would act upon the advice of a responsible officer whom he must trust. The amendment would unnecessarily complicate the machinery of administration. Obviously, the Director-General would not have been appointed to his office had he not held the necessary qualifications and the goodwill of his fellow members on the board, so his recommendations would be accepted.

Mr. PATTINSON—I suggest a middle course between the amendment and the attitude of the Premier. To some extent I share Mr. O'Halloran's fears about the use of "suspects." The word is too ambiguous. The Venereal Diseases Act is a good one, and section 4 states:—

If the chairman is satisfied that there are reasonable grounds for suspecting that any person is suffering from venereal disease, he may, by order in writing, require the person so suspected . . .

Perhaps the Premier will agree to striking out "suspects" and inserting "is satisfied that there are reasonable grounds for suspecting." Several other Acts state that before any public officer can take drastic action he must not only suspect certain things but have reasonable grounds for his suspicion.

The Hon. T. PLAYFORD—I am happy to accept the suggestion. I do not think anyone would want the Director-General to take arbitrary action; indeed, it has not been suggested that he would. On the other hand, we should not place him in such a difficult position that he could not take any action at all. I think Mr. Pattinson's suggestion is reasonable.

Mr. MACGILLIVRAY—The matter is not important because, however it is worded, the method embodied in the Leader of the Opposition's amendment will be used in practice. The chairman of the Central Board of Health will make recommendations to the Director-General, and whatever action is taken will be on the advice of the central board. I was somewhat annoyed that the Premier, after making a special plea to the committee and saying that the amendment of the Leader of the Opposition could not work, stated that the Venereal Diseases Act was a wonderful piece of legislation. The provisions of the venereal diseases legislation are carried out under the instructions of the Central Board of Health. If we accepted the amendment moved by the Leader of the Opposition the Bill would work efficiently, but if he accepts Mr. Pattinson's proposal, in which I can see no real virtue, I will not object to it.

Mr. O'HALLORAN—Although Mr. Pattinson's proposal does not go so far as my amendment was intended to go, it meets my objection to the provision to a considerable extent and I ask leave to withdraw my amendment; then I shall move to delete "suspects."

Leave granted. Amendment withdrawn.

Mr. O'HALLORAN moved to delete "suspects" from subsection (1).

Amendment carried.

Mr. PATTINSON moved—

To insert in lieu of "suspects" the words "is satisfied that there are reasonable grounds for suspecting."

Mr. MACGILLIVRAY—How will the Director-General satisfy himself on this matter? Is it suggested that he would act without having reasonable grounds for suspecting? The amendment should not be accepted because it means nothing. I would have supported Mr. O'Halloran's former proposal because it meant that the Central Board of Health would report to the Director General. The present amendment is simply a play on words.

Mr. PATTINSON—Judges of the Supreme Court, and judges of other courts in Australia, including the High Court, have a better understanding of those words than has the honourable

member. It is not a play on words. There is a difference between a police officer suspecting that a law-abiding man is in possession of stolen goods and a police officer being satisfied that there are reasonable grounds for suspecting. For generations Great Britain, which includes Scotland, has taken ample precautions to insert this valuable safeguard in legislation as a protection to the public. In 1947 this House copied the words into a Bill dealing with venereal diseases.

Amendment carried.

Mr. O'HALLORAN—I move—

To delete "twenty-five" from subsection (5) of new section 146c and to insert "five."

The penalties mentioned in this subsection are too severe. The penalty for a first offence in failing to comply with the requirements of a notice is £25; I think it should be reduced to £5. With the short notice of 14 days provided it is possible that recipients in the more sparsely-settled parts of the State would not receive it before the notice period had expired. In any case, new section 146d provides for the enforcement of an order for individual examination. For a second offence the penalty is £50; I shall move later to reduce it to £20.

The Hon. T. PLAYFORD—The penalties should be sufficient to make a person observe the law. The subsection contains maximum penalties and the court could impose lower penalties if thought necessary. I suggest to the Leader of the Opposition that he move to make £10 the maximum penalty for a first offence and £25 maximum for a second offence. If the penalties are too low people will not regard the matter as important.

Mr. O'HALLORAN—I ask leave to amend my amendment by deleting "five" and inserting "ten"

Leave granted; amendment so amended.

Mr. MACGILLIVRAY—I am sorry the Leader of the Opposition has amended his amendment. I look upon this as a most obnoxious provision. When, in the second reading debate, I indicated that I favoured people being apprehended and put into hospital for treatment, Mr. Pattison asked whether I was in favour of brute force being used on a sick person. That was twisting my words. If the honourable member saw a mentally sick person standing on the edge of a precipice or the parapet of a bridge and it was obvious he intended to take his life, would he not use brute force to stop him? That is my attitude to this measure. If a person is so ill that he

is unable to come to a considered judgment and accept the assistance of the authorities, then we must step in and save him from himself and also from infecting the community. What sense is there in taking such a man before the court and fining him? I am sorry to see the word "apprehension" used, because it brings the policeman into it. It would be better to use the term "taken into protective custody." Sick people should not be fined, as that will not help their position. Many people suffering from tuberculosis come from homes where no facilities exist for segregation, and generally such persons are not in a position to pay fines. To inflict a fine upon such a person could affect the standard of living of his family. It is necessary to counteract this disease by building a person up, but how is it going to be done if we reduce his spending power by fining him? I consider this provision the ultimate of stupidity. The policeman mind is being introduced into this legislation. The Bill goes further than the provisions in the Act dealing with venereal disease. If necessary, let us put a man into hospital for treatment for his benefit and the protection of the community, but do not let us rob him before doing so, because often such people are not in a position to judge whether they should be put into hospital or not. Even the reduction of the fine as suggested by the Leader of the Opposition does not meet my objection to the clause and I ask the Committee to reject it.

Mr. SHANNON—The honourable member admits quite openly that the whole clause is obnoxious and he is opposed to any form of penalty. He says that a sick person should not be penalized, as this would reduce his standard of living because he could not pay his fine and at the same time afford to meet the expenses involved in improving his health. The authorities charged with the administration of this Act will be put to some expense in discovering who the sufferers are. I hope the member realizes what would be the cost involved in transporting patients from various parts of the State for treatment. It is obvious that the penalty clauses are not intended to be punitive clauses.

Mr. Macgillivray—Twenty-five pound is not punitive?

Mr. SHANNON—The fine is not to exceed £25. If a recalcitrant person were trying to avoid his obligation under the law by refusing to have himself examined, thus negligently or wilfully spreading contagion among innocent

people, would Mr. Macgillivray say that such a man is not guilty of an offence against the public health and welfare of the State? In such an event a fine of £25 would not be too much. Mr. Macgillivray was pleased to accept the Venereal Diseases Act as having all the virtues except in regard to penalties, and I cannot find one penalty mentioned in that Act lower than £50. In fact, for knowingly affecting another person with venereal disease there is prescribed a penalty not exceeding £50 or imprisonment not exceeding six months or both. If such an offence is proved surely such a penalty is justified.

Amendment as amended carried.

Mr. O'HALLORAN—I move—

To strike out "fifty" before "pounds" in subsection (5) of proposed section 146c and insert in lieu thereof "twenty-five."

This means that for a second or subsequent offence a fine not exceeding £25 may be imposed.

Mr. MACGILLIVRAY—These penalties are imposed on people failing to comply with the notice issued by the Director-General. The member for Onkaparinga suggested there are punitive provisions in the Venereal Diseases Act, but that is not correct. That Act authorizes a magistrate to issue a warrant for the apprehension of an offender without first fining him.

Mr. O'Halloran—That would make it tougher on the patient.

Mr. MACGILLIVRAY—The person who is not willing to be examined probably needs guidance. I oppose the amendment, which is not in the interests of a sick person nor of the community at large.

Mr. QUIRKE—I support the member for Chaffey. Mr. Shannon suggested that the purpose of this provision was to recoup the Government for any expenses which might be incurred.

Mr. Shannon—I did not say that.

Mr. QUIRKE—If that is not the correct interpretation of the honourable member's remarks I will apologize with the greatest of pleasure. This is a matter of fines, and there is no penalty of the same sort in the Venereal Diseases Act. Subsection (1) of proposed section 146d states:—

If a person served with a notice under the preceding section fails to attend for examination in accordance with the notice the Director-General may apply to a special magistrate for the issue of a warrant for the apprehension of that person.

However, proposed section 146c provides that any person who fails to comply with the notice

may be fined. Why provide for a fine? An offender should be apprehended because that will ultimately have to be done. I see no reason for departing from the procedure laid down in the Venereal Diseases Act. These provisions apply only to the person who takes no notice of the order and who must be apprehended ultimately. Why not apprehend him immediately?

Mr. Pearson—At least he has the opportunity to attend after being fined.

Mr. QUIRKE—If a fine has made him sufficiently rebellious he may not comply with the order and may have to be picked up. I see no necessity for the fine.

Amendment carried.

Mr. O'HALLORAN—I move to strike out proposed new section 146e. This section deals with the examination of classes or groups. Subsections (1) and (2) state:—

(1) The Minister may, from time to time by notice order that any groups or classes of persons specified in the notice shall submit themselves to examination of the chest by X-ray in accordance with the provisions of the notice.

(2) Any group or class of persons to which a notice applies may be described in the notice by reference to their ages or the nature or place of their occupations, or the name of their employer, or their place of residence or country of origin, or the alphabetical group in which their names fall, or in any other way the Minister thinks proper.

The provisions of that subsection are extremely wide. The section continues—

(3) Every such notice:—

(a) shall be published by advertisement in a newspaper circulating in the locality in which the examination is to be held;

(b) shall specify the time at which or the period during which, and the place at which, persons specified in the notice shall attend for examination;

(c) may provide for any matters necessary or convenient to be provided in order to ensure that the persons specified in the notice shall attend for examination and that the examination shall be properly carried out.

Subsection (5) states—

A person who fails to comply with any requirement of a notice given under any provision of this section shall be guilty of an offence. Penalty—For a first offence, a fine of not more than twenty-five pounds; for a second or subsequent offence, a fine of not more than fifty pounds.

It seems that every person in the community may, on the decision of the Minister, be compelled at some time to subject himself to

compulsory examination of the chest. People may be divided into any of the multifarious classes contemplated in proposed new subsections (1) and (2). It was suggested in another place that it might be advisable to call up certain classes of migrants for examination, but that is a weak argument because we have been assured by the Commonwealth authorities that migrants are medically examined before coming here. We should give the voluntary X-ray survey an opportunity to prove itself before embarking on compulsory measures. Under the proposal a person's working hours could be dislocated and he could be involved in costs in making trips for examination. Further, many people do not read the public notice columns in the press and might very well be penalized under the proposed new section 146e, which is wholly bad.

The Hon. T. PLAYFORD—This is the most important provision in the Bill, and one that will gradually bring tuberculosis under control. Obviously, the Minister will not specify any classes of people for examination unless it were desirable for a special purpose. Generally speaking, the compulsory powers under the Bill affect three groups of people. The first is the general public, in so far as they may be required to undergo X-ray examinations. Thousands are doing so now voluntarily, but members of important groups are being missed. There are new arrivals from overseas who, through ignorance, might not know anything about the matter. Then there are persons charged with the care of children and other groups who are exposed to or are likely to expose others to a special risk. In other words, we will first X-ray those who could be a danger to others. It is essential that these people should be examined if tuberculosis is to be eradicated. Secondly, there are persons who are suspected of having tuberculosis and who may, under the Bill, be required to submit themselves for further examination. Experience has shown that three out of every hundred who have a small X-ray reveal some shadow or some suspicion of an abnormal condition of the lung. Of the three, two are generally found to be normal. At this point we have eliminated 99 per cent of the population leaving only 1 per cent. Only three people in 100 are called upon to have a further examination. The remaining 1 per cent, under the voluntary system, are informed that there is an abnormal shadow and are asked for the name of their private doctor. He is given a full report and offered the film, if he desires it. If he finds active tuberculosis, the law

here, as elsewhere, requires him to report the case to the Health Department. If suspicions of tuberculosis are not confirmed or the shadow turns out to be only an old scar he is asked to report the facts so that no further action will be taken. If the X-ray suggests some other disease, such as heart trouble, the doctor is not asked for a report.

The great majority of this 1 per cent of people originally X-rayed accept these further examinations at the hands of their own doctor, or the chest clinic, but there is a small number, perhaps one in a thousand of those X-rayed who, notwithstanding that something suspicious has been found, fail to have further tests. It is the people in this small group who do much to nullify the present voluntary campaign and who remain an important potential menace until their examination is completed. The Bill provides that the Director-General may issue a notice to such persons to complete an examination that has already aroused reasonable medical suspicion. The present practice of having these X-ray findings made available in the first instance only to the doctor nominated by the patient will, of course, continue and further examinations will continue to be done by these private doctors unless the patient and the doctor request that they be done by the chest clinic or a Government hospital. This provision is not a trivial one. At present there are about 2,000 known tubercular sufferers in South Australia. Last year 132 died and 363 new cases were reported, and several hundred sufferers were pronounced fit again. Of the 2,000, about 450 occupy beds in the State hospitals, repatriation hospitals, and other sanatoriums, and the remainder are under treatment by private specialists, or by general practitioners in collaboration either with a specialist or the chest clinic. That indicates the problem we are up against and it is not possible at present to have a complete X-ray of the whole of the community.

Mr. Macgillivray—How do you propose to carry out this legislation?

The Hon. T. PLAYFORD—We propose to use it in connection with persons likely to transmit the disease, if suffering from it, to others. People handling foodstuffs would be included, for instance. Secondly, people attending to children, such as those engaged in a children's home, would be examined.

Mr. Macgillivray—Other Governments have not the same penal clauses as are proposed here.

The Hon. T. PLAYFORD—Some Governments have already given effect to the legislation. I hope the Committee will not accept the amendment.

Mr. FRANK WALSH—It is not desirable to compel certain classes of people to be X-rayed. The Premier admitted that many people voluntarily submit to X-ray examinations. We have given the Director-General power to have suspected persons examined and, if necessary, detained, and that is sufficient. Does the Premier suggest that groups of employees in the manufacture of food be compulsorily X-rayed?

The Hon. T. Playford—Take a milk distributing plant.

Mr. FRANK WALSH—Would all the employees in the plant have to be compulsorily X-rayed?

The Hon. T. Playford—All those handling milk.

Mr. FRANK WALSH—Then all people on dairy farms producing milk would have to be X-rayed.

The Hon. T. Playford—Yes. Should not the members of a committee distributing milk to school children be X-rayed?

Mr. FRANK WALSH—That means that everybody associated with the manufacture and distribution of food must be X-rayed. I do not think a sufficiently good case has been made out to justify compulsory X-ray examinations. There should be a further trial of the voluntary system, under which better results would be achieved. The new section is not desirable in the interests of people who should be X-rayed. A system of compulsory examinations would be impracticable; I prefer the voluntary system.

Mr. MACGILLIVRAY—I am surprised that the Opposition should oppose this provision because it is intended to prevent the spread of tuberculosis. I had a voluntary X-ray examination for two reasons. One was to see whether I had the disease and the other was to see how a member of the general public would react to the examination. I came away satisfied about my health and the expeditious and courteous way in which the examination was carried out. I would like to see everybody in South Australia X-rayed. The Premier said that one of the first groups to be examined should be those handling food, but I thought school children should also be amongst the first. If the younger generation is free from T.B. we will have a healthy adult population. It is hard to follow the

reasoning of the Opposition in this matter, because this is one of the preventive provisions in the Bill. The nursing profession is examined regularly, which is a good idea, and it should be extended. The penalties in this new section should be altered to agree with those accepted earlier.

The Hon. T. PLAYFORD—The suggestion of the honourable member to bring the penalties into line with other penalties is reasonable, and I suggest that Mr. O'Halloran temporarily withdraw his amendment so that I may move an amendment.

Mr. O'HALLORAN—I ask leave to temporarily withdraw my amendment.

Leave granted; amendment withdrawn.

Hon. T. PLAYFORD—I move—

In subsection (5) to delete "twenty-five" and insert "ten" in lieu thereof.

This will mean that for a first offence a fine of not more than £10 may be imposed.

Amendment carried.

The Hon. T. PLAYFORD—I move—

In subsection (5) to delete "fifty" and insert "twenty-five" in lieu thereof.

This will mean that for a second or subsequent offence a fine of not more than £25 may be imposed.

Amendment carried.

Mr. O'HALLORAN—I now move again the amendment which I temporarily withdrew—to strike out section 146e.

Amendment negatived.

Mr. FRANK WALSH—In the event of persons being detained for treatment at a hospital under proposed section 146f, what steps will be taken to confine them to such hospital? If they do not desire to proceed with medical treatment, will they be compelled to receive it? In the event of their breaking certain regulations, what protection will be provided for the nursing staff of those hospitals?

The Hon. T. PLAYFORD—This provision is necessary for the Bill, but I think it will be used rather sparingly. It has been found that the fact that there is such a provision in the Venereal Diseases Act has completely altered the outlook of people suffering from those diseases. Instead of being recalcitrant they have become reasonably-minded with regard to treatment, and I expect that this provision will have the same effect. The proposed section provides that patients shall be moved to an institution agreed upon by the patient and the Director-General, and there is no desire on the part of the Government to

place undue limitations on patients. It is merely desired that sufficient steps will be taken to see that they do not remain a source of potential danger to others. People suffering from diseases much less serious than tuberculosis have to go into quarantine as a natural course without any argument and there is nothing unusual in this provision which is designed to remove infection cases who will not co-operate with the authorities.

Mr. O'HALLORAN moved:—

In subsection (1) of proposed section 146l to delete "fifty" and insert "twenty-five."

Amendment carried.

Mr. MACGILLIVRAY—What is the Government's intention with regard to paragraph (b) of proposed section 146e, which states:—

If a person who attends or is brought to a place for examination pursuant to this Act refuses to submit himself to examination the medical practitioner or any other person appointed to conduct the examination may, with the aid of any persons acting under his instructions, use any means necessary to conduct the examination.

Does this provision envisage the use of brute force?

The Hon. T. PLAYFORD—The clause refers to the use of X-ray and other equipment and the services of persons to assist in the conduct of such examinations.

Mr. Macgillivray—Do you not think any force could be used?

The Hon. T. PLAYFORD—I do not think the use of any undesirable force is intended. It refers to a person who may object to the use of certain equipment in an examination.

Mr. O'HALLORAN—I move—

In subsection (2) of proposed section 146l to delete "fifty" and insert "twenty-five."

This means that if any person obstructs or interferes with any person conducting or assisting to conduct any examination under this part he shall be guilty of an offence and liable to a fine not exceeding £25.

Amendment carried.

Mr. O'HALLORAN moved—

In proposed new section 146n, paragraph (d), to strike out "fifty" and insert "twenty-five."

This deals with the penalties for breach of regulations.

Amendment carried; clause as amended passed.

Remaining clause (4) and title passed.

Clause 3—"Examination of individual suspects"—reconsidered.

Mr. MACGILLIVRAY—I strongly support most of the provisions of proposed new section 146c, but object to the penal clauses, for they will not enlist the sympathy of sufferers. The Bill is not a criminal measure, and I do not think members wish to punish anybody for contravening any of its provisions. Under the Venereal Diseases Act persons are taken into protective custody. They are not taken to court, perhaps time after time, as is envisaged in the Bill before us. I therefore move—

To strike out subsections (5) and (6) of proposed new section 146c.

The Committee divided on the amendment:—

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

Noes (23).—Messrs Brookman, Clarke, Davis, and Hawker, Hon. C. S. Hincks, Mr. Hutchens, Hon. Sir George Jenkins, Messrs. Lawn and McAlees, Hon. M. McIntosh, Messrs. Michael, Moir, O'Halloran, Pattinson, and Pearson, Hon. T. Playford (teller), Messrs. Riches, Shannon, Stephens, Tapping, Teusner, Frank Walsh, and Whittle.

Majority of 19 for the Noes.

Amendment thus negatived. Clause as previously amended passed.

Bill read a third time and passed.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

TRAVELLING STOCK RESERVE: NORTHERN AREAS.

The Legislative Council intimated that it had agreed to the House of Assembly's resolution.

WRONGS ACT AMENDMENT BILL.

In Committee.

(Continued from November 20. Page 1341.)

Remaining clauses (3 and 4) and title passed. Bill read a third time and passed.

TRESPASSING ON LAND BILL.

Consideration in Committee of Legislative Council's amendments—

No. 1. Page 1, line 16 (clause 4)—Leave out the letter “(a).”

No. 2. Page 1, line 17 (clause 4)—Leave out the letter “(b)” and insert “(a).”

No. 3. Page 1, line 18 (clause 4)—Leave out the letter “(c)” and insert “(b).”

No. 4. Page 1, line 19 (clause 4)—Leave out the letter “(d)” and insert “(c).”

The Hon. Sir GEORGE JENKINS (Minister of Agriculture)—These are drafting amendments. Their purpose is to alter the paragraphing and printing set-up of the definition of “enclosed land.” In my view the amendments do not alter the meaning of this definition as amended by the House of Assembly, but merely set it out in a way which the meaning is more easily apparent. As the amendments are an improvement to the Bill and do not alter its policy, I move that they be accepted.

Amendments agreed to.

AGRICULTURAL SEEDS ACT AMENDMENT BILL.

(Continued from November 1. Page 1078.)

The Hon. T. PLAYFORD (Premier and Treasurer) moved that the Bill be read and discharged.

Bill read and discharged.

INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT BILL.

(Continued from September 25. Page 668.)

The Hon. T. PLAYFORD (Premier and Treasurer) moved that the Bill be read and discharged.

Bill read and discharged.

ADJOURNMENT.

At 11.45 p.m. the House adjourned until Wednesday, November 28, at 2 p.m.