HOUSE OF ASSEMBLY.

Wednesday, November 28, 1951.

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

FEED WHEAT PRICES.

Mr. O'HALLORAN—I have been reliably informed that when a retailer was approached this morning for the purchase of a bag of wheat he asked if it was urgently needed, and when informed that it was not, told the customer that this month's quota had been exhausted and supplies would not be available until next week. Of course, the increased price will operate from next week. I ask the Minister of Agriculture how the Government proposes to ensure that stocks of feed wheat held by merchants and purchased on the basis of 7s. 10d. a bushel will not be held until December 1 and then sold on the basis of 12s. 1d.?

The Hon. Sir GEORGE JENKINS—The matter is entirely one for the Australian Wheat Board, which owns the wheat and is responsible for its conditions of sale. I will refer the question to the board and let the honourable member have a reply in due course.

Mr. HEASLIP—Is it not a fact that the Australian Wheat Board as the trustee or agent of the wheatgrowers has a duty to sell their wheat to the best possible advantage? Would it not be failing in its duty if, where there is no urgent demand for the wheat, it did not obtain the best possible price for it?

The Hon. Sir GEORGE JENKINS—I cannot set up as an oracle to criticize the doings of the Australian Wheat Board which is a body appointed by the Commonwealth Government to handle the wheat produced in Australia. Within the limits of the law which contains certain provisions regarding such matters as the sale of wheat for home consumption, I would say it is its duty to get the best possible price, but—and I venture this opinion very timidly—I do not think it would be proper, where people want wheat for poultry, sheep, or pig feed, to withhold that wheat with the idea of getting a better price.

Mr. STOTT—Has the attention of the Minister of Agriculture been drawn to a statement in this morning's *Advertiser* that the new cost of production price of wheat will be 10s. 1d. a bushel? Is this to be the official price or could it be more correctly interpreted as an unofficial and unauthorized statement, because the official price has not yet been announced from Canberra?

The Hon. Sir GEORGE JENKINS—I noticed that report, and it was a complete surprise to me, for I thought the proper course would be for the Federal Minister for Commerce and Agriculture to communicate with each State Government advising it of the proposed price and seeking its concurrence. I have no knowledge of the suggested price of 10s. 1d. and imagine that somebody is doing a little kite flying.

COMMITTEE ON SEXUAL OFFENCES.

Mr. MOIR—Was the Premier correctly reported when he stated that the committee on sex offenders and sex offences recommended that further consideration be given to the report when the Assistant Crown Solicitor returned from abroad after making further investigations? Is the Premier aware that the officer referred to returned to South Australia some months ago and that the Chief Secretary had thanked those on the committee and stated that there was nothing further to add to the report from the Acting Crown Solicitor? Will the Premier state when members may have the report?

The Hon. T. PLAYFORD—I was correctly reported; I verified my statement by the report that was received, and the Assistant Crown Solicitor has been asked to furnish a report as suggested. That has not yet been received, but when it is it will be considered.

AUSTRALIAN STEEL PRODUCTION.

Mr. RICHES—For several years the Director of Mines has included in his annual reports to Parliament recommendations that South Australia should pay more attention to the production of steel within the State. This year, as an addendum to his annual report, he supplied a special survey of the iron and steel industries throughout Australia. It was really a plea for a much greater expansion of steel production of Australia, and particularly urged the establishment of a completely integrated steelworks at Whyalla without delay. The director made a complete survey of the demand in Australia for steel, of the known shortages, and of the economic effect on industry in Australia of having to import steel from overseas, which represents an annual charge of £20,000,000 more than the cost of Australian steel. He estimates that these extra costs would have increased to £40,000,000 per annum if this country could have imported as much steel as it needed. He believes the expansion of the industry could be accomplished within two or three years "by co-operative action." Has the

Government had an opportunity of considering his recommendations and, if so, can the Premier say what action, if any, the Government is taking to give effect to the director's recommendations?

The Hon. T. PLAYFORD—The matters raised cannot very well be dealt with adequately at question time because they involve big issues of policy. The report of the Director of Mines has been examined by the Government, but there are one or two inescapable difficulties in regard to the coal and steel position today which have not been dealt with in the report. Firstly, Australian steel production is less than what it was in 1939; in other words, the existing plant is not being effectively used. This is the result of dislocation of the coal industry, causing coal shortages. There have been continuous disruptions in the industry and many internal disputes. Secondly, the transport systems of Australia cannot cope with the volume of commodities to be handled. Until we have an assured coal supply, sufficient to work not only existing plant but additional plant also, it is futile to try to get anyone to establish new plants as there would not be sufficient fuel for them. I agree with the honourable member that it is a national tragedy that today we are importing steel at prices which are in some instances 400 per cent or 500 per cent higher than the local price, but that arises out of conditions which, unfortunately, cannot be solved by any action in this State.

TREATMENT OF POLIOMYELITIS PATIENTS.

Mr. WHITTLE—Some weeks ago the member for Stanley made statements in regard to the treatment received by poliomyelitis patients at the Northfield Hospital. In reply to a recent question by the honourable member the Premier said that a report, following on the inquiries, was available and that he would convey to the honourable member the result of those inquiries. As a number of constituents of mine who live in the district and are on the staff of the hospital are concerned as to whether this statement will be given publicity, and as this is the last day on which Parliament will meet for some months, can the Premier make a report concerning the accusations made and, if not, when the report is available will publicity be given to the findings of the inquiry?

The Hon. T. PLAYFORD—I have now received from the Minister of Health a number of reports on this matter. They take the form of statements made, following an interview, by the two persons mentioned by Mr. Quirke. Statements have also been obtained from persons at the hospital, the matron and the medical resident officer, who incidentally has taken over recently and who could not have been involved when the original accusations were made. There is also a report from the Hospital Board. I agree that it is desirable that further publicity should be given in order to clear up the matter, but I am loth to lay the docket on the table of the House because it would then become a Parliamentary paper. Also, it would be necessary to have the docket in the department of the Minister of Health. I will make the docket available to the Clerk of the House with the instruction that it is to be available to any honourable member and to the press, to be read completely and its contents freely used, and I hope the statements in the docket will get the same publicity as the original accusations against certain of the staff at the hospital. Generally speaking, there are some matters in connection with the original charges which cannot be proved or disproved because of the lapse of time, and the fact that the nurses involved are not now at the hospital or in the employ of the department. I think the statements generally disclose that the treatment provided at Northfield is of good standard and that in the circumstances every possible care is being taken of patients there. Members will see from the docket that the Government has done its utmost to get to the bottom of the charges.

Mr. Riches—What about the claim of cures by a physiotherapist?

The Hon. T. PLAYFORD—The docket is available and the honourable member can study all the aspects. He will see that as far as possible at this time every care has been taken to get statements to show what is the standard of treatment at the hospital, and how the hospital is managed.

Mr. QUIRKE—I intended to ask a question on this matter, but obviously the member for Prospect had prior knowledge that the report was available and he got in ahead of me. When the Premier asked for the names of the two people who had submitted reports to me I gave them, but I also asked that I be included in the inquiry. The report has been issued, but I was not approached by any of those conducting the investigations, although I wished to mention some matters on my own behalf. Those two people were not the only persons that complained to me. There were others who were not willing that their names be given and therefore, of course, their evidence

could not be accepted. Further, in the concluding paragraph of the report the inspectors of the Criminal Investigation Branch state:—

The facts as outlined by both these ex-patients, if accepted, reveal that there is a definite lack of certain equipment at the hospital, a lack of personnel, and in some particular instances a lack of proper supervision.

What steps will the Government take to correct that position?

The Hon. T. PLAYFORD—With regard to the first part of the question, I point out that the honourable member made no charge that he himself had not received good treatment at the hospital, if he had been there. Anything he could have said would obviously be only secondhand and merely repeating something which he had been told. That could not be accepted as evidence and would have had no bearing on the inquiry.

Mr. Quirke—It is all evidence.

The Hon. T. PLAYFORD—But the honourable member's would only have been hearsay, so it could not have been accepted. The honourable member was asked to submit the names of the persons who made the complaints so that their statements could be verified, and he will see by the report that action was taken in this regard. With regard to the second point, that the statement of the investigating officers revealed certain shortages, the honourable member will see from a further report that those shortages did not in fact exist. The Government did its utmost to ascertain the accuracy or otherwise of the statement made by the honourable member in this place. I could say that I was not called to give evidence, and I could have said that the honourable member's statements in this House themselves revealed a certain amount of inaccuracy, because he said he did not attach any blame to the nursing staff but in fact his whole accusations were against the nursing staff and no-one else. The honourable member's statement from the outset showed a fairly grave lack of balance. If he had a complaint to make against a department, or any members of the department, I suggest that the proper and fair way to get the matter cleared up was to verify the information given him before making it public, but the honourable member chose to make statements in this House which have been resented by a staff which is doing a noble job and working under great difficulties and hardships. I hope the report will get the same publicity as was given to the accusations made against the staff.

Mr. QUIRKE—The Premier made play on the use by Inspector Maddaford in his report of the words "if accepted." I point out that both the ex-patients whose names I mentioned have given sworn evidence and that none of the evidence in rebuttal was sworn. In an inquiry of this type it is particularly unfair to use unsworn evidence to refute sworn evidence. This provides evidence of the police State tactics used in this inquiry. At the outset I asked for an open inquiry at which anybody could give evidence, but instead we have had this informal inquiry. The Premier now says notice will be taken of unsworn rather than of sworn evidence. Is the Premier even at this late stage prepared to hold an open inquiry into this matter as originally requested?

The Hon. T. PLAYFORD—I have been associated with the South Australian Public Service in an administrative capacity for 13 years and am pleased to say that during that time I have not had occasion to doubt the report of any responsible public servant. Any member who reads the report with an unbiased mind will see that no attempt has been made to hide anything, for it is full, frank, open and freely available to members of this House, or to members of the public through the press. I have no doubt that the reports obtained from the sister-in-charge and the medical officer, who was not the medical officer at the time of the happenings complained of, set out the true position to the best of their knowledge.

Mr. QUIRKE—The Premier cast a grave reflection on the two people who gave sworn evidence inasmuch as he upheld the unsworn evidence given against theirs. I am not taking sides on this matter, but we all know the value of sworn evidence compared with that of unsworn evidence in the courts. The Premier's reply in answer to my question was particularly despicable.

The SPEAKER—Order! The honourable member may not make statements like that and I ask him to withdraw.

Mr. QUIRKE—I withdraw and say that the statement was most unfortunate. Is the Premier prepared to apologize to these two people for the doubts placed on their veracity?

The Hon. T. PLAYFORD—No. I place no doubts on their veracity. As a matter of fact, anyone who reads the docket will, I believe, be impressed with the sincerity of the statements made by those persons. If the honourable member will look up the reports which have been obtained from the hospital he will see that some of the things to which objection was

raised were easily explained, by proper procedure. I hope the honourable member will examine the doctor's statements because they themselves said that in some instances it has not been possible to verify the accuracy of a statement owing to the fact that a nurse then on duty is no longer employed at the hospital. The important point is that the general statement that poliomyelitis patients are not getting the best possible attention and that there is neglect at the hospital is not sustained. That is all the report proves, but that is the essential point.

Mr. MACGILLIVRAY—Does not the Premier think that a public inquiry would be much better than the departmental inquiry conducted at the Premier's direction?

The SPEAKER—I think the member for Stanley has already asked that question.

Mr. MACGILLIVRAY—I do not think it was answered. The Premier must realize that the public is very perturbed about the treatment of patients, and many school children from my district have suffered from the disease. If they are taken from their homes forcibly and placed in a public institution public confidence must be restored so that people will believe that they are getting the best possible attention. I am not prepared to write off the statements by the member for Stanley because I know he would not make any statement unless it were fully justified.

The SPEAKER—The honourable member must not debate the remarks of the member for Stanley.

Mr. MACGILLIVRAY—A letter appeared in today's *Advertiser* from a lady doctor pointing out the difficulty of Government officers, either doctors or nurses, giving evidence that might be detrimental to themselves. In view of the growing importance of this question will the Premier institute a public inquiry?

The Hon. T. PLAYFORD—I thought I had already indicated my refusal. I point out that no-one is forcibly compelled to go to the Northfield Hospital.

Mr. Macgillivray—Where else can they go?

The Hon. T. PLAYFORD—If they desire to go there we do our best to treat them in the best possible manner. I do not believe any of the patients in the honourable member's district are being treated at Northfield.

Mr. Macgillivray—Not yet, but they may be.

The Hon. T. PLAYFORD—It is not the policy of the Government, and will not be its policy in the future, to have public inquiries instituted into the conduct of people whom it believes to be entirely innocent and under no blame. It would be just as reasonable to hold a public inquiry into the conduct of a member of Parliament as to single out some poor unfortunate nurse who is doing her best to meet the position. If the Government believes there is any wrong-doing appropriate action will be taken, but it does not believe in having public inquiries into something in which there is no culpability.

Mr. MACGILLIVRAY—Has it not dawned on the Premier that this series of questions is not directed against any poor unfortunate nurse or doctor who may have covered up the policy of the Government or the department, but is for the purpose of ascertaining whether the policy of the Government or the department should be altered?

The Hon. T. PLAYFORD—Obviously, the honourable member has not had an opportunity of studying the docket, but if he will examine the sworn statements made, which were the subject of remarks made in the House by the member for Stanley, he will see that they were all directed at the alleged neglect of a nurse to change the bed linen or to give appropriate treatment, or at a doctor for giving incorrect treatment or failing to give treatment. In other words, all the statements were directed, if at anyone, against the staff for neglecting to do their duty. There were two or three statements alleging shortages of materials. The Government has examined that matter but could find no evidence that the materials were either lacking or under requisition. The statements contained in the docket were made against un-named persons, and the moment statements are not specific everybody is involved. The Government is satisfied that the vast majority of persons concerned at Northfield are doing their duty in an extremely creditable manner. Under these circumstances the Government is not prepared to make any further inquiries in the matter.

ALTERATION OF EVICTION LAW.

Mr. FRANK WALSH—My question concerns a person who was engaged by a Rundle Street firm to carry out certain duties and who was supplied with a house for himself and family. He was given notice dispensing with his services but prior to its expiration the firm removed the furniture from the house, put on new locks, and barred the windows so as to make admission impossible. The firm placed the furniture in a shed, where it still remains. It is estimated that the value of it is not less than £500.

His wages are being withheld because he would not sign an agreement to the satisfaction of the firm that he would not report the matter to the Housing Trust, and seek its protection. He has since reported the matter to the trust which has made an investigation and has proved that the man told the truth in regard to the accommodation. The trust forwarded particulars of the matter to the Crown Solicitor's Department. It has taken over a week for it to get to the department. I have no doubt that it will be proved that a wrong construction was placed on the matter. In view of this, will the Premier consider the advisability of re-committing the Landlord and Tenant (Control of Rents) Act Amendment Bill for the purpose of amending it? Clause 41 amends section 31a of the principal Act and provides for penalties in certain matters, but no clause in the Bill or section in the Act gives any tenant the protection I desire. Although the Bill provides for certain action to be taken to get people out of houses or other accommodation it does not provide any protection against the action taken by the firm mentioned, which took a mean advantage of the tenant. The amendment suggested would enable the trust to stay proceedings in a case such as that outlined.

The Hon. T. PLAYFORD—The case mentioned by the honourable member is apparently before the Crown Solicitor with a view to a prosecution taking place.

Mr. Frank Walsh—That is right.

The Hon. T. PLAYFORD—It would not be proper to alter the law while a case is pending. When a case is to come before the court, to make something an offence which was not previously an offence would mean that no-one would know whether or not he was committing an offence. If the law were altered as suggested it could not apply to a case set down for hearing. No case could be made out under the circumstances. To make something an offence which is not now an offence so that a case now before the court could be proved would be an extraordinary thing for any Parliament to countenance. Secondly, the Bill in question has already been dealt with by the Legislative Council and under the Constitution it is not possible to introduce a new provision into a Bill which has already been considered by both Houses. This Bill has already been passed in another place subject to certain amendments which must be considered here this afternoon. Even if it were desirable that some alteration should be made in the law that alteration should be made prospectively and not retrospectively.

PORT PIRIE SEWERAGE.

Mr. DAVIS—Can the Minister of Local Government say when a start will be made on the Port Pirie sewerage scheme?

The Hon. M. McINTOSH—No. All country town sewerage schemes are being investigated by the Public Works Committee, and much investigational work has already been done with regard to the Port Pirie scheme, but a start on the scheme will depend on various circumstances, including the report of the committee, the provision of funds, and the availability of labour and materials. I will make inquiries and will be glad to let the honourable member know how far the scheme has been proceeded with.

SETTLEMENT OF EX-SERVICEMEN.

Mr. MICHAEL—Recently the Minister of Lands attended a conference regarding soldier settlement in Canberra. Since then certain rumours have circulated and press and radio statements been made regarding the possibility of a cut in the near future in the moneys to be made available for soldier settlement. Statements have also been made regarding the respective success of soldier settlement schemes in the principal States and in the agent States. Has the Minister of Lands any information on this matter?

The Hon. C. S. HINCKS—At a recent conference at Canberra between the three agent States and the Commonwealth the advisability of a cut in the Loan Estimates for soldier settlement in regard to the agent States was discussed. I think £4,125,000 was allocated and that it was suggested that a cut of £250,000 might be made, but after discussion the Federal Minister said that he felt that as the £250,000 was not a very great sum he would make strong recommendations to the Federal Treasurer that that amount be made good. He also informed us that certain repayments received by the agent States from the scheme, such as agistment fees, could be retained to help make good that amount of £250,000 between the States. Another point raised was that, now perhaps more than ever, the Commonwealth desired that any new settlement be made on virgin or semi-virgin country or country which could be developed fairly quickly and produce the primary products so urgently

required, rather than the money used for the purchase of single-unit farms or farms already developed.

Mr. O'Halloran—Using the soldiers to develop the country!

The Hon. C. S. HINCKS—I do not agree with that suggestion. I think Mr. O'Halloran would be one of the first to agree that production of a high standard and to the greatest capacity is required by the world today. With regard to a comparison between the work of the agent States and that of the principal States in this direction, that, of course, was not actually discussed, but no doubt the honourable member has read recent *Hansard* reports of Federal Parliamentary debates on this question in which the impression was conveyed—principally by New South Wales members—that all was not well, or that soldier settlement schemes of the agent States were not developing along the lines anticipated and they therefore were not in the best interests of the ex-servicemen settlers. In reply, the Federal Minister assured the House that the agent States were doing a much better job and making less fuss about it than New South Wales. The meeting with the Federal Minister was on a very friendly basis, and I came away feeling that at all times the agent States would receive all the help possible from him and the Federal Government.

Mr. FLETCHER—I have received from the Lands Development Executive a statement with reference to land at Eight-Mile Creek where a further eight blocks are to be made available for allotment. I was rather surprised to notice that some of the blocks range from 130 to 204 acres. Any honourable member aware of the richness of the Eight-Mile Creek country and the prolific growth it produces will realize that such blocks would entail a full-time job for settlers and involve the employment of labour to keep re-growth down. Will settlers to whom the blocks are allotted and those who have already had blocks allotted receive help or further help in order to keep the re-growth in check, such as teatree and cutting grass, until the blocks come into full production?

The Hon. C. S. HINCKS—The letter referred to was sent to regional committees and members in the districts in which development is taking place so that they would be apprised of activities in their district. I am pleased the honourable member raised the point because it gives me the opportunity to explain the position. Actually there are no blocks at Eight-Mile Creek with more than about 100 acres of the rich peaty country. In the blocks to be allotted there is over 100 acres of high land. I am sure the honourable member will agree that it is an excellent idea to have high land for agistment, particularly of dry stock. Speaking from memory, of the 32 blocks 10 or 11 have attached to the good peaty country sufficient dry land for the particular applicant. I believe there are 20 or 21 blocks in regard to which we have now applied to the Commonwealth Government for assistance. Subdivision and fencing of Chomley's and Bone's estates have been undertaken so that settlers will have an area of dry land for agistment.

HOUSING TRUST HOMES AT WALLAROO.

Mr. McALEES—Has the Premier a reply to my question of November 21 regarding the stoppage of work on houses being built by the Housing Trust at Wallaroo?

The Hon. T. PLAYFORD—I have received the following report from the chairman of the South Australian Housing Trust:—

The South Australian Housing Trust is aware that progress on its houses being erected at Wallaroo is very slow. This is largely brought about by the fact that the builder is short of labour. He only has one painter and one plumber available for these jobs. It is also known that he has a number of private contracts, which are possibly more lucrative than trust work.

FISHING IN RESERVOIRS.

Mr. BROOKMAN—During the war fishing was prohibited in the reservoirs in the Adelaide hills, I understand because of the danger of sabotage. That prohibition still continues, although the danger of sabotage has passed. There are many fish in the reservoirs and it would provide an opportunity for anglers to enjoy this sport if they were granted permission to operate there. In other parts of the world fish farming is a big industry. In Scotland they get tremendous yields of fish per acre of water, but we have attempted nothing on a similar business-like scale. Has the Minister of Works anything to report on the matter?

The Hon. M. McINTOSH—Mr. Shannon asked a similar question and I have had a letter addressed to him on that phase, although the position was not entirely the same. It was not only a question of the danger of sabotage, but of the likely contamination of the reservoir water. I think some people make fishing an excuse for an outing, but the trouble is there is no lavatory accommodation on the banks of the reservoirs. A committee has been dealing with the matter and has strongly

advised against the utilization of these reservoirs for fishing in the absence of lavatory accommodation. The provision of this accommodation is not a trivial matter, as we have not the materials and labour to enable the work to be done. I am not unsympathetic to the idea, and when materials and labour are available the Government will be prepared to consider the lifting of the ban.

TREATMENT OF SILICOSIS.

Mr. FRED WALSH—What is known as the aluminium treatment has been extensively and successfully applied in dealing with silicosis. Will the Premier, through the Minister of Health, have inquiries made during the recess as to the efficacy of this treatment and have a report submitted next session?

The Hon. T. PLAYFORD—I will bring the matter under the Minister's notice, and I have not the slightest doubt that he will have inquiries made to see if any useful steps can be taken in this matter.

WARREN AND BAROSSA RESERVOIRS.

Mr. TEUSNER—Can the Minister of Works say whether the quantity of water stored in the Warren and Barossa reservoirs is sufficient to meet normal requirements in the Barossa Valley and other nearby districts during the coming summer?

The Hon. M. McINTOSH—The reservoirs are well stored and the Warren reservoir can be fed from the Murray through the Morgan-Whyalla pipeline. I have no reason to fear any shortage. As is the case with other water systems throughout Australia, mains are being heavily overtaxed because of high consumption. Melbourne and Sydney are imposing water restrictions because the mains cannot carry the extra water required. Pressures will be the difficulty rather than any shortage of water.

PORT LINCOLN-TUMBY BAY MAIN ROAD.

Mr. PEARSON—Has the Minister of Local Government received any recent reports about the condition of the bitumen road between Port Lincoln and Tumby Bay? Is he aware that many sections of the road are breaking up? In view of the fact that the Royal family will travel over a considerable portion of the road on their tour, will the Minister have repairs effected immediately?

The Hon. M. McINTOSH—I am not aware of any special disabilities on that road, but I know that owing to heavy traffic on most of our main highways they are showing evidence of being overloaded. I will make inquiries of the Highways Commissioner and ask him whether the road mentioned needs any special attention that he is not able to give it and, if so, why not. I am sure it will be the desire of the Government to ensure the travelling comfort of the Royal visitors.

DRIVING LICENCE DISQUALIFICATIONS.

Mr. TAPPING—The following statement appeared in last Monday's *News*:—

It was hoped that before long all State Governments would agree to recognize driving licence disqualifications, the Motor Vehicles Registrar (Mr. Walker) said last week. That such agreement is necessary was illustrated in a court case at Geelong last Thursday, when an Adelaide visitor was disqualified from holding a licence in Victoria for 12 months for drunken driving. But as the disqualification does not affect his South Australian driving licence the offender is free to drive where he pleases as soon as he returns to this State. Such a situation is absurd.

Will the Premier consider the advisability of South Australia's recognizing disqualifications by other States in the future?

The Hon. T. PLAYFORD—I will refer the matter to the State Traffic Committee for a report.

LEIGH CREEK COAL.

Mr. DUNNAGE—During the past few years we have received much poor quality coal from New South Wales, but this week I received a complaint about the quality of Leigh Creek coal. One factory in the district I represent uses much of this coal, but it is now getting such poor quality fuel that it is having great difficulty in using it. Does the Premier know whether the quality has fallen off and whether any check of it is made at Leigh Creek or at distributing points in Adelaide?

The Hon. T. PLAYFORD—One of the features of the Leigh Creek coal basin is that the coal is of fair average quality, and the quality in the area being mined is substantially the same all the time. Sometimes there may be a little interspersion of shale in the coal, and a small amount of this may have come down to Adelaide. It is the desire of the management of the field to keep up the quality to the highest possible standard, and consistently that will be the policy in the future. I shall refer the matter to Mr. Bice, the chairman of the Coal Committee, to see if any appropriate action is necessary.

KINGSTON PUNT ROAD.

Mr. MACGILLIVRAY—Yesterday I asked the Minister of Works when the Kingston punt would be open for traffic. This morning's

Advertiser says that because of the unsatisfactory condition of the road it will be three or four weeks before the punt can be used, but yesterday's *News* said that the punt would be open tomorrow. Will the Minister clarify the position and indicate when the punt will be open for traffic?

The Hon. M. McINTOSH—The report I read was not a recent one, but was furnished 10 or 12 days previously. It said that although most of the road was clear of water the whole area was so saturated that traffic would not be able to use the road until it had dried out, and that three or four weeks would elapse before the road could be described as "practically usable." It further said that it is anticipated that a vessel for the Kingston crossing will be installed and ready for operation before the road is in a condition to take general traffic. Although the punt may be there, it does not follow that the road on the other side of the river is usable, except for light traffic.

CEMENT PRODUCTION.

Mr. STEPHENS—On June 27, when opening Parliament, His Excellency the Governor said:—

Attention has been given to the problem of increasing the supply of cement, as shortage of this commodity seriously retards development and housing. Relief can be gained, although at some expense, by importing cement from overseas; and the Government has ordered substantial amounts for its own requirements in order to reduce the demand on the local product. The only satisfactory solution, however, is to increase production in South Australia. For this purpose the Government, on the recommendation of the Industries Assistance Committee, has arranged for a loan to the Adelaide Cement Company to enable it to duplicate its kilns. The Portland Cement Company is also carrying into effect meritorious proposals for increasing output and my Ministers expect that before long South Australia will be relieved from the necessity of importing cement and of restricting its use.

We have heard such a statement on a number of occasions. Often during the last four years we have been told that the Government would subsidize private enterprise in the production of cement. Can the Premier say what progress has been made by the companies to increase cement supplies, and when does he expect there will be sufficient local production to obviate the need to import overseas cement?

The Hon. T. PLAYFORD—At fairly close intervals I have had reports from both companies and very substantial progress is being made by both undertakings. Unfortunately, today it is one thing to order plant and another to get delivery of it. There are substantial shipping difficulties, even after plant has been manufactured.

Mr. Stephens—Can't you get plant here?

The Hon. T. PLAYFORD—Some of the plant required could not be supplied here. Both companies have made substantial progress. Some delay was caused for some months because wooden piling required at Birkenhead had to be imported from Tasmania and only a limited number of piles could be brought on each ship, but that difficulty has now been overcome. I believe both programmes are up to schedule. One big plant was to have been shipped from Germany early this month, but because of a strike the ship was missed; I believe it is now on the water.

MYXOMATOSIS CAMPAIGN AGAINST RABBITS.

Mr. O'HALLORAN—I understand that the myxomatosis campaign is being conducted with the assistance of the Department of Agriculture. Can the Minister of Agriculture indicate in which parts of the State success, if any, has been achieved?

The Hon. Sir GEORGE JENKINS—Earlier reports following the first part of the campaign on Eyre Peninsula were not satisfactory, owing, apparently, to some defect in the virus. Later reports are more satisfactory. I have had no reports from the South-East. Middle North reports were good and I understand a number of rabbits were inoculated with myxomatosis. I heard in some quarters—it did not come from my department—that there is a shortage of mosquitoes. I do not know whether we must breed mosquitoes and make them available where there is a shortage, but I will get a full report on the campaign from Mr. Macindoe and let the honourable member have it.

ARTILLERY PROOF RANGE.

Mr. RICHES—Can the Premier give any further information regarding the progress of negotiations on the establishment of an artillery proof range in South Australia?

The Hon. T. PLAYFORD—No further progress has been made in these negotiations. The Minister, when he was here recently, informed me that no action would be taken until he had further consulted me. He accepted my invitation to accompany me later on a visit to the suggested site south of Port Augusta.

MILK PRICE.

Mr. MOIR—Has the Minister of Agriculture received a report from the Milk Board on the application from the milk industry for an increased milk price in the metropolitan area?

The Hon. Sir GEORGE JENKINS—No.

LOCKLEYS SCHOOL LIGHTING.

Mr. FRED WALSH—Has the Minister of Works a reply to my question of yesterday regarding Lockleys school lighting?

The Hon. M. McINTOSH—The Architect-in-Chief has informed me that a contract had been entered into with a contractor to do the work, which the Architect-in-Chief will use every endeavour to expedite.

TURN-ROUND OF SHIPPING.

Mr. STEPHENS—For a long time Port Adelaide waterside workers have been blamed for the slow turn-round of vessels there. The people of Port Adelaide, including merchants and carriers, were delighted to hear that an inquiry would be made into the slow turn-round, as it was felt that certain things would be made public. I felt that a judge of the Supreme Court should have been appointed to conduct the inquiry as Mr. Bishop was far too busy to conduct a thorough inquiry. I have asked several times when that report will be available, but nothing has been heard of it and no doubt members will have no chance to hear anything about it until Parliament re-assembles, perhaps next June. Can the Premier say when that report will be made available, for something should be done to stop the deliberate and wilful—but up to the present unsuccessful—attempts by certain individuals to get the waterside workers to go on strike? Will all the evidence taken on the inquiry be published? Since this inquiry was announced I have read no press statements blaming waterside workers for the slow turn-round. The public should know who is responsible for the slow turn-round of ships at Port Adelaide, as it takes just as long to turn a ship round today as when the commission was appointed. Will the Premier make the report available as soon as it is obtained?

The Hon. T. PLAYFORD—Yes. Mr. Bishop informed me within the last two or three days that his report is nearly complete but that he had received a request by the officer appointed by the Commonwealth Government to confer on one or two aspects of the position at Port Adelaide, which would involve him in a delay of two or three days in completing his report. The report will be available long before next June and will be published when it becomes available. I believe it will not only be extremely valuable with regard to the action necessary to solve the present problem of Port Adelaide, but probably help in the formulation of a long-range policy on these matters generally.

DEEP SEA PORT AT CURLEW POINT.

Mr. RICHES—On one occasion the Premier visited Curlew Point with me and mentioned the possibility of establishing a wharf and shipping centre there to be used instead of the existing wharf at Port Augusta. I understand the plans that had been drawn up for the Port Augusta power station provide for a jetty or small wharf purely for the purpose of off-loading heavy equipment for the power station and that the site planned will be absolutely useless for any other concern. Already the erection of a salt works has started, wharf accommodation will be needed, and it would be of advantage if a wharf could be made available at this site. Will the Premier call for a report from the Harbors Board or some competent authority to advise the Government on the desirability of establishing a deep sea port at Curlew Point?

The Hon. T. PLAYFORD—Some consultation has already taken place between the Electricity Trust, the Harbors Board, and myself on this matter, but the full policy of the trust has not yet been determined. It is almost certain that a much larger project will be established there than was originally contemplated and that will have a big bearing on the lay-out of the site and any possibility of using the wharf accommodation which will be provided by the Electricity Trust for general purposes. I assure the honourable member that the possibilities have not been overlooked; in fact, they have been examined and they will be the subject of further examination from time to time as the progress plans develop for that area.

LIQUOR PERMITS FOR SOCIAL FUNCTIONS.

The Hon. S. W. JEFFRIES—The Police Commissioner's report for the year ended June 30, 1951, shows that 3,497 liquor permits were granted for dinners and social functions. Can the Premier obtain from the commissioner a statement of how they were distributed in the metropolitan area and the country and which club had the greatest number?

The Hon. T. PLAYFORD—I will try to get the information for the honourable member. I

do not know whether such information is being collated at present or what is involved, but if it is readily available I will see that he gets it.

PHYSIOTHERAPY SERVICES FOR PORT AUGUSTA.

Mr. RICHES—Earlier in the session the Premier promised to obtain a report on the possibility of an occasional visit by the physiotherapist to Port Augusta to obviate the necessity of taking patients from that town to Port Pirie for treatment. Has the Premier received the report?

The Hon. T. PLAYFORD—Yes, and the position is that the present number of physiotherapists available would not enable a service to be sent to the country in the manner suggested by the honourable member, but the chairman of the committee has assured me that the matter will be kept under consideration and if it is possible to meet the honourable member's request when physiotherapy services are developed it will be done.

PORT AUGUSTA-WOOMERA ROAD.

Mr. RICHES—Some time ago I asked the Minister of Works if he would obtain a report on the provision of ramps on the road between Port Augusta and Woomera. I understand that some station owners have provided ramps but that others would be provided by the Engineering & Water Supply Department, which has been delayed in carrying out the work. Has the Minister anything further to report?

The Hon. M. McINTOSH—Yes. The position is that any delay has been caused by the inability to obtain sufficient secondhand railway rails for the ramps. The district engineer at Crystal Brook recently reported that he had now received sufficient secondhand rails for the ramps and that they will be constructed and installed as soon as possible.

CONVICTIONS FOR SPEEDING.

Mr. STEPHENS—Has the Premier obtained a report in regard to the question I asked recently about the number of prosecutions against drivers of heavy vehicles for exceeding the speed limit?

The Hon. T. PLAYFORD—During the past 12 months there were 15 prosecutions for exceeding the speed limit with heavy vehicles.

COUNTRY PETROL PRICES.

Mr. RICHES—When the system of one-brand petrol stations was introduced in South Australia the reason given in my district was that it would result in a saving in distribution costs. Since the installation there has been an increase in the overall price of petrol, and press statements indicate that another increase will be inflicted on the motoring public in the not far distant future. Will the Premier have an investigation made through the Prices Department as to whether the margins allowed petrol companies in connection with distribution should not be reduced now that the system of one-brand petrol stations has been established?

The Hon. T. PLAYFORD—From time to time statements are made with regard to increases in prices following representations by various persons and traders, but frankly many of them are of a hopeful character and do not necessarily mean that an application for an increase has been made, that the Prices Commissioner has made an investigation, or that an increase has been granted. The honourable member should not heed statements about increases or decreases in prices, except those officially announced. Before the freight differential increases the matter was investigated, and the approved increases did not completely cover the additional costs. Transport charges amounted to about £11,000 more than the approved increases would return. I could show the honourable member a report containing the type of information secured following the asking of a question by another member, and affecting another part of the State.

PRESERVATION AND MAINTENANCE OF PLACES OF HISTORICAL OR SCIENTIFIC INTEREST OR NATURAL BEAUTY BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to provide for the preservation and maintenance of places of historical or scientific interest or natural beauty and for purposes incidental thereto. Bill read a first time.

Second reading.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—The Government does not propose to proceed with this Bill this session. It is being placed on the files for the information of members and to enable interested parties to examine the proposals before they are finally dealt with by Parliament. For a number of years there has been an agitation for steps to be taken to preserve places of historical interest and of beauty in this State, and it has been suggested that a body should be appointed by Parliament to undertake

the work, but views regarding the composition and powers of that body differ; some favour a large body and others one comprising a limited number. These differences of opinion have not been overcome and the Bill is being introduced in order to get suggestions as to the best way to deal with the matter. I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

Consideration in Committee of Legislative Council's amendments—

No. 1. Page 1, line 19 (clause 2)—After "room" insert "bathroom or privy."

No. 2. Page 3, line 8 (clause 5)—Leave out "other than shared accommodation" and insert "not premises which are part of other premises leased separately."

No. 3. Page 3, line 44 (clause 7)—Leave out "other than shared accommodation" and insert "which are not premises which are part of other premises leased separately."

No. 4. Page 6 (clause 14)—Before paragraph (*a*) insert the following paragraph:—

(*aa*) by inserting therein after subsection (4) thereof the following subsection:—

(4a) Where for any sufficient cause the service of any notice to quit cannot be effected, a special magistrate may, upon an affidavit showing grounds, make such order for substituted or other service or substitution for service of notice by advertisement or otherwise as may be proper.

No. 5. Page 7 (clause 14)—After paragraph (*c*) insert the following paragraph:—

(*c*1) by inserting therein after paragraph (*k*1) of subsection (5) thereof the following paragraph:—

(*k*2) that the premises being a dwellinghouse, are reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by the lessor:

No. 6. Page 9, line 11 (clause 19)—After "(*k*)" insert "(*k*1)."

No. 7. Page 9, line 24 (clause 19)—Leave out "subsection" and insert "subsections."

No. 8. Page 10 (clause 19)—After new subsection (6) insert the following new subsection:—

(7) In any such proceedings where application is made on the ground that a dwellinghouse is reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by the lessor, proof is given to the satisfaction of the court—

(*a*) that the lessor has been the owner of the premises for at least five years before the giving of the notice to quit; and

(*b*) that the lessor is a British subject or is a body corporate incorporated or registered in accordance with any law of the State; and

(*c*) that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, given notice to quit to the lessee for a period of not less than 12 months,

then the court shall not take into consideration any of the matters mentioned in subsection (1) of this section. Provided that no lessor shall recover possession of more than one dwellinghouse in any one year under the provisions of this subsection.

Nothing in this subsection shall limit any right of the lessor under any other provision of this Act.

The Governor may make regulations prescribing a form of notice to quit which may be given by any lessor in pursuance of this subsection and, without limitation of the right of a lessor to give notice to quit in any other form, any notice to quit in the form prescribed by regulations shall be deemed to be sufficient notice of all the matters referred to in paragraphs (*a*) and (*b*) of this subsection.

In this subsection "owner" includes a life tenant and the survivor of two or more joint tenants or tenants in common.

No. 9. Page 12, lines 2 and 3 (clause 22)—Leave out "may, if the court thinks fit" and insert "shall."

No. 10. Page 12, line 5 (clause 22)—After "26u" insert "unless the court considers that special circumstances exist in which case the court may, in its discretion, take in to consideration any of the said matters."

No. 11. Page 13, lines 11 and 12 (clause 22)—Leave out "may, if the court thinks fit" and insert "shall."

No. 12. Page 13, line 14 (clause 22)—After "26u" insert "unless the court considers that special circumstances exist in which case the court may, in its discretion, take into consideration, any of the said matters."

Amendment No. 1.

The Hon. T. PLAYFORD (Premier and Treasurer)—Clause 2 provides a definition of "shared accommodation" the effect of which is that the definition is limited to premises, being part of other premises, the lease of which provides for the sharing by the lessee with the lessor or others of a habitable room, that is, such as a kitchen, living room or dining room. This definition principally affects clause 22 which provides that, under certain circumstances, the lessor of shared accommodation may give notice to quit to his tenant and the court, in dealing with an application for eviction, may disregard the hardship provisions. The amendment extends the definition of "shared accommodation" to include a case where a bathroom or a privy is shared. This

amendment will, in effect, cover almost all lettings of parts of premises as, almost invariably, either the bathroom or the privy is used in common.

The opinion of the House of Assembly was that the provisions of clause 22, although recommended by the committee of inquiry, went too far and it was to give effect to this view that the definition in clause 2 was inserted, and the application of clause 22 thus limited to cases where families only shared living quarters. If the amendment is accepted, the scope of clause 22 will be extended almost to the same point as it was before the amendment in clause 2 was made in the House of Assembly. This amendment would lead to a large number of hardship cases and evictions, and I move that it be disagreed to.

Mr. SHANNON—There is some justification for the amendment, particularly regarding the use of the bathroom or privy. Shared accommodation is different in every way from flat accommodation, where the occupants are enclosed by walls and where they do not have to pass other people in the hall or elsewhere when going to the bathroom or the privy. I know of a case where an elderly couple allowed a young couple to occupy a room in their house, but it was not long before the young lady was running the place and putting the rule over the old lady who owned the home. Some people do not treat bathrooms as carefully as they might, and this can be the cause of much bickering between the lady owner of the home and the lady sharing the accommodation. Ultimately, the life of the owner of the property is plagued almost to the point where she would rather go out of her own home than continue to live in it. Justice should be given to people who make portion of their homes available to other people who have no homes of their own.

Amendment disagreed to.

Amendments Nos. 2 and 3.

The Hon. T. PLAYFORD—Both these amendments are of a drafting nature and are consequential upon the altered definition of "shared accommodation" which was inserted by clause 2. Clauses 5 and 7 provide that, where the Housing Trust fixes a rent, it must, except as regards shared accommodation, give to the person concerned a break-up of the rent in the notice given to the lessor and lessee showing the amount of the rent attributable to rates and taxes, maintenance, etc. Obviously, this break-up cannot be given where, for example, the rent of a couple of rooms in a house is fixed, as rates will be levied on the whole house and not specifically on the rooms let and, similarly, maintenance charges will be related to the whole house. Thus, clauses 5 and 7, as introduced, did not apply to shared accommodation. However, clause 2 restricts the definition of "shared accommodation" and, unless clauses 5 and 7 are altered, the trust would have to attempt to give a rent break-up where parts of premises are let which do not come within the definition now provided in clause 2. Accordingly, the amendments alter the language of clauses 5 and 7 to provide that, instead of referring to shared accommodation, the clauses will refer to premises which are part of other premises. Thus, the rent break-up will not be required to be given in respect of rents fixed for parts of premises. The effect of the amendment is merely to provide that the clauses will have the same application as they had under the Bill as introduced into the House of Assembly. I recommend that the amendments of the Legislative Council be agreed to.

Amendments agreed to.

Amendment No. 4.

The Hon. T. PLAYFORD—Section 26n (4) of the Act sets out the manner in which a notice to quit may be served. No provision is made to cover a case where the tenant cannot be found and there is no-one living in the house. The amendment provides that, in such circumstances, a special magistrate may authorize substituted service, that is, by advertisement or such means as are directed by the special magistrate. This provision is similar to a local court rule. I suggest that it be agreed to.

Amendment agreed to.

Amendment No. 5.

The Hon. T. PLAYFORD—This amendment makes it a ground to give notice to quit that a lessor needs the house for the occupation of an employee. It should be considered with amendments Nos. 7 and 8 to clause 19 which provide that where a lessor has owned a house for five years and gives 12 months' notice to his tenant on the ground abovementioned, the court cannot consider hardship and the tenant must go. The law already provides for the case where an employee rents a house and leaves his employment. The present proposals deal with a case where a house is tenanted in the ordinary way by a tenant but the owner wishes to dispossess the tenant in favour of an employee. It is suggested that these amendments are contrary to the general policy of the Act. The purpose of the Act is to provide

safeguards for tenants in a time of acute housing shortage. It is known that business firms have bought house property to a fairly extensive degree and, if special provision is to be made for such cases, it follows that the protection now given to the tenants who, in effect, were acquired with the house purchases, will be substantially diminished. I accordingly suggest that the amendment be not accepted.

Amendment disagreed to.

Amendment No. 6.

The Hon. T. PLAYFORD—Paragraph (*g*) of clause 19 provides that where eviction proceedings are taken against a tenant on the ground that he has used the premises for an illegal purpose, that he has been an employee of the lessor and has left that employment, that he has converted shop premises into a dwelling without the consent of the lessor or that, in the case of shared accommodation, the tenant has been guilty of conduct which is a nuisance to others, the court is not to take into account the hardship provisions and, in effect, is to make an order for eviction. The effect of the amendment of the Legislative Council is to provide that this provision is to extend to a case where a notice to quit is given on the ground that a house situated on or adjacent to an agricultural property is needed for occupation by a person employed or to be employed by the lessor on that property. Thus, in these circumstances, if the amendment becomes law, the court will not have regard to the hardship provisions but must, if the proceedings are otherwise in order, make the eviction order. It must be understood that the circumstances under which such a notice to quit can be given are as follows. The lessor must have previously let the house to some person other than an employee, as if the tenant is an employee or an ex-employee, other provisions will apply. This letting to a non-employee would thus be on the ordinary basis of landlord and tenant. After the house is let, the lessor then discovers that he desires the house for an employee and, if the amendment is carried, the tenant must go irrespective of the hardship of the case. It should also be noted that the amendment will relate to houses adjacent to the farm, etc., so that the lessor could buy a tenanted house near the property and in due course give notice that the house is needed for an employee. It should also be borne in mind that even if the amendment is not included in the Act, the court can make an order in favour of the lessor after considering the relative hardships but, as before mentioned, the effect of the amendment is that the court will not have any power to consider the relative hardships. I suggest that the amendment be not accepted.

Mr. HAWKER—I take it that this provision would apply where an employer wished to employ more labour and desired accommodation for a worker. He may have bought or built a house but, not being able to get a suitable employee for the time being, may desire to let it for a certain period to somebody else. For that reason I think the amendment is a good one because primary producers cannot get much labour and will not employ more than necessary.

The Hon. T. PLAYFORD—If a primary producer or other person had a house for which he had no use for a short period, under the Act he could get an exclusion order to have his house occupied for a stipulated period, and then the tenant would have to vacate it. This amendment would enable a person to buy a house and, having bought it, the tenant who had possibly lived in it for many years could be evicted.

Mr. FRANK WALSH—I am pleased the Government is opposed to the amendment. Under it a primary producer could buy a nearby house and thus deprive the tenant of his security. I do not think Mr. Hawker understands the real hardship which would exist if the amendment were agreed to.

Mr. BROOKMAN—We hear much about the need for rural labour and this is tied up with the question of housing. If the amendment were agreed to it would improve the position of the availability of rural labour. The Premier said that all that was necessary was for a person to get an exclusion certificate if he wanted to let a house for a short period. However, many people let their houses before these certificates were introduced and now they want to improve their properties cannot get possession to enable them to employ additional labour. The amendment would enable them to do so.

Mr. SHANNON—I support the amendment. Not long ago the Premier made a bold statement about our getting our ideas on our State economy re-orientated, saying that we had gone a little too far in developing secondary industries. This amendment presents an opportunity for primary producers to get additional labour. It would not apply to the metropolitan area.

The Hon. T. Playford—It is not confined to agricultural areas.

Mr. SHANNON—Farmers and potato growers in my district cannot get labour because they have no house to offer. Why should they not be permitted to buy a nearby home for an employee, although it may entail the present tenant being displaced?

Mr. O'HALLORAN—I am totally opposed to the amendment because its acceptance would confer a privilege on a certain section of the employing community. Those who live in the type of house which will be subject to the amendment are obviously employed somewhere now. They may be in a useful occupation and even working for a primary producer who is not in affluent circumstances and therefore unable to purchase the home in which the employee is living. People in other industries may have the necessary financial resources to purchase a house, which could be used by an employee if the amendment is carried. Therefore they would be granted a privilege. The plea for the housing of rural workers leaves me unmoved, because I know that in recent years many habitable homes in the country have been pulled down by the owners so that they could benefit from the high prices ruling for the building materials in them. Some of the housing shortage in the country is due entirely to this circumstance.

The Hon. S. W. Jeffries—Is there not a restriction on the demolition of houses?

Mr. O'HALLORAN—Yes, but unfortunately the restriction was not imposed soon enough and it was not strict enough, because to qualify for protection under the demolition clause the house must have been occupied as a dwelling in the previous 12 months. Many of these places were vacated in the early part of World War II. by people coming to Adelaide to work in munitions or by others who joined the fighting services. The amendment is designed to confer privileges on people least entitled to such privileges and consequently I am opposed to it.

Mr. HAWKER—The Leader of the Opposition mentioned that he knows of several houses having been pulled down.

Mr. O'Halloran—I know of several hundred, some being situated in the honourable member's district.

Mr. HAWKER—Far more houses have been built in my district than have been pulled down.

Mr. O'Halloran—In the last 10 years?

Mr. HAWKER—Yes. The day of the mess for single employees on rural properties has gone. Not one more house will be made available in the country whether this amendment is carried or not.

Amendment disagreed to.

Amendments Nos. 7 and 8.

The Hon. T. PLAYFORD—Amendments Nos. 7 and 8 deal with the same matter, so I suggest they be considered together. As amendment No. 5 has not been agreed to, amendments Nos. 7 and 8 will be ineffective and should be dealt with accordingly. However, even if amendment No. 5 were accepted, amendments Nos. 7 and 8 need not, as a necessary consequence, be accepted. The effect of amendments Nos. 7 and 8 is to provide that where a lessor, being a British subject or a registered company, etc., has owned a house for five years and gives 12 months' notice to his tenant on the ground that the house is needed for an employee, hardship provisions will not apply and the tenant must go. This ground upon which the notice can be given is a new one created by amendment No. 5 and, as that amendment has not been accepted, amendments Nos. 7 and 8 would fail because there would be no ground for giving notice to quit. It is provided by amendment No. 8 that only one house per year can be recovered under amendment No. 8 by any one owner. If amendment No. 5 had been accepted and amendments Nos. 7 and 8 were accepted, it would follow that an employer could secure possession of his house (without limit of number) for an employee if he can prove greater relative hardship. Hardship is not taken into account under amendment No. 8, but there must be five years' ownership and 12 months' notice. I move that these amendments be disagreed to.

Amendments disagreed to.

Amendments Nos. 9 to 12.

The Hon. T. PLAYFORD—All these amendments deal with the same matter, so I suggest that they be dealt with together. As introduced into the House of Assembly, clause 22 provided that, in the circumstances set out in the clause, the court could not apply the hardship provisions. As amended in the House of Assembly, the clause provided that the court was to have a discretion as to whether it should consider relative hardship, etc. The amendments of the Legislative Council provide, in effect, that the court is not to consider relative hardships unless the court considers special circumstances exist, in which case the court may consider relative hardships. Thus, the onus will be placed on the tenant to establish special circumstances and when this is done the

court will have a discretionary power to consider hardship. These amendments are reasonable so I move that they be agreed to.

Mr. FRANK WALSH—That would leave the Bill practically as it was when introduced into this House. The Premier has indicated that the Government desires to offer as much protection as possible to tenants under existing conditions. The Committee, therefore, should be consistent and maintain its attitude on this question.

Amendments agreed to.

The following reason for disagreement was adopted:—Because the amendments, by preventing the question of the relative hardship of the parties from being considered, will bear unduly on lessees.

Later, the Legislative Council intimated that it insisted upon its amendments to which the House of Assembly had disagreed.

In Committee.

The Hon. T. PLAYFORD—I move that the House insist upon its disagreement.

Disagreement insisted on.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by the Hon. T. Playford and Messrs. O'Halloran, Frank Walsh, Pattinson, and Whittle.

The Legislative Council agreed to a conference to be held in the Legislative Council conference room at 9 p.m.

At 8.57 p.m. the managers proceeded to the conference. They returned at 11.30 p.m. The recommendations were:—

That the Legislative Council do not further insist on its amendments No. 1 and Nos. 5, 7 and 8, but make the following amendments in lieu thereof and that the House of Assembly agree thereto:

Clause 14. Page 7 after paragraph (*c*) insert the following new paragraph:

(*c*1) By inserting after the word "house" first occurring in paragraph (*k*1) of subsection (5) thereof the words "(which was owned by the lessor at the time of the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951)";

(*c*2) By striking out the word "adjacent" in paragraph (*k*1) of subsection (5) thereof and by inserting in lieu thereof the word "contiguous";

Clause 22. Page 12, line 21—Strike out "thirty days" and insert "two months."

Clause 22—At the end of new section 26*wb* insert the following subclause:

(7) In this section "shared accommodation" means any premises to which this Act applies—

(*na*) which form part of other premises; and

(*b*) which are leased for the purpose of residence; and

(*c*) lessee of which, under the terms of the lease uses any habitable room, bathroom or privy in common with the lessor or with another lessee.

Clause 22—At the end of the clause add the following new section:

26*wc* (1) Notwithstanding section 26*n* but subject to this section the lessor of any dwellinghouse may give notice to quit to the lessee of the dwellinghouse on the ground that the dwellinghouse is reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by, the lessor.

(2) Notice to quit shall not be given under this section except subject to the following provisions:—

i. The lessor shall have been the owner of the premises for at least five years before the giving of the notice to quit.

ii. The lessor shall be a British subject or a body corporate incorporated or registered in accordance with any law of the State.

iii. The lessor shall have, since the passing of the Landlord and Tenant (Control of Rents) Amendment Act, 1941, given notice to the lessee for a period of not less than 12 months.

(3) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwellinghouse or the ejectment of the lessee therefrom, if proof is given (the onus of which proof shall be on the lessor) that the lessor was entitled under this section to give the notice to quit and that the lessor has not within the period of 12 months preceding the giving of the notice to quit given any other notice to quit under this section, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 26u.

(4) Except as otherwise provided by this section, the provisions of this part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit any right of the lessor under any other provision of this Act.

As to amendment No. 6.

That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

The Hon. T. PLAYFORD—Members will recall that Legislative Council amendment No. 1 sought to include privies and bathrooms as part of shared accommodation and the term "shared accommodation" would apply where anyone occupied part of a dwelling which included a shared bathroom or privy. The amendment brought the Bill back substantially to what the committee had first recommended when the measure was introduced. The agreement reached on that point is that the

Assembly's view will prevail as regards all premises which were leased before the passing of the Act, but the new provision will apply to all leases after the passing of the Act. For leases entered into after its passing, "shared accommodation" will come within the meaning of the Act if there is a privy or bathroom that is shared, but existing tenants will come under the provisions in the form in which the Bill left the House. Under the existing law relating to tenancies, tenants have to share a habitable room to come under the definition of "shared accommodation" and a "habitable room" does not include a privy or bathroom, but as regards new leases if a privy or bathroom is shared they would come under the term "shared accommodation."

It will be recalled that under the Legislative Council's amendment No. 5 an attempt was made to provide new grounds for the securing of premises by a company. It was very wide in its definition, because it gave new grounds without any limit as to the number or the condition for notice to quit. It was connected with amendments 7 and 8, which set out that a company could apply for repossession if it had owned a house for five years, had given 12 months' notice and required it for an employee. Under those circumstances it could secure the premises at the end of 12 months by a court order without having to prove hardship. As I pointed out when the amendment was before the House, it went much further than that because it brought in a new ground for giving notice which was extremely wide and in my opinion it was a rather clumsy attempt to obtain what the Council sought. Members will see that we have agreed to submit a specific clause, which provides that if a firm has owned a house for five years and has given notice 12 months after the passing of the Act it can secure possession to house an employee. This provision will relate to one house a year. The grounds for giving notice and the formula provided in the previous amendments have been wiped out and proceedings simplified.

Another point on which there was a difference between the Houses was in relation to a primary producer being enabled to secure a house which was adjacent to his property and eject the tenant to enable it to be used by an employee. That section has been tightened to provide in the first place that the house must be contiguous to the premises. It cannot be loosely stated as being "adjacent," which might mean anywhere. Secondly, the house must have been the property of the owner prior to the Act. In other words, a person could not proceed to buy houses and then eject their tenants. The Assembly managers agreed to recommend to the House that the amendment as amended should be agreed to. Houses on primary producers' properties are already covered by the Bill and the owner can secure possession under existing provisions. The amendment in effect takes it a step further, because it gives a primary producer the right to get possession of a house that is contiguous to his property. It does not have to be on his property; for instance, if a road separated the house from his property it would still be contiguous.

Later the Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations.

The Hon. T. PLAYFORD (Premier and Treasurer)—I have already fully explained the nature of the agreement reached at the conference, and I move that this Committee agree to the recommendations.

Mr. STOTT—In the case of an employee whose share-farming agreement has expired, and who occupies a house on a property which has been leased by the employer and which is contiguous to that of the employer, ceasing to be an employee under the amendment to clause 14, could the employer secure possession of the employee's house for the purpose of housing a new employee?

The Hon. T. PLAYFORD—I think the lessor as well as the owner would be included in the meaning of this provision. Where he owns or is the lessor of a property and desires to secure it for the purpose of placing an employee in it, he can secure it provided it is contiguous to his holding.

Mr. Stott—Would he have to give 12 months' notice?

The Hon. T. PLAYFORD—No, he would give only the normal notice.

Recommendations agreed to.

EDUCATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 27. Page 1474.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—This Bill provides that members of the Public Service permitted to transfer to the Education Department will take with them their rights to long service leave earned whilst

in the Public Service. The provision is necessary because long service leave for public servants is awarded after 10 years' service, whereas in the Education Department the leave is awarded after 15 years' service. It is desirable that the officers be permitted to transfer without any loss of long service leave. I support the measure.

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

Later, the Bill was returned from the Legislative Council without amendment.

GARDEN SUBURB (REPEAL) BILL.

Second reading.

The Hon. M. McINTOSH (Albert—Minister of Local Government)—It is not the intention of the Government to ask Parliament to deal with this Bill this session, but it will be placed upon members' files for consideration. A petition was received from the Garden Suburb to have it attached to the municipality of Mitcham, which indicated its willingness to have the attachment. In pursuance of my powers as Minister, the matter was referred to a special magistrate and he recommended the attachment under certain conditions, which are, in the main, set out in the Bill. Its purpose is to repeal the Garden Suburb Act, 1919-1936, and to annex the Garden Suburb to the municipality of Mitcham. The Garden Suburb was constituted under legislation passed in 1919. The Act provides for the appointment of a Garden Suburb Commissioner who exercises all the powers of a municipal council within the Garden Suburb and to whom was entrusted the responsibility of selling the land within the Garden Suburb. The whole of the land in question has been sold and, for all practical purposes, built upon. The suburb consists of approximately 380 acres on which there are about 1,150 dwellings. The Act provides that as soon as there are 300 or more ratepayers in the suburb, a proclamation can be made annexing the suburb to any existing municipality or district council district or constituting the suburb a municipality or district. It is not proposed to do it by proclamation because the matter deserves more consideration than some people in the district have given it, and, in addition, there are legal aspects which could not be dealt with properly in a proclamation.

From time to time the question of the future status of the Garden Suburb has been raised but, heretofore, nothing has come of these discussions. However, earlier this year the Mitcham council passed a resolution to the effect that in the joint interests of Mitcham and the Garden Suburb the two authorities should be amalgamated. In addition, a petition and a supplementary petition of over 1,000 ratepayers of the Garden Suburb were presented praying that the suburb should be amalgamated with Mitcham. Following upon these approaches, Mr. L. V. Pellew, S.M., was appointed to inquire into the matter. Mr. Pellew has presented a report recommending that the Garden Suburb be amalgamated with Mitcham. The reasons for this recommendation are set out in full in the report. It is pointed out in the report that the Garden Suburb is too small for economical administration. Its administrative costs amount to 25 per cent of its rate revenue as compared with 12 per cent in the case of Mitcham. The existing rate revenue of the suburb, it is pointed out, is insufficient to meet its proper needs and for the suburb to continue as a separate entity substantial rate increases would be necessary. This is set out in the report. The Government made no attempt whatever to induce the people to attach themselves to the Mitcham Council. The Garden Suburb is surrounded on all sides by the city of Mitcham and, if the suburb is not to continue as a separate entity, it follows that it must be amalgamated with Mitcham. Again, this follows the outline of the report. If this amalgamation is carried out, it may, as Mr. Pellew points out, result in some increased rates being charged in the suburb but, as Mr. Pellew also points out and stresses, an increase in rates, probably substantial, must be expected if the Garden Suburb were left as a separate local governing unit. As far as I can see, practically all councils will have to increase their rates, and it will not be the Garden Suburb alone. In fact, Mr. Pellew goes as far as to say that it is a possibility that ultimately the Garden Suburb, by reason of its small size and revenue, may, if costs continue to rise, be unable to finance its ordinary undertakings without a very steep increase in rates. It may, he adds, even have to ask Government assistance. This Bill is therefore introduced in order to give effect to Mr. Pellew's recommendations.

Clause 3 therefore annexes the Garden Suburb to Mitcham and adds one part to the Hawthorn-Westbourne Park ward of Mitcham and the remainder to Edwardstown-Hope ward. Mr. Pellew suggested that these changes should take effect from July 1, 1952. However, it is not expected that this Bill, which under the

Joint Standing Orders is a hybrid Bill and must after its second reading be referred to a Select Committee, will be passed during this session. It is accordingly provided that the change-over is to take effect on January 1, 1953. This arrangement is acceptable to the Mitcham Council and it is expected that the Garden Suburb Commissioner's term of office will be extended to the time when the change-over takes place. Clause 4 provides that all the property, rights, and liabilities of the Garden Suburb Commissioner will, as from January 1, 1953, be transferred to the Mitcham Council and that, as a necessary consequence, the amount standing to the credit of the Commissioner in the Garden Suburb Fund will be transferred to the Council. Subclause (2) of clause 4 provides that the by-laws of the Garden Suburb Commissioner are to continue in force until January 1, 1954, that is 12 months after the time proposed for the change-over. After January 1, 1954, the by-laws of the Commissioner will cease to have effect and the Mitcham by-laws will apply. The reason for this delay in the Mitcham by-laws coming into force is that under the by-laws made by the Commissioner, the Garden Suburb has been zoned for residential, business, etc., areas, and it is desired that these by-laws should continue in operation until such time as the Mitcham Council has had an opportunity to make zoning by-laws in their place.

Clause 5 deals with another matter. As before mentioned, the Act provided that the Commissioner could sell land within the Suburb and it is provided that any such sale is subject to conditions, the most important being that land sold for one purpose, such as for residential purposes, cannot be used for another purpose, such as for business purposes. And the Act provides that any certificate of title is to be indorsed accordingly. It is considered that these provisions should not be continued, particularly as the zoning by-laws made by the Commissioner also contain the same prohibitions as those set out in the Act. Accordingly, clause 5 declares that, as from January 1, 1953, these conditions are to cease to have effect and that the Registrar-General may make any necessary correction in the Register Book to give effect to their repeal. Clause 6 repeals the Garden Surburb Act as from January 1, 1953.

The Bill does not make any provision as regards the present employees of the Garden Suburb Commissioner. However, the Mitcham Council has given an undertaking that it will take on its staff such of the outdoor employees as desire to work for the council and, in fact, in these days of labour shortage the Mitcham Council is most keen to see that these employees will transfer to the council. The Garden Suburb Commissioner has reached the retiring age and would, but for these arrangements for amalgamation, have already retired from the Public Service. The only other employee of the Commissioner is an office worker for whom it is expected that other work will be available in some branch of the Government. The Bill thus provides for the amalgamation of the Garden Suburb with Mitcham after a proper inquiry which was instituted after representations had been made from the ratepayers concerned and by the Mitcham Council. As before mentioned, the Bill must go to a Select Committee, and it will be for that committee to inquire as to whether the Bill adequately deals with the matter to which it relates. No good purpose would be served in trying to carry the matter any further this session than I have indicated for the House would not be sitting at the time the Select Committee would operate. I pay a great compliment to the Garden Suburb Commissioner and his staff for having, over such a long period, given such fine service. I have nothing but praise for the work of the commissioner and I do not think there is one area of the State which has given the Government or myself as Minister less worry and trouble. This area has been admirably managed, but, if the time has come for a new type of administration to be inaugurated, this Bill will achieve that purpose. I ask leave to continue my remarks.

Leave granted; debate adjourned.

INTEREST ON CROWN ADVANCES AND LEASES ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

WILD DOGS ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

HEALTH ACT AMENDMENT BILL.

The Legislative Council intimated that it had agreed to the House of Assembly's amendments without amendment.

SURPLUS REVENUE ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Consideration in Committee of Legislative Council's amendment and suggested amendments—

Amendment No. 1. Page 1, line 16 (clause 3)—Before the word "executor" insert the word "an".

Suggested amendment No. 1. Page 2, line 36 (clause 4)—Add the following paragraph:—

(*d*) Any person who has died from wounds inflicted, accident occurring, or disease contracted while he was a member of a naval, military, or air force of the Commonwealth operating under a British commander for the suppression of unlawful violence in Malaya.

Suggested amendment No. 2. Page 3, line 3 (clause 4)—Add the following words at the end of subsection (3):—

"or before or after he had ceased to be on active service or to be engaged or occupied as mentioned in subsection (1) of this section."

Amendment No. 1.

The Hon. T. PLAYFORD—This is a drafting amendment, made on the recommendation of the Parliamentary Draftsman. It relates to the provision which declares that the professional charges of a solicitor-trustee shall be exempt from succession duty. The object of the amendment is to remove any suggestion that the exemption only applies where a solicitor is sole trustee, and to make it clear that it will apply whether he is sole trustee or one of two or more. I recommend that the amendment be accepted.

Amendment agreed to.

Suggested amendment No. 1.

The Hon. T. PLAYFORD—This extends the proposed exemption from succession duty to the estates of Australian servicemen dying as a result of operations for the suppression of unlawful violence in Malaya. Persons killed in warlike operations against bandits in Malaya obviously fall in the same category as those killed in Korea, and their dependants have a similar claim to a concession. I move that this suggested amendment be agreed to.

Mr. MACGILLIVRAY—Can the Premier say whether any Australian troops are fighting in Malaya at present?

The Hon. T. PLAYFORD—I understand that certain Royal Australian Air Force and liaison ground force personnel are operating there at present. I am further informed that 2,600 Australian servicemen have been employed there in the various services and that 21 of them have been killed.

Suggested amendment agreed to.

Suggested amendment No. 2.

The Hon. T. PLAYFORD—This was inserted because some members raised the question whether the Bill applied to the estates of persons who die after ceasing to be on active service. The Government did not consider it likely that the Bill would be interpreted as applying only to those who might die actually in Korea, but was willing to accept an amendment to remove any possible misunderstanding on this point. The amendment reiterates the original intention of the Bill. I recommend that it be accepted.

Suggested amendment agreed to.

BUILDING MATERIALS ACT AMENDMENT BILL.

Consideration in Committee of Legislative Council's amendments—

No. 1. Page 2, line 20 (clause 2)—Leave out "iii." and insert "iv."

No. 2. Page 4, line 42 (clause 7)—Leave out "penalty" and insert "liable."

Amendment No. 1.

The Hon. T. PLAYFORD—This is a drafting amendment which I suggest be agreed to. Paragraph (*f*) of clause 2 provides in effect that, except as regards any one outbuilding, additions to new dwellinghouses cannot be carried out without permit during the period of 12 months after the completion of the dwellinghouse. As introduced, this provision was annexed to subdivision III. of subsection (2) of section 4 of the Building Materials Act, which deals with farmhouses. It should have amended subdivision IV., which relates to ordinary dwellinghouses. This error has been corrected by the amendment of the Legislative Council.

Amendment agreed to.

Amendment No. 2.

The Hon. T. PLAYFORD—This is also a drafting amendment which I suggest be agreed to. Clause 7 inserts certain words in section 14 (4) of the Act. As introduced they were inserted after the word "penalty." The words should, however, be inserted after the word "liable" and this error in drafting is corrected by the amendment of the Legislative Council.

Amendment agreed to.

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 27. Page 1474.)

Mr. O'HALLORAN (Frome—Leader of the Opposition)—I see no violent objection to the principles incorporated in this Bill, although I think it might be subjected to an amendment for the sake of uniformity. In the first place I am a little concerned as to the urgency of the measure. In his second reading speech the Premier said that the Bill was necessary because the Hairdressers Registration Board made a loss of £240 last year. On examining the position we find the revenue for the year was £1,100 and the expenditure £1,340. The Auditor-General's report discloses that at June 30, 1951, the board had the following assets:—

	£
Cash at bank and in hand	124
Investments (Commonwealth Treasury bonds at cost)	1,000
Fixed assets, office equipment, and plant, £185; less depreciation, £9 ..	176
Total assets	£1,300

The board had no liabilities, therefore the accumulated funds at June 30, 1950, were £1,540, from which has to be deducted the deficit for the year ended June 30, 1951, of £240. That leaves a credit balance in the reserves of the board of £1,300. There does not seem to be any great necessity to pass the Bill in order to maintain the solvency of the board, but I recognize that, because of circumstances with which we are all familiar, the revenue of the board in the future will not be sufficient to meet its expenditure. The fees now charged by the board are £1 1s. for examination, £1 1s. for registration, 10s. 6d. for a certificate, and 5s. for annual registration as an employee. It is proposed by the Bill to increase the fee for examination to £2 2s. and for registration to £1 11s. 6d. Up to the present those fees have been uniform, and I will move in Committee to keep them uniform. According to the Auditor-General's report, the total yearly revenue from certificate and examination fees is only about £90, so reducing the proposed examination fee by 10s. 6d. would not involve the board in much loss. On the other hand, it would relieve the burden on apprentice hairdressers and on their parents, who usually contribute towards their support during apprenticeship. I have no objection to the provision that companies should be subject to the same restrictions as individual hairdressers.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Fees."

Mr. O'HALLORAN—I move—

To strike out "two pounds two shillings" in subclause (*a*) and insert "one pound eleven shillings and sixpence" in lieu thereof.

The purpose of my amendment is to reduce the financial burden on parents and apprentices and to keep the examination and registration fees uniform.

The Hon. M. McINTOSH—I am not familiar with the facts of this matter, but I can see no reason why the Government should oppose the amendment.

Amendment carried; clause as amended passed.

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

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

ROAD TRAFFIC ACT AMENDMENT BILL.

Consideration in Committee of Legislative Council's amendments and suggested amendments.

Amendments—

No. 1. Page 2, line 33 (clause 6)—Add the following paragraph:—

(*c*) by adding at the end thereof the following subsection:—

(4) The registrar shall not grant a registration under this section if the effect of so doing would be that the same person would at any time have more than one vehicle registered at a reduced fee pursuant to this section.

No. 2. Page 5, line 4 (clause 15)—Add the following paragraph:—

(*g*) After subsection (1) of section 48 the following subsection is inserted:—

(1*a*) In determining whether an offence is a first, second, third, or subsequent offence within the meaning of subsection (1) of this section, a previous offence for which the defendant was convicted more than five years before the commission of the offence under consideration shall not be taken into account, but a previous offence for which the defendant was convicted within the said period shall be so taken into account, whether the conviction took place before or after the passing of the Road Traffic Act Amendment Act, 1951.

Suggested amendments—

No. 1. Page 1, line 23 (clause 4)—After "vehicle" insert "other than a motor tractor registrable at a reduced fee under paragraph (10) of this section."

No. 2. Page 1, line 24 (clause 4)—After "fee" insert "for every registration thereof effected after the commencement of section 4 of the Road Traffic Act Amendment Act, 1951."

Amendment No. 1.

The Hon. T. PLAYFORD (Premier and Treasurer)—Amendment No. 1 deals with the reduced registration fees chargeable on motor cars owned by incapacitated ex-servicemen. It was drafted on the Government's instructions. Its object is to provide that an incapacitated ex-serviceman is not to have more than one vehicle at the same time registered at a reduced fee. The justification for the amendment is that the concessional rate of registration fee has been provided in order that incapacitated ex-servicemen may have motor cars for their own personal transport without undue expense. But if a man registers two or more motor cars, it often happens that one or more of them are not used for his own personal transport. Some such cases are known to the Registrar of Motor Vehicles. For this reason it is desirable to have a limitation on the number of vehicles which can be registered at reduced rates by any one person. I recommend that the amendment be agreed to.

Mr. MACGILLIVRAY—Mr. Riches sought to have such a provision included when the Bill was before the House. I support the amendment and agree that the concession should be extended to one vehicle only.

Amendment agreed to.

Amendment No. 2.

The Hon. T. PLAYFORD—Amendment No. 2 deals with the penalties for driving whilst under the influence of liquor or drugs. The Bill as drafted provided that the court is obliged to impose a penalty of imprisonment for a second or subsequent offence. It was thought in another House that some time limit should be fixed after which an offence should cease to have the effect of increasing the penalty for a subsequent offence. The amendment provides, in effect, that a conviction for an offence will cease to have effect on the penalty for any subsequent offence after five years. It appears reasonable that some such time limit should be imposed. It would obviously be unfair that an offence should affect the penalty for an offence committed 20 years later without any intervening offences. The main question is the time which should elapse before an offence ceases to be taken into account. This is purely a matter of opinion. I move that the amendment be agreed to.

Amendment agreed to.

Suggested amendments Nos. 1 and 2.

The Hon. T. PLAYFORD—These are both Government amendments. They provide that the increased rate of registration fee proposed in the Bill for vehicles driven by diesel engines will not apply to primary producers' tractors. They also make it clear that the amendments have no retrospective effect. These amendments are in accord with Government policy and no doubt members will accept them. The justification for not imposing the increased rate of fee on primary producers' diesel engined tractors is that these tractors are only allowed to be used to a very limited extent on roads, and the object of the increased fee is to obtain an increased contribution towards the construction and maintenance of roads. I move that these amendments be agreed to.

Suggested amendments agreed to.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Consideration in Committee of Legislative Council's amendments—

No. 1. Page 2—After clause 5 insert new clause 5a as follows:—

5a. Amendment of principal Act, section 163dd—Duration of determination.—Section 163dd of the principal Act is amended by adding at the end thereof the following words:—"Provided that if any salaries are fixed under a determination of the board or any variation thereof which is made for the purpose of giving effect to any variation of the living wage made pursuant to the Industrial Code, 1920-1952, the board may, in the determination or variation thereof, declare that the salaries fixed thereunder shall be payable as from any day not earlier than the day upon which the variation of the living wage takes effect."

No. 2. Page 3—After new clause 5a insert new clause 5b as follows:—

5b. Amendment of principal Act, section 169—Assessment of certain areas used for sporting purposes.—Section 169 of the principal Act is amended by adding at the end thereof the following subsection:—

(3) Any land situated in an area in which Division III. of Part X. applies shall during the first five financial years during which the said division so applies be assessed at one-half of the amount of the land value thereof if—

(*a*) the land is occupied by an association or organization of persons the principal object of which is the playing of games on the land by the members thereof; and

(*b*) the land is used for the playing of games by a substantial number of the members of the association or organization; and

(*c*) the land is 10 acres or more in area; and

(*d*) the constitution of the association or organization is such that the members thereof (other than honorary members) are required to pay subscriptions to the association or organization and no payment is made to the members from any of the receipts of the association or organization.

No. 3. Page 5 (clause 12)—Leave out paragraph (*j*3).

No. 4. Page 8—Leave out clause 23.

Amendment No. 1.

The Hon. M. McINTOSH (Minister of Local Government)—In effect this amendment means that local government officers will be substantially on the same basis as public servants. It is the practice of the board to alter its determination to conform with any variations of the living wage which are declared under the Industrial Code, which provides, in effect, for the automatic adjustment of wages to give effect to a variation of the living wage. However, the Industrial Code does not apply to the Local Government Officers' Classification Board, and it is thus necessary for the board to make a new determination after every variation of the living wage. The determination does not take effect until 14 days after publication in the *Gazette*, so that there is an inevitable lag between the time when the variation of the living wage applies generally and the time it can be applied to local government officers. New clause 5a therefore provides that, when a determination is made for the purpose of giving effect to a variation in the living wage, the board may provide that its determination is to take effect from any day not earlier than the day on which the variation of the living wage takes effect. A somewhat similar amendment was some time ago inserted in the Public Service Act to enable a similar procedure to be followed with respect to the salaries of public officers fixed by the Public Service Board. I move that the amendment be agreed to.

Amendment agreed to.

Amendment No. 2.

The Hon. M. McINTOSH—I move that this amendment be disagreed to for the reason that it would give an undue privilege to a limited number of people. The effect of it is that members of certain clubs would have the privilege of playing sport on land on which the rate would be only half the rate declared applicable to the land. I oppose the amendment on principle, but not because the Government does not favour the encouragement of sport. As long as there is local government each council should decide its own type of rating. In this case it was decided to adopt the unimproved land values system, and in consequence a considerable area of unimproved land has a higher rating than would otherwise be the case. If the amendment is accepted the provision will apply to any council. On July 17 a deputation waited on me in regard to this matter and I explored it with an open mind. I do not think I can do better than report now what I said extempore to the deputation. I put the pros and cons of the matter as I saw them at the time. The following is an unabridged and unedited report of what I said to the deputation:—

In the first place I am sympathetic in my attitude in regard to your difficulties, but to overcome them is another question. This would mean an alteration of the Act. Quite a number of councils have adopted the land values system. You have given good and cogent reasons why you have a very strong claim for consideration. There were many discussions on the 25 per cent rating for private schools and it was one of the most tenaciously fought issues in Parliament. Over a long period of years other councils have claimed redress from the Government because they have a great deal of non-ratable property in their areas—for instance, Port Adelaide. They in return have received a lot of advantages—roads and footpaths in the vicinity of the wharves have been maintained by the Government. Enfield was another case where there was a very strong opposition to the cemetery being created there as they considered that the area would be very valuable as a residential area in a few years.

Parliament agreed, and the cemetery was not created on the site first proposed. The report continued:—

The following are some arguments which I might raise in favour of some exemption being given from the ordinary rating provisions:—

1. Golf links and other places for sport, whilst not essential, are highly desirable in any large urban community.

2. Whilst these areas of land are not legally available to the public they, in instances, are walked over by the public in some degree and do provide open spaces in the mass of urban building.

3. Whilst these open spaces increase some of the problems for the provision of public services by requiring roads, water mains, sewers, etc., to be taken past the land, the land in question makes relatively little demand on the services of the council.

One of the points raised in favour of the amendments was that the council had not done

much towards these services. Another argument was:—

4. The land values system makes no provision for land used in the manner in question and assumes, in effect, that all land should, in order to meet the rate burden, be put to its full economic use.

I said also:—

On the other hand, West Torrens will probably raise the following objections:—

1. Any such exemption would run counter to the existing policy of the law.

2. The disabilities suffered by the bodies in question also apply either to the same or to somewhat lesser degree to owners of land who choose to use their land for agricultural or grazing purposes.

3. Membership of the golf club is not confined to ratepayers of the local district and ratepayers could take the point that these members should incur the same rating obligations as others in the district.

Government policy is that councils generally should have the right to determine their rating systems. It is not for me to do other than espouse the system adopted in this case.

Mr. O'Halloran—The ratepayers decided this matter.

The Hon. M. McINTOSH—Yes, with the full knowledge that the land in question would have to bear an increased liability. The West Torrens area comprises 7,680 acres, and the airport nearby contains 1,920 acres. The Kooyonga Golf Club has 140 acres, the Glenelg Golf Club 114, and the Birkalla polo grounds 65. Of an area of 7,680 acres in the council area almost 30 per cent of it is not built on and on the face of it can never be. The West Beach airport represents about 25 per cent of the total council area. The effect of this new clause is to provide that, in the case of a local government area where the assessment is based on land values, any tract of land, 10 acres or more in area, used for such as a golf course and for some similar activity, will be assessed at half its unimproved land value. This exemption is to continue only for the first five years during which the land values system applies. What will happen after that I do not know. It is only a reprieve and in no way a solution. With a new assessment under the old rating system these rates would have been very much higher than they were last year. The issue is whether local governing bodies are to be supreme in their system of rating after there has been a vote of ratepayers.

A fundamental of the land values system is that land is rated according to its unimproved land value, irrespective of the use to which it is put. It may be that objection can be brought against this system of rating, but the fact remains that this system is authorized by the Local Government Act and that, after a poll of the owners of ratable property in a local government area, this system can be brought into operation in a local government area. To justify an exemption from the ordinary incidence of rating, it should, it is submitted, be established that the land sought to be exempted serves a public purpose. For example, land dedicated to the use of the public is exempt from rating. In the case under review the Local Government Advisory Committee was asked to give its advice. It has been stated that it unanimously recommended half rates for these bodies. It did nothing of the kind, but recommended that the half rate should be accepted if the public had access to the land. I discussed with my colleague what would be considered a "special occasion" and we found it difficult to decide. Therefore, it was not included in the Bill. The Leader of the Government in the Legislative Council introduced it as an amendment, and it was rejected, so the Government is now faced with a straight-out issue—whether it is to support local government or depart from the principle by saying that, notwithstanding that the public has not access to these areas, the council shall not charge the full rate.

We have to consider what will be the results of our deliberations on local government generally. It has been claimed that the imposition of the increased rate will force these clubs out of existence. That is unlikely, because the additional costs spread over the total membership would not amount to anything worthwhile and would represent only the cost of one drink less a week. To give an idea of comparative costs in sport, I might mention that in 1940 a tennis racquet which cost £4 would today cost £6, polo sticks have increased from 32s. to 53s., and cricket bats from 63s. to 155s., but no-one would suggest that these sporting people are leaving sport because they cannot afford their equipment. We need not look at the matter from the point of view of these sporting people. The council took a poll and had I the right to vote I would have voted against it, but I feel it is the duty of the Government to stand up to a decision arrived at after a vote by ratepayers. Two of the bodies concerned have lodged appeals and the matter is *sub judice*.

Mr. Macgillivray—What is the attitude of the West Torrens council?

The Hon. M. McINTOSH—It has been eminently fair, and did not supply me with any information other than that asked for. I have not endeavoured to get support, but leave the question for the Committee to decide. The council pointed out to me that it has already budgeted for a deficit, so that deficit will be increased to the extent of any reduction made.

Mr. O'Halloran—How much would that represent?

The Hon. M. McINTOSH—It all depends which way you look at it. The rates for the Kooyonga Golf Club in 1950-51 amounted to £136 6s., but under the new system would increase to £1,790 16s. 8d. The new rate under the old assessment would amount to £460, a difference of about £1,300, spread among about 800 members. In 1950-51 the rates paid by the Glenelg Golf Club amounted to £75 15s., but they have increased to £1,690, but under the new assessment with the old rating system they would total £177. Corresponding figures for the Birkalla polo grounds are £40 and £634, but under the old rating, system but with the new assessment, the rates would total £163. Those are all very considerable increases, but they may be spread over many people. In the same areas the water rates have increased by more than 100 per cent with little objection from ratepayers. The polo club has 180 members but sub-lets its grounds to other sporting clubs with over 3,000 members.

Mr. Stephens—The other clubs pay a charge which may be increased by the polo club.

The Hon. M. McINTOSH—Yes. There might be some force in the argument behind the amendment in regard to recreation grounds in a country town where such a ground is used by 90 per cent of its inhabitants, but many members of these sporting clubs are not resident in these areas. Why should one council be called on to provide playgrounds for the rest of the metropolitan area, whilst losing rate revenue through such provision?

Mr. Stephens—Could a children's playground or the courts of a tennis club, with an area of less than ten acres, be given this concession?

The Hon. M. McINTOSH—No. The grounds referred to in the amendment are not accessible to the public, but are available only to members. I understand there is a substantial waiting list for membership of these clubs, and that at present the Kooyonga Golf Club has about 800 members, the Glenelg Golf Club about 1,000, and the polo club about 180. Spread over the whole of those memberships this increase in rates would not ruin their sport. This House would not be justified in accepting the amendment.

Mr. HAWKER—I support the amendment, but in doing so have no desire for Parliament to direct the affairs of a council any more than Parliament has directed them in the past. There is a precedent for a differential rate for sporting clubs. Section 169 of the Act permits schools to pay only one quarter the usual rate, and agricultural societies half the rate. Only half the usual rate is paid in connection with trotting at the Wayville Oval. Many people play games on ovals owned by councils. No rates are collected from those who play the games, but the ovals have to be maintained by the councils concerned. I believe the purpose of levying rates is to provide amenities and public utilities for residents. The Minister said that the West Torrens council was budgeting for a deficit, but it will receive £3,000 from the three sporting bodies concerned in the amendment, yet the services provided for them are negligible. Why should sporting people be called upon to keep the council partially in funds when the council takes no interest in their land? It is possible that if these sporting bodies go out of existence the Housing Trust will get the land, and with the building of houses the open spaces will go. It took a war to provide open spaces in London and we should take an example from what is being done there. If these rates are collected from the three sporting bodies and the council still has a deficit those three bodies will be called upon to pay additional rates. In New York only the wealthy can afford to play golf. We do not want that here. More than 50 per cent of the members of our clubs are employees. The Minister said what is paid in rates by these three bodies now and what would be paid under the new assessment. The Kooyonga Golf Club previously paid £136. Under the old annual rating system it would pay £460, but if the amendment is accepted it will pay £895. In all, under the amendment, the three bodies will pay about £1,550. The polo ground is open to the public at all times when games are played, provided they keep off the playing arena. The only time a charge is made is when the yearly tournaments are held. On the polo ground hockey is played. There are 54 teams, covering about 600 players. Hockey games by children attending public and secondary schools are sponsored.

Mr. Stephens—Should children's playgrounds have the same privileges as you are seeking for the polo ground?

Mr. HAWKER—Yes. Schools pay quarter rates. The honourable member is interested in trotting, and I pointed out that only half rates are paid in connection with Wayville oval trotting.

The Hon. M. McIntosh—I agree that trotting should pay full rates.

Mr. HAWKER—There is a difference because with trotting and horse-racing betting facilities are provided, and if a betting ground went out of existence there would be a terrible howl. If the amendment is disagreed to it may result in the scrapping of these sporting grounds which form part of the green belt around Adelaide.

Mr. TAPPING—The Minister gave an excellent outline of the position. If we agree to the Legislative Council amendment we will impair the financial position of the West Torrens council and may create a dangerous precedent. For instance, a poll may be taken at Woodville where the rental value system operates, and if there was a change to the unimproved land values system a position would obtain there similar to that in the West Torrens area. Included in the Woodville district is the Seaton Park golflinks which today, I presume, pay about £400 a year, but under the unimproved land values system it would possibly amount to £1,200 or £1,400. Mr. Hawker said that the clubs under consideration subscribed to the West Torrens council £3,000 a year, but got no service in return. What about the provision of roads, footpaths, lighting and garbage collection? He said that ovals do not pay rates, but most of them belong to the council itself. If I am any judge, Mr. Hawker is partial to the three bodies he mentioned. Councils are finding it difficult to balance their budgets and if this additional revenue is taken away from them their future task will be even harder. In Semaphore we have two councils divided by Bower Road. On the right-hand side is Port Adelaide operating under the unimproved land values system, whereas on the other side Woodville works on rental values. On the Port Adelaide side a house which would be rated at £5 a year on the Woodville side would be rated at £10. If concessions were granted to the three sporting bodies as suggested it would certainly help their financial position, but would throw a burden on the council. Under the rating system adopted land in the West Torrens district will pay more, but homes less. Mr. Hawker compared agricultural and horticultural pursuits with polo and other sports. It would be wrong to treat sporting bodies in the same way as agricultural and horticultural societies. The Wayville Showgrounds are owned by the Royal Agricultural and Horticultural Society, a very worthy organization, which uses any surplus revenue to advance primary-producing pursuits. Cheltenham racecourse is situated in the Woodville district and today its rates amount to £260 a year, whereas if the unimproved land values system were adopted it would be about £1,400. The whole issue is wrapped up in the solvency of the councils. Although the West Torrens District Council has been chiefly under discussion, the same position could apply to other councils if they changed their system of rating. I ask the Committee to strongly resist the amendment.

Mr. STOTT—The debate has illustrated to the Committee the great mistake made by the Government two years ago. It was acquainted with the position in relation to annual rating as against the unimproved land values system. Both systems were considered by the Local Government Association, which recommended that a compromise system be adopted, but the Minister of Local Government did not have the courage to bring it down to the House and the anomaly existing today is the result of that lack of courage. The present anomaly is causing trouble to the Glenelg and Kooyonga golf clubs. It is true that they operate on a tremendous area of land. The changeover has increased the rates of the Kooyonga club from £136 to £1,790. This will involve increased contributions by members of the sporting bodies concerned. The West Torrens Council has a review of rates every seven years and such a review was about due. It was obvious that under the old system there would have been an increase in rates. That does not destroy the argument, because under that system the Kooyonga Golf Club would have paid £460 instead of £136. At Mile End, which is part of the West Torrens district, there are big firms operating such as the S.A. Farmers' Co-operative Union Ltd. and the Perry Engineering Company. Under the old annual rating system Perry's would pay about £700 a year, but under the new system has been reduced to about £300. Whereas the rates of these big firms have been reduced, those of sporting bodies have been increased. These firms can pass on increased rates by raising the price of their products, but sporting bodies cannot. Had the Government acted wisely and introduced a compromise system, it would not have

been faced with this debate tonight, because those firms would have paid a much greater rate than under the present system and sporting bodies much less.

Mr. Quirke—Doesn't this amendment provide for the payment of the half rate for only five years?

Mr. STOTT—Yes, but the argument has been developed that they should be charged the full amount under the unimproved land value system, which would mean in the case of the Kooyonga Golf Club over £1,700 as against £460 under the annual rental system with the new assessments. These clubs should be given five years to adjust their budgets, because sporting bodies cannot be expected to pay these increased rates without a material effect on their budgets. The council will not go bankrupt if these sporting bodies are allowed a 50 per cent concession for five years. The West Torrens Council developed the Graymore area and spent a tremendous amount of money on roadways there; later the area was annexed by the Glenelg Council. The amendment from another place deserves favourable consideration. I do not ask that these people should be given the half rate concession for all time, but they should be given it for five years. It has been said that non-residents of the council area use these clubs, but some recreation areas must be made available for the population of Greater Adelaide. The West Torrens Council area contains such recreation areas grounds as the Weigall Oval with its tennis courts and other grounds at Richmond and Camden Park which pay no rates. The amendment is rather limited in scope and applies only to areas being 10 acres or more in area. If the advantage under the amendment is to be given to a big golf club, then it should be given to smaller clubs such as tennis clubs.

Mr. Pattinson—How many bodies will this amendment benefit?

Mr. STOTT—I think it will benefit only the Kooyonga and Glenelg Golf Clubs and the Polo Club. Because of the anomaly in the rating system this Committee will be faced in future with similar cases from other parts.

Mr. Pattinson—Would you place sport on a higher plane than primary production?

Mr. STOTT—No, although I do not think there is a greater lover of sport than the primary producer.

Mr. Pattinson—What concession is given in this amendment to the primary producers in that district?

Mr. STOTT—None. The big tomato growers and gardeners in the Lockleys areas are greatly affected by the changeover in the rating system, and I will leave their case to be pleaded by the member for Glenelg. These sporting clubs should be granted five years on the half rates so that they may put their houses in order to meet the full rates later.

Mr. BROOKMAN—I support the amendment. We are indebted to the member for Burra for his speech, but I was disappointed at the attitude of many members who seemed to think that by benefiting three sporting clubs we would be passing class legislation. I cannot understand members who live in the city and continually talk about decentralization agreeing to a system which will undoubtedly mean the extinction of those sporting clubs, or at least their removal to the outskirts of Adelaide. I am afraid that the amendment will mean that the open spaces in the metropolitan area will be built upon, except those owned by councils. We should perpetuate the system of allowing concessions to recreational bodies. The Minister stated that because the cost of sporting gear has greatly increased sports clubs should be required to pay the increased rating, but the cost of gear has not risen nearly in proportion to the proposed increase in rating.

Mr. FRED WALSH—I oppose the amendment. I would have expected a different attitude to be adopted by the member for Ridley, who was a member of the West Torrens council for several years. The question of rating systems was submitted to councils by the Government, but not many were in favour of the Government's suggestion.

The Hon. M. McIntosh—There were more against it than for it.

Mr. FRED WALSH—The member for Ridley was a member of the West Torrens council when a ballot of ratepayers was held, and he strongly opposed the proposal to apply the unimproved land values system, which was carried by the requisite majority of ratepayers in 1949. However, it was not applied until this year, so the ratepayers have had ample grace. If the amendment is accepted the West Torrens council will be in further financial difficulties. Why should the Kooyonga Golf Club be given special privileges? It controls a vast area that could be developed as a first-class residential area. It was most unsympathetic six or seven years ago when the then Minister of Education asked it for a few acres opposite the Lockleys school for a playground.

The amendment would benefit three select sporting bodies whose grounds are not open to the general public. The West Torrens council is placed at a further disadvantage because a new airport is being constructed in its district from which it will receive no rates, but which also would be very suitable as a residential area. If people can afford to play golf or polo they can afford to meet the cost of increased rates. If clubs holding areas of less than 10 acres were also to benefit the position of councils would be worse than ever. Most football, tennis, and cricket clubs play their games on land owned by councils, and usually pay a small fee for the maintenance of their grounds. The Thebarton Council receives considerable rates from the Thebarton Oval which is used by various sporting bodies, but the council allows the free use of the oval by local school children. The amendment should not be accepted.

Mr. MICHAEL—I have much sympathy with the amendment, which does not represent interference by Parliament in the activities of councils. We are within our rights in reviewing proposals by councils and allowing or disallowing them as we think fit. The council amendment should go further. Mr. Pattinson indicated earlier that he would move to have primary producing areas come under the exemption proposed in the Council amendment. I will support it because we are building houses on land which should not be used for building purposes. In the Lockleys area we have some of the best vegetable growing land in the State, but too much of it has been used for the building of houses. Vegetable growers should be encouraged to carry on instead of having to sell their land because of excessive rates. The exemption in the amendment will apply for only five years, and at the end of that period it will be reviewed. The amendment is justified. We should do all we can to preserve our playing areas. Smaller sporting bodies should have been covered by the amendment. All areas used for recreation purposes should be exempt from the payment of rates. I support the amendment with the reservation that when Mr. Pattinson's amendment is moved I shall support it.

Mr. WHITTLE—Before the change in the rating system took place in the West Torrens area this matter was debated because the authorities controlling the sporting grounds in question felt that there would soon be a considerable increase in rates. When I visited Sydney in May this year I inquired into the method of rating golf clubs. I made inquiries in respect of at least 12 golf clubs and I learned that there was only the unimproved land value system of rating. If it is thought that the Adelaide golf clubs will go out of existence because they have to pay about £2,000 in rates, what will be thought when I say that the Sydney clubs pay much more than £2,000? The Sydney councils appreciate having the golf clubs in their areas much more than the West Torrens appreciates having golf clubs in its area. One Sydney golf club had an area less than that held by the Kooyonga club, and it paid annually in rates £1,740. The deputy town clerk of the council told me that the rating for the broadacres on which the golf club was situated was lower than the rating for subdivided land. He said that the adjoining land was valued at £50 a foot, and that the residents appreciated the beautiful outlook over the golf links. That council tried to make its assessment fit the circumstances and treated the areas occupied by the sporting body on a broadacre basis. This amendment flouts the principle of local government which I consider is the third arm of government. As the West Torrens ratepayers decided on land values rating, this amendment flouts their wishes. This amendment applies not only to the West Torrens council but to others. I am sympathetic regarding the difficulties which might be experienced by sporting bodies in making financial adjustments to meet their increased rates, but I cannot support an amendment which takes away the power of local government bodies, as these should be given the right of self-expression. This amendment must be received by the council most concerned with much antagonism.

Mr. STEPHENS—I oppose the amendment and am surprised at the attitude of some members who, while permitting an increase of rates payable by householders, including those in the poorest sections of the community, want to give an advantage to the wealthy section by making the working people of this district, including old age pensioners, pay for their sport.

[*Midnight.*]

The Committee divided on amendment No. 2:—

Ayes (10).—Messrs. Brookman, Goldney, and Hawker (teller), Hon. S. W. Jeffries, Messrs. Macgillivray, Michael, Moir, Quirke, Shannon and Stott.

Noes (21).—Messrs. Clarke, Davis, Dunn, and Heaslip, Hon. C. S. Hincks, Mr. Hutchens, Hon. Sir George Jenkins, Messrs. Lawn and McAlees, Hon. M. McIntosh (teller), Messrs. O'Halloran, Pattinson, and Pearson, Hon. T. Playford, Messrs. Riches, Stephens, Tapping, Teusner, Frank Walsh, Fred Walsh, and Whittle.

Majority of 11 for the Noes.

Amendment thus disagreed to.

Amendment No. 3.

The Hon. M. McINTOSH—I ask the Committee to disagree to this amendment, which deletes the provision authorizing a council to subscribe to organizations dealing with local government. It is against the interests of local government to restrict its powers in this direction. The amendment would prevent councils from subscribing to such bodies as the Murray River Development League, for instance.

Amendment disagreed to.

Amendment No. 4.

The Hon. M. McINTOSH—The same principle is involved in this amendment, which restricts the powers of councils to make by-laws in respect of the consumption of liquor on streets. As councils now have powers to make by-laws in other directions it would curtail their powers if we agreed to the amendment. I therefore ask that this amendment, too, be disagreed to.

Mr. O'HALLORAN—I hope the Committee will agree to the amendment. When the Bill was before the House I strongly protested against giving councils the power to make by-laws in respect of the consumption of liquor on footpaths, firstly because it was not necessary, and secondly that any further restrictions on the consumption of liquor should be dealt with by Parliament by an amendment to the Licensing Act. I also said that there was ample provision in the Police Act to enable policemen to move on any people cluttering up the footpaths.

Mr. SHANNON—When the Bill was before the House I pointed out that it would be futile to give councils power to control the consumption of liquor on footpaths. It will not be an offence to take liquor from licensed premises, carry it over the footpath, and consume it on the roadway. I do not think any council would frame a by-law for the purpose envisaged. The Minister stated that the Legislative Council's amendment encroaches on the privileges of local government, but I point out that Parliament governs local government. Perhaps he does not know that councils cannot make by-laws without their being laid on the table of Parliament and being subject to disallowance. From that angle I do not think his argument cuts any ice. Parliament decides what powers should be granted to local government. I suggest to Mr. Jeffries that the appropriate place to deal with this matter is not under the Local Government Act, but perhaps the Police Act. If untoward happenings are taking place proper administration can clean up the position without the action proposed.

Mr. STOTT—This matter should not be considered under the Local Government Act. It is not the function of councils to police our licensing laws, which are State-wide. Parliament should accept its responsibilities in this matter, which go go far beyond local government.

The Committee divided on amendment No. 4:—

Ayes (15).—Messrs. Brookman, Davis, Hawker, Heaslip, Hutchens, Lawn, McAlees, O'Halloran (teller), Riches, Shannon, Stephens, Stott, Tapping, Frank Walsh, and Fred Walsh.

Noes 15.—Messrs. Clarke, Dunn, and Goldney, Hons. C. S. Hincks and S. W. Jeffries, Mr. MacGillivray, Hon. M. McIntosh (teller), Messrs. Michael, Moir, Pattinson, and Pearson, Hon. T. Playford, Messrs. Quirke, Teusner, and Whittle.

The DEPUTY CHAIRMAN—There being 15 Ayes and 15 Noes, an equality of votes, I cast my vote in favour of the Noes.

Amendment No. 4 thus disagreed to.

Mr. STOTT—On a point of order, I desire your ruling as to whether it is not the custom for the Speaker or the Chairman of Committees, when there is an even vote, to vote so that the law remains as it is.

The DEPUTY CHAIRMAN—I think he does not have to give a reason for his vote.

The following reasons for disagreement were adopted—

As to amendment No. 2, because it gives an undue privilege to a limited number of people.

As to amendments Nos. 3 and 4, because they are against the interests of local government and so restrict the powers of local government bodies.

Later, the Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

The Hon. M. McINTOSH moved that the Assembly insist on its disagreement.

Disagreement insisted upon.

A message was sent to the Legislative Council requesting a conference, at which the House of Assembly would be represented by the Hon. M. McIntosh and Messrs. Frank Walsh, Tapping, Pattinson and Whittle.

The Legislative Council agreed to a conference to be held in the Legislative Council conference room at 1 a.m. on Thursday, November 29.

At 12.55 a.m. the managers proceeded to the conference. They returned at 3.10 a.m. The recommendations were:—

As to amendment No. 2.—That the Legislative Council amend its amendment by leaving out the word "first" in the fourth line, by leaving out the words "during which the said Division so applies" in the fourth line, and by inserting in lieu thereof the words "next occurring after the passing of the Local Government Act Amendment Act, 1951," and by striking out the word "one-half" in the fifth line and by inserting in lieu thereof the word "three-quarters"; and that the House of Assembly agree thereto.

As to amendments Nos. 3 and 4.—That the Legislative Council further insist on its amendments and that the House of Assembly do not further insist on its disagreement thereto.

The Hon. M. McINTOSH (Minister of Local Government)—As to amendment No. 2, the Legislative Council's amendment would now read:—

Any land situated in an area in which Division III. of Part X. applies shall during the five financial years next occurring after the passing of the Local Government Act Amendment Act, 1951, be assessed at three-quarters of the amount of the land value thereof . . .

Under the proposal the council will receive the full rates for this financial year, and for the next five financial years will receive three-quarters of the full rates. Amendment No. 3 relates to the power of councils to make contributions to associations outside the present confines of the Act. The granting of this power would enable them to give donations to such institutions as the Murray Valley Development League. Amendment No. 4 empowered councils to make by-laws to prohibit the consumption of liquor in footpaths within 300 yards of an hotel.

Mr. Macgillivray—It looks like a complete victory for the Legislative Council.

The Hon. M. McINTOSH—If the honourable member likes to put it that way.

Later the Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations.

The Hon. M. McINTOSH moved that the recommendations be agreed to.

Mr. MACGILLIVRAY—Are all the recommendations to be considered at the same time?

The DEPUTY CHAIRMAN—There is only one motion before the Committee, namely, that the recommendations of the conference be agreed to.

Mr. MACGILLIVRAY—Then I greatly regret what has happened to the Bill. As to amendment No. 3 we were promised by the Premier that this power would be given to councils, and this recommendation is a definite negation by the conference of the Premier's promise. Some local government bodies have acted on the assumption that the Premier's promise will be implemented by Act of Parliament. I think 15 or 20 councils will be affected by the recommendations of the conference which, if adopted, will lead to this provision being deleted. It is almost a reflection on the efforts of this Chamber when another body can step in and set aside its decisions. It is futile to give lip service to local government and then refuse councils the power to spend their revenue as they think fit. The conference defied the Premier of the State who gave a definite pledge that this power would be given to them. I would like to know whether even at this late hour further action cannot be taken to show our entire disagreement with what has occurred in this matter, and I register my protest at what has happened.

Recommendations agreed to.

PUBLIC SERVICE ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments—

No. 1. Page 3, line 31 (clause 9)—After the word "amended" insert "by inserting after the word 'thereunder' in the second line of subsection (2) the words 'subsection (1) of' and".

No. 2. Page 3, line 35 (clause 9)—Leave out the word "December" and insert the word "March".

No. 3. Page 3, line 40 (clause 9)—Leave out "December, 1952" and insert "March, 1953".

Consideration in Committee.

Amendment No. 1.

The Hon. T. PLAYFORD—This is a drafting amendment rendered necessary by the new subsections inserted in the Act by this House, and I move that it be agreed to.

Amendment agreed to.

Amendments Nos. 2 and 3.

The Hon. T. PLAYFORD—These amendments refer to the retiring age of the Clerks of the Legislative Council or the House of Assembly, and alter the retiring date from December 31 to the March 31 next after his 65th birthday. They also provide that the present Clerk of the House of Assembly shall retire on March 31, 1953, instead of on December, 1952. The Council considered that certain work must be completed after the end of the Parliamentary session and that the most convenient time for vacating office would be March 31. I agree that that is probably a more convenient date than December 31 and move that the amendments be agreed to.

Mr. O'HALLORAN—I do not oppose these amendments, but I am in duty bound to point out that, when the Bill was being considered by this House, December 31 was fixed so that the retirement of the Clerk would take place after the end of the session. I believe we should have two Parliamentary sessions a year, and that some time in the future we will have two. When that time comes a further complication may arise because the Clerk of Parliaments may retire in the middle of the first session.

Amendments agreed to.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION.

Consideration of the following report of the Standing Orders Committee:—

The Standing Orders Committee of the House of Assembly has conferred with the Standing Orders Committee of the Legislative Council concerning section 3 of the Constitution Act Amendment Act, 1950, relating to the Joint Committee on Subordinate Legislation. The committee recommends the repeal of Joint Standing Order No. 23 and the substitution of new provisions and consequential amendment of Joint Standing Order No. 20 as shown on the accompanying schedule.

The Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That the report of the Standing Orders Committee be adopted.

The amendments recommended are as follows:

Joint Standing Order No. 20 is amended by adding at the end thereof the following passage:—For the purpose of this order an ex-member of a House who remains a member of the committee by virtue of Joint Standing Order No. 23 shall, while he is a member of the committee, be deemed to be a member of the House which appointed him to the committee.

Joint Standing Order No. 23 is repealed and the following Joint Standing Order substituted in its place:—

23. Every member of the committee shall, whether or not he has ceased to be a member of Parliament, hold office as a member of the committee until the House by which he was appointed appoints his successor pursuant to Joint Standing Order No. 22: Provided that this order shall not prevent the resignation or lawful removal from office of any member.

Report adopted.

PROROGATION SPEECHES.

The Hon. T. PLAYFORD (Gumeracha—Premier and Treasurer)—In moving that the House at its rising adjourn until Tuesday, January 15, 1952, I pay a tribute to my Ministerial colleagues for their administrative work and the way they have carried out their duties in this place. The fact that Parliament carries on its business with such goodwill is largely due to the tact shown by my Ministerial colleagues and other members in this House. I appreciate, Sir, the way in which you have carried out your duties as Speaker. You have occupied the position for a long time and your duties have been carried out with distinction. Few members in this place have sat under a different Speaker. We have all learned that you are ever ready to assist members and to see that the minority has all Parliamentary privileges due to it. There has never been any suggestion of partiality in the way in which you carry out your duties. I speak for all members when I congratulate you on another successful period of occupancy of the Chair, and I wish you and yours much happiness in the future. I regret that the Chairman of Committees, through illness, is not with us tonight. Because of the large number of Bills which receive detailed attention in Committee he has to perform onerous duties, and everyone wishes Mr. Dunks a speedy recovery and return to this House. The fact that he has been ill for some time has given concern to all members. We have learned to expect a high degree of courtesy from our Clerks, and it was again forthcoming this session. Members do not always have an intimate knowledge of the Standing Orders and it is a great help to know that we can always get the assistance of the Clerks. I pay a tribute to the Parliamentary Draftsmen and other officers and staffs of the House, including the catering staff, for the work they do. I would be lacking in my duty if I did not express great appreciation of the work done by Mr. Bean and Mr.

Cartledge. This week we received a copy of a Bill from another sphere and on observing its drafting we realized just how good are our Parliamentary Draftsmen. I extend to them our thanks for the assistance they render.

We have a highly trained *Hansard* staff. When I make speeches and then read them in *Hansard* I am surprised to see how well they read. All the common errors made by speakers are excised, and the fact that many of our speeches read so well is due to the work done by the *Hansard* staff. We thank them and wish them a happy Christmas period.

Before this House meets again we will have been favoured by a Royal visit. It was the ambition of every member to be present at a Parliamentary session opened by the King, but unfortunately, through illness, he will not be able to visit this State, and because the opening of Parliament is a Constitutional function we will have to forego the privilege of having a session opened by His Majesty. I am pleased to say, however, that Princess Elizabeth and the Duke of Edinburgh will visit this State and we will have the privilege of meeting them and conveying firsthand the loyalty of members of this Parliament and the citizens of the State. At present we are living in a troublous world, and hourly we appear to be on the threshold of another World War, with all the misery associated with it. I hope that we shall reach a clear understanding in Korea and with Communist Russia, based on the right of each person to retain his liberty and to live his life in his own way. If that could happen it would have an untold benefit to teeming millions of people in this world. I hope that by some means an understanding will have been reached, that the hatred and suspicion which appear to exist today will have passed away and we shall have reached an era of better international relations, with all the blessings associated therewith.

I would be remiss if I did not express to the Leader of the Opposition and members opposite, as well as to members of my own Party my personal thanks for the assistance they have given this session in conducting the business of this House. I believe that one would have to go a long way to find a Parliament which conducts its affairs in the happy strain in which affairs are conducted here. We have our differences of opinion, but that is only to be expected when political matters come up for discussion, and when the issue has been decided in a democratic way personal goodwill between members of all parties still remains. This House has every right to be proud of the fact that no member need conceal his thoughts in conversations in the precincts of the House, for he knows that private conversations will not be taken advantage of and repeated publicly. The functions of the State Parliament today may not be so spectacular as they were before Federation, but the State Parliament is probably closer to the people than is the Federal Parliament, because it deals more with matters directly influencing the lives of the people. I extend to every one the hope that they will have a merry Christmas and a Happy New Year.

Mr. O'HALLORAN (Frome—Leader of the Opposition)—In seconding the motion moved by the Treasurer I join in his remarks concerning yourself, Mr. Speaker, and all the officers of the House to whom he has referred. I will not enumerate them individually, for I think the Treasurer has named all those who have assisted in any way to make Parliament work this session, and I may forget somebody should I try to emulate his example. I express my sympathy with the Chairman of Committees in his illness, and trust that he will soon be fully recovered and be able to be among us again. Two members on this side of the House are, unfortunately, affected with sickness at present —Mr. Duncan and Mr. McKenzie—and I tender to them my sympathy and hope that they may enjoy a speedy return to complete health. I thank the Premier and his Ministers for the courtesy and consideration they have shown to me and members of the Opposition generally. I particularly thank members on my side of the House for their loyal co-operation during the session. Between us we have tried to make Parliament work. As the Premier said, we have our differences—sharp differences at times—but they are determined in accordance with the best principles of British fair play and justice, and, once determined, that is the end of the disputation. In conclusion, I wish you, Sir, members of Parliamentary staffs, the Premier and other Ministers and all members a holy and happy Christmas and a bright and prosperous New Year.

The SPEAKER—On my own behalf and that of the Clerks at the table, the Hansard Reporting staff, the Parliamentary Draftsmen, the Library staff, the catering staff, the messengers —a team which by its co-operative efforts has done its best in every department—I

acknowledge the very kind remarks of the Treasurer and the Leader of the Opposition. I thank members of this House for their co-operation during the session. I know something of the work they are called on to do in their constituencies and in preparing their speeches and conducting their correspondence, and realize that they have a full-time duty during the session. It is very pleasing to agree with you, Mr. Premier, and you, Mr. Leader of the Opposition, on the manner in which members have co-operated to complete the work of the session so satisfactorily and splendidly.

Motion carried.

ADJOURNMENT.

At 3.39 a.m. on Thursday, November 29, the House adjourned until Tuesday, January 15, 1952, at 2 p.m.

Honourable members rose in their places and sang the first verse of "God Save the King."