HOUSE OF ASSEMBLY.

Wednesday, November 12, 1952.

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

PETITION: PICHI RICHI PASS ROAD.

Mr. RICHES presented a petition bearing the signatures of 750 electors in the districts of Quorn and Port Augusta praying Parliament to direct the Commissioner of Highways to include the Pich Richi Pass road on the next schedule of bitumen arterial roads and to proceed with the work at the earliest possible moment.

Received and read.

QUESTIONS.

LIQUID FUEL DRUMS.

Mr. CHRISTIAN—Has the Premier any further information regarding the matter of liquid fuel drums that I raised in a question on November 5?

The Hon. T. PLAYFORD—I have obtained the following report from the South Australian Prices Commisisoner:—

Drum deposits, payable in advance, were approved in all States as from September 1, 1952. The practice, after discontinuance of pool petrol, was to debit customer's drum account with £2 10s. for each heavy 44gall. drum, and £1 for a light 44gall. drum. These were mere booking entries. Two main factors were instrumental in causing the oil industry to revert to the pool cash deposit basis which operated from 1942 to 1947. Firstly, under pool conditions the drum turn-round or usage per annum was 3.25 times, whereas when the cash system was suspended in 1947 the turn-round was reduced to twice per annum by 1951. Illustrated another way, in 1946 the number of drums per tractor in use was 9.4, but in 1951 this figure increased to 28 per tractor, despite a decrease in acreage cultivated. Secondly, the cost of steel drums has increased and the deposit is most reasonable when compared with cost. Note.—The quicker turn-round of drums will save the country approximately 20,000 tons of steel per annum, most of which was imported, and it is hoped will reduce consumer drum holdings from 3.5 million to 1.5 million. There is no additional cost per gall for petroleum products in drums as the deposit is refunded to the consumer when drums are returned to the company.

The Prices Branch is also checking the cost of the drums to the oil companies, but, without releasing actual figures, I can say that the cost is greatly in excess of the amount of deposit charged.

Mr. MACGILLIVRAY—Is the Premier aware that the countryside is sprinkled with agents of various oil companies, who seem to do very little for the money they obviously get for carrying on the agencies? Will he ascertain if the agents are carrying out their responsibility to see that the drums are returned? I know there are hundreds of drums lying around the countryside because the agents are more interested in supplying petrol than in taking the drums back. Is it fair to involve petrol consumers in this additional expense, for which there is little return?

The Hon. T. PLAYFORD—Any drums held by agents would be outside the number I have dealt with, which is the number actually in the hands of consumers. The honourable member will see that the figures are illuminating, considering the actual number of drums per tractor held on farms on the credit system. I was surprised at the figures. I will ask the Prices Commissioner to inquire whether any of the obligations of the agents to collect drums has been overlooked.

Mr. CHRISTIAN—The Premier's answer indicates that the present policy could result in the saving of 20,000 tons of steel a year throughout Australia. Has it been ascertained whether the drum wastage has actually been of that order?

The Hon. T. PLAYFORD—I cannot give the honourable member that information today, but will secure it for him. It is particularly relevant to the question raised.

PROROGATION OF PARLIAMENT.

Mr. PEARSON—Can the Premier say if any conclusion has been reached by the Government as to the date of the prorogation of this session of Parliament?

The Hon. T. PLAYFORD—All financial matters to be brought down this session are now before the House, or notice has been given of them, and there are now only a number of Bills of an administrative nature still to be placed before the House. Most of them are non-contentious, and with the co-operation of members I believe it will be possible to conclude the session tomorrow week.

LOBETHAL HOUSING.

Mr. SHANNON—The Lobethal district is very short of houses and I understand, if the Housing Trust is interested in supplying further homes, that there are suitable areas of land available, but whether they are for sale or not I do not know. Can the Premier say whether the trust is interested in erecting further homes in Lobethal, and what steps, if any, it has taken to procure any of this land?

The Hon. T. PLAYFORD—The honourable member raised this question some time ago and I obtained a report from the trust, the substance of which is that it is interested in building further houses at Lobethal and is negotiating to purchase additional land. It does not at present hold land in that township suitable for building purposes.

SINGLE UNIT FARMS.

Mr. QUIRKE—Speaking on the Estimates on November 5 I asked the Minister of Lands how many applications for single unit farms had been made in the last 12 months under the War Service Land Settlement Agreement and in how many cases negotiations for such farms had been successfully concluded in the interests of the applicants; also the total number approved in South Australia up to the present. Can he now give me that information?

The Hon. C. S. HINCKS—I did get the figures so that I could inform the honourable member of the actual offers received from November 1, 1951, to October 31, 1952. The total was 49. Of that number, five were approved and the Commonwealth is still considering another. The remainder were not approved, as in the opinion of the Commonwealth and State officers they did not measure up to the required standard. I have not the figures regarding the total number of single unit farms allotted since the inception of the scheme, but will secure them for the honourable member.

NORWOOD BOYS TECHNICAL SCHOOL.

Mr. MOIR—Will the Minister of Works representing the Minister of Education take up with his colleague the question of plans for the proposed new Norwood boys technical school being drawn up so as to save time when the erection of the school is approved? This would save about six months.

The Hon. M. McINTOSH—I will obtain the information and bring it down, I hope tomorrow.

SLAUGHTERING AT ABATTOIRS.

Mr. MICHAEL—Press reports indicate that the Metropolitan and Export Abattoirs are still finding it necessary to restrict the number of trucks of sheep coming forward for slaughter. Can the Minister of Agriculture say whether this is because of the employees' overtime restrictions?

The Hon. Sir GEORGE JENKINS—The information passed on to me this morning was that this restriction was having a definite effect on the number of lambs which could be killed at the Abattoirs, and means that instead of 12,000 being slaughtered on Saturdays, the number is only between 5,000 and 6,000. The overtime restriction affects not only the slaughtering of the lambs, but also the people working in the freezing chambers and so forth. The result is that we are finding it extremely difficult to keep up supplies of lambs to steamers which come in to pick up lambs for export. The restriction is affecting the Abattoirs very detrimentally and the number of sheep it can kill. The Produce Department is at present in communication with a shipping company to prevent a ship, which was due to load, from calling because of the difficulties resulting from the overtime restriction.

CONSTITUTION AND ELECTORAL ACTS AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 5. Page 1165.)

The Hon. T. PLAYFORD (Premier and Treasurer)—I believe this Bill is identical with that introduced by the Leader of the Opposition last year, when it was debated at great length. Consequently, I do not propose to go into all the arguments advanced then. In the first place, if this legislation were accepted it would probably result in the greatest change in our Parliamentary structure produced by any legislation introduced for many years. It is very far-reaching, and I believe the Leader of the Opposition himself would admit that. Secondly, I do not believe it represents the sum total of his ambition; it may and should be regarded by the House as not being the final expression of what the Opposition wants, but rather a means towards an end. I may be wrong in that assumption.

Mr. O'Halloran—You are completely wrong.

The Hon. T. PLAYFORD—I thought it was the policy of the Labor Party to abolish the Legislative Council?

Mr. O'Halloran—You will not find it on the Party platform.

The Hon. T. PLAYFORD—Perhaps not, but I have heard the matter mentioned by members of the Labor Party on many occasions and I have no doubt that it would be seriously considered by them. I believe that if the Bill became law and, as a result of accidents that sometimes happen, the present Opposition assumed control of the Treasury benches for a fleeting period the Labor Party would consider abolishing the Legislative Council. It

has been the policy of Labor Governments in other States and the openly stated policy of the Party. Indeed, it has been put into effect in Queensland. It is on the platform of the Party in New South Wales and the only reason that prevents its being put into operation there is that at present the Labor Party has a majority in the Legislative Council, and is likely to continue to have it under the system by which its members are elected. I noticed from the press recently that there had been a move in New South Wales to abolish the Legislative Council in accordance with the Labor Party's policy, but it was openly stated that there was no need to abolish it at present because the Party was likely to be in control of that Chamber for many years. If there is great zeal or passion for electoral reform in my friends opposite I ask them why this change has not been attempted in New South Wales, where the second Chamber is not elected by the people, or any section of the people, but by the politicians themselves?

Mr. Pattinson—Isn't the Australian Labor Party the same one and indivisible Party all over Australia?

The Hon. T. PLAYFORD—I believe it is. I have always thought that solidarity in the Australian Labor Party was one of the planks in its platform, that it was not divisible, and that its policy was one of high principle and could not be changed except under rigid conditions. However, a Federal Labor Government with a majority in the Representatives and the Senate not long ago established a new Legislative Council because it was thought this would be in the best interests of the development of the Northern Territory. The Administrator of the Northern Territory was appointed by the Federal Government, as President, and the Government decided that six of the members should be appointed by the Administration. They would be civil servants and, of course, under the complete control of the Government. While one of them did what he was told he remained a councillor, but when he kicked over the traces he ceased to be one. The other six members of the council were to be elected by the people of the Northern Territory. So, although the Federal Labor Government had a majority in both Houses of the national Parliament, it provided for a Legislative Council of 13 members, only six of whom were to be elected by the people.

Mr. O'Halloran—But those six are elected on adult franchise.

The Hon. T. PLAYFORD—Yes, but the others are elected by the Government. Further, in case a Bill of a democratic nature should get through that Council the Minister concerned has the power to veto any legislation passed and, to make security doubly secure, the Council has no power to spend any money! That is an example of a legislative enactment passed by the Leader of the Opposition's Party in the Federal sphere. I think members always listen to him with much attention and I congratulate him on his excellent second reading speech. He sometimes became very agitated, but I point out that the Legislative Council in this State is probably the most democratically elected Council in the world.

Mr. Pattinson—And especially democratic in its ideas.

The Hon. T. PLAYFORD—Exactly. Members only have to consider the legislation accepted by it over the last 12 or 14 years to realize that. During the time I have been a member of Parliament not one Bill that has had for its purpose the advancement of South Australia has been materially amended or thrown out by the Legislative Council. Much legislation has been brought down that could not be called conservative, yet it has been accepted. The Leader of the Opposition has stood up in his place time and time again when the burden of his complaint has been, "The next time I make a policy speech I will copyright it because I do not want to see it put into operation by the Liberal and Country Party." If the Legislative Council is such an iniquitous body, why is it that time after time far-reaching legislation such as the Electricity Trust of South Australia Act has been passed by that Chamber? The Legislative Council has been not a destructive House but a deliberative House of second thought. Probably the greatest statesman produced in this State and one of the greatest produced in Australia, respected by members of all Parties for his work in the development of this State and the Commonwealth, was Mr. C. C. Kingston, whose name will live when the names of all members present this afternoon have been forgotten. For many years he held the same views on the Legislative Council as those held by Mr. O'Halloran, and he was in favour of its abolition, but towards the end of his Parliamentary career he said, "In the Legislative Council democracy has nothing to fear and much to be thankful for."

Mr. Geoffrey Clarke—And the franchise was not as wide in those days!

The Hon. T. PLAYFORD—It has been altered materially in the last 10 or 11 years, for instance to provide for servicemen's votes.

I repeat that this Bill does not represent the complete ambitions of the Leader of the Opposition or his Party on this subject. Clause 1 states:—

(1) This Act may be cited as the "Constitution and Electoral Acts Amendment Act, 1952."

(2) The Constitution Act, 1934-1951, as amended by this Act, may be cited as the "Constitution Act, 1934-1952."

(3) The Electoral Act, 1929-1950, as amended by this Act may be cited as the "Electoral Act, 1929-1952."

It is unusual to introduce a Bill which amends two Acts, as this is not regarded as good drafting policy, nor has it any advantages for those people who later may wish to refer to the amending Statute, but in this case I do not doubt that the Leader of the Opposition was guided by the fact that both Acts deal with similar topics and that this was probably a convenient way of dealing with their amendment. Indeed, I do not say that if the Government were introducing a Bill of this nature it might not, under similar circumstances, do the same thing, but quite apart from the drafting aspect and the consequent confusion which might result if this Bill were passed, there is another serious implication which arises from this type of Bill. Clause 2, which deals with franchise for the Legislative Council and amends the Constitution Act, states:—

Every person who is for the time being entitled to vote at the election of members of the House of Assembly shall also be entitled to vote at the election of members of the Legislative Council.

Clause 3, which deals with Council rolls and amends the Electoral Act, states: —

(1) Every person who is enrolled as an Assembly elector shall, by virtue of that enrolment and without making any claim for enrolment as a Council elector, be deemed for all purposes of this Act to be enrolled also as a Council elector.

Clause 4, which deals with compulsory voting at Council elections and amends section 118a of the Electoral Act, states:—

(12a) The foregoing provisions of this section shall also apply with respect to Council electors, Council districts, and Council elections in the same way as they apply with respect to Assembly electors, Assembly districts, and Assembly elections.

Those provisions dealing with rolls and compulsory voting are matters which come within the ambit of the Electoral Act and the subject of entitlement to vote is a constitutional matter. By putting these subjects together the Leader of the Opposition in fact raises a serious hurdle to the passing of this Bill. The provision in clause 3 would probably be no good unless clause 2 were passed, but the amendment contained in clause 4 is completely independent of the other two provisions. Compulsory voting for the Council could be considered whether or not provisions concerning the roll or entitlement to vote were changed; therefore the introduction of these three provisions in the one Bill makes all of them subject under the Standing Orders to a constitutional majority in the second and third reading stages. These proposals could not be carried by a simple majority, but would require—

Mr. O'Halloran—I did not expect any difficulty in having the measure passed.

The Hon. T. PLAYFORD—I sensed that when the Leader of the Opposition introduced the Bill on November 5, Guy Fawkes Day, for that showed that he had no doubt that it would go up very quickly. Be that as it may, if clause 4 had been introduced as a separate amendment to the Electoral Act it would not have required the same constitutional majority that it requires in its present form. The problem might be solved if the Leader of the Opposition foreshadowed an amendment to delete clauses 2 and 3, as it would then cease to be a constitutional measure and the House might be able to deal with clause 4 in the normal way.

Mr. O'Halloran—It could be done in Committee.

The Hon. T. PLAYFORD—Yes, but I doubt whether the honourable member would have the numbers. I do not favour the proposal in clause 4. The Legislative Council has done a remarkably good job and has fulfilled many useful purposes.

Mr. Riches—Would its work be impaired if there were adult franchise?

The Hon. T. PLAYFORD—If there were adult franchise the Council would become a House of echo, and not a House of second thought. It is useless for members to say that a single House of Parliament, however well devised, works to the best advantage. When there are two Houses all legislation is given much consideration. If it is first introduced in the Assembly it is considered by members, who get information from interested people outside. Then, when it goes to another place a further period elapses before it is finally considered. If members have any doubts on this matter I refer them to what Mr. Pattinson said in this place last year when referring to legislation passed in the Queensland Parliament to assist the dairying industries. In that State there is only one House of Parliament,

and it has been discovered since that the legislation was ill-advised, ill-timed, undesirable and hasty. The members of the Parliament who passed the legislation would no more do so today than consider flying to Heaven. If the Bill were carried it would be the forerunner of another measure abolishing the Legislative Council, or making it a replica of this House. It would cease to exist as a House of review. I ask members to reject the Bill. It has been introduced at a time when the result would not justify its passage. In the Acts Interpretation Act there is a provision that should be remembered by every member when new legislation is introduced. It says that all legislation shall be deemed to be remedial. In other words, legislation should not be introduced unless it is to remedy a defect. Mr. O'Halloran did not give one instance where the Council had done anything but a good job. He attacked the Council in general terms, and mentioned matters which had nothing to do with it, but which arose out of his political beliefs. There is a provision in other legislation which says that a resolution of both Houses is necessary before action can be taken in certain directions. Let us assume that South Australia has only one House of Parliament, and that the Treasurer has departed from the provisions of the Public Finance Act. What would be the position of the Auditor-General then? How would he deal with the position after the law had been broken by an all-powerful Government? If there were only one House, all it need do would be to pass a resolution and dispense with his services. They cannot be dispensed with now unless a resolution is agreed to by both Houses. There is a similar protection for our judges. The Administration is really the servant of two Houses of Parliament.

Mr. Geoffrey Clarke—Which is a safeguard for democracy.

The Hon. T. PLAYFORD—Yes. A single House system of Parliament can be a most tyrannical system. I am indebted to another member for bringing under my notice the following information. Oliver Cromwell, in his first enthusiasm in 1649, abolished the House of Lords, which is not an elected but a hereditary House. After eight years people asked, "That Your Highness will for the future be pleased to call Parliaments consisting of two Houses." That was in 1657. Cromwell, the great dictator of the day, in recommending the revival of the second Chamber, said, "By the proceedings of this Parliament you see they stand in need of a check and balancing power. I tell you that unless you have some such thing as a balance we cannot be safe." This strong man, who had abolished the second House, admitted, after a petition had been presented, that there was no safety in a system that did not provide for an ample review not only of the administration, but of legislation. I oppose the Bill.

Mr. QUIRKE (Stanley)—I always like to follow the Premier, particularly in a debate like this. There are two kinds of occasions on which he is heard—one to advantage and the other to his disadvantage. When he really believes in something he stands up and is worth listening to. One can then feel the conviction that pours from him. The other occasion is when he makes remarks he does not believe in, as he did today. He cannot be the democrat we know him to be and believe what he said this afternoon. He said, "I have nothing further of any importance to say this afternoon." But members on his side of the House claim that they are the people who support the present Legislative Council franchise. At one time I was a member of the Labor Party, and the abolition of the Legislative Council was one of its planks. I grew to thoroughly disagree with that plank, so much so that I voiced my opinion. I had reasons for that disagreement. I did not believe in the abolition of the Legislative Council, and I do not believe in its abolition now, but I believe it should be a true reflex of the voice of the people. Anything less than that is undemocratic to the degree that it is not the voice of the people. There are returned soldiers on the other side of this House who fought for democracy and they are the sons of mothers. Today Australia is conscripting the sons of mothers to fight for Australia, but those mothers, in the opinion of members opposite, are not worthy to vote for the Legislative Council, although their sons can go and be slaughtered in the interests of this country. Yet members opposite call themselves democrats.

Mr. Pearson—The question of conscription concerns the Commonwealth Government.

Mr. QUIRKE—The honourable member fought in the armed forces for democracy, yet he denies the mothers of sons now in the fighting services a vote for the Legislative Council and a voice in the government of this country. If for no other reason than that, he and his colleagues must stand condemned. They are pledged to support that system. In considering the history of those nations who today are behind the Iron Curtain, one must come to

the conclusion that the reason for that is the corruption of the Party system. An analysis will show that the Parties endeavoured to keep some section of the population in subjugation, and that it was the rising of the subjugated section that ultimately brought about the downfall of those countries. That applies in every single instance to the nations now behind the Iron Curtain. There is no doubt in my mind that it is due to a restricted franchise. It is retained in the interests of class, sectional supremacy and for no other reason; and until we remove such a system in South Australia we shall have a blot on our so-called democratic life.

I believe every adult should have a voice in the election of the people who govern them. The Premier did not give any reason why the Bill should not be passed, but dodged the issue. He simply grabbed at the idea that this was an effort to abolish the Upper House, and gave illustrations of what would happen if it were abolished. Democracy simply means that the people's will is reflected in the Parliaments that govern them. If it is the people's will that one House should be abolished, and if they put people into power who they knew full well would abolish it, they are entitled to have it abolished. I do not believe the people of South Australia have any such idea, but I do know that today throughout South Australia there is a growing revolt. I have heard it expressed among a dozen or so business men—men of substance and standing. They were speaking of this Bill and the consensus of their opinions was, "Surely on this occasion the Premier cannot withstand this measure, because the present system is the biggest blot we have in our democratic life—that some people should be denied the right to vote." I heard those words myself as an onlooker. As far as I could judge, every one of them was a Liberal voter. They were true democrats. Definitely, the Premier cannot call himself a democrat while he denies a big section of the population the right to say how they shall be governed.

Under the Party system, I admit that in a House like the Federal Senate we can have a reverberating or echo House. I believe that ultimately either the Party system as we know it will go out of existence in Australia, or this country will crash: one or the other is inevitable. That is my firm conviction, and every member of the House knows I hold this view. There is no essential difference in principle between the system advocated by Lenin, Trotsky, Tito, Hitler and Mussolini and that advocated by the Premier today. In essence their object is or was to deprive the people totally of their rights; in South Australia there is a partial deprivation of those rights but the principle, or lack of principle, is almost precisely the same. I am not concerned whether the Bill introduced by the Leader of the Opposition is or is not correctly drawn or whether it can or cannot be put into operation in its present form, but I am vitally concerned with the principle enunciated by it. It is amazing that every section of the community should be forced to measure up to their responsibilities, and some even to laying down their lives, yet be denied the right of a voice in the State's administration. For this reason I support the Bill, whether it can or cannot be implemented. I believe that the Upper House should be retained, for I believe in the bi-cameral system of government, but whether we have one or two Houses of Parliament the people's representatives should be elected by all the adults in this State, not by any one section that qualifies for a vote because it happens to have more of this world's goods than others. To deny the mothers of our people the right to vote is to perpetuate the position that mothers held under the old Roman Empire when there were governing factions on the one hand and on the other the proletariat, who were the child bearers of the nation. That is the meaning of "proletariat," and for members opposite to advocate the retention of the present system is to perpetuate mothers as chattel slaves as in ancient Rome. That such a notion should remain for 2,000 years is a reproach to people who call themselves democrats in a free country.

Mr. HUTCHENS (Hindmarsh)—I support the Bill and regret that Parliament has been called upon to discuss legislation of this kind in 1952. Considering the progress made by democracy, a true citizen of South Australia must regret that it is necessary to fight with all his might for adult franchise for the Legislative Council. In 1689 a most important measure called the Bill of Rights was introduced into the British Parliament. Its purpose was to create a State in which the people were to rule and in which every section was to be heard by those in authority so that their demands could be given effect to and their needs provided for. The abolition of slavery was accomplished in 1833. The white peoples, who had led the world in advancement and in the establishment of democratic ideals, were prepared to abolish

slavery, but prior to that the women were treated as animals and given no consideration. In 1894 it was deemed desirable in this State to give women the franchise for the election of this House, but this afternoon we heard the Premier opposing this measure, which amounted to opposing the advancement of democracy. He raised all sorts of matters quite irrelevant to the Bill. To evade the real issue he said that members on this side of the House desired the abolition of another place, but there is no such suggestion in the Bill. I admit that it was on the platform of the Labor Party but we saw fit to delete it. The Premier referred to the Legislative Council as the protector of democracy, but while this State retains the present electoral franchise the Premier has extraordinary audacity and effrontery to talk about democracy as he did. One glance at our electoral system is sufficient to show that it is the most undemocratic to be found anywhere. The House of Assembly electorates have been so gerrymandered that although the 39 districts average about 11,000 electors each, 26 of them are in the country with an average of about 6,400.

The Hon. M. McIntosh—One of the country members is the Leader of the Opposition.

Mr. HUTCHENS—That is a strange interjection coming, as it did, from the Minister of Works. He and his Party are responsible for the position. They desire the electors to be grouped to their advantage. That is why the district of Frome has so few electors. The four Ministers in this House hardly represent as many people as any one metropolitan member. They sit and grin, pretending to represent country areas, but they find it convenient to dwell in the metropolitan area, far from their people in more ways than one. Last year the Premier said that we should retain the bi-cameral system, but I remind members that we are not asking for its abolition. He said that the bi-cameral system was established by the genius of the British people. This afternoon he gave us the old, old story in different words. He referred to a statement made by Cromwell in 1644, but let us have a look at this wonderful bi-cameral system introduced in England. Eight hundred and fifty-four peers have the right to sit in the House of Lords, and the system is of such great importance that the Constitution requires that there shall be more than three present to transact business! In the event of a division there must be 30 present!

Mr. Heaslip—They seldom have a division.

Mr. HUTCHENS—Yes, but when they do the members are brought in on crutches or in wheel chairs. My Party desires legislation passed to further the ideals of our democratic system, a system for which so many gave their lives. I was interested to hear the Premier refer to November 5, and thought it was one of the brightest parts of his address.

Mr. John Clark—Did that account for all his damp squibs?

Mr. HUTCHENS—I do not know, but it reminded me that yesterday was November 11, a very important day in the history of this country and of the democracies of the world. In yesterday's *News* I saw a photograph taken at the War Memorial where an important ceremony was held. The photograph showed a number of gallant ladies ready to lay wreathes. They were once again reminded that they gave their sons for democracy, but the Premier made it evident this afternoon that his Party is so lacking in humane outlook and regard for the interests of a certain section and so devoid of gratitude to these noble women that he chooses to oppose the Bill. I believe that under our Constitution before any Bill can become law it must pass both Houses in exactly the same form. In days gone by women were forced to bow to the will of many people, without any rights of protest. Our gallant women, who have given so much to see democracy advanced, are denied an effective voice in the administration of this country and in the making of the laws under which they live. They must bow humbly and resignedly to the will of this Parliament. I urge the adoption of that principle which has worked so satisfactorily in the election of the bi-cameral Parliament in the Federal sphere so that every section of the community will be given a vote and have some say in the making of this State's laws. The House should support this progressive measure.

Mr. JOHN CLARK (Gawler)—I must support the Bill, not because there is any compulsion behind my support, but because I have always found it difficult to believe, even though we are perhaps led to believe otherwise, that all men are born equal and in these days free. Parliamentary reforms do not come easily, and throughout history they have been fought for and often won only through bloodshed and tears. The Premier spoke of Oliver Cromwell, and I can understand his admiration of Cromwell, for he was one of the first big political bosses. I honour and appreciate Cromwell also, but for different reasons. The Premier forgot to add, when talking about the nobles'

request for the return of the House of Lords, that in the time of Oliver Cromwell only about 2 per cent of the English people had the right to vote. We have heard of some of the peculiar happenings of about 150 years ago in connection with Parliamentary elections, particularly rotten boroughs. Recently I read of one gentleman in the south of England who had the right to nominate two members of Parliament.

Mr. Michael—Only a few years ago one or two members still represented only a few hundred people.

Mr. JOHN CLARK—That is so.

Mr. Geoffrey Clarke—It was the Liberals who reformed those conditions.

Mr. JOHN CLARK—They were Liberal in the old-time Liberal sense, but I remind members that the meaning of "liberal" has changed immensely over the years. In those days bribery and corruption flourished, and I have read that the expenses of a man in his term of office as a Parliamentarian, including the cost of his election campaign, totalled about £150,000. Most members of this House would find it difficult to be elected and retain their seats if they had to meet such costs today.

Mr. Lawn—Members on the other side would be all right.

Mr. JOHN CLARK—Electoral reform Bills were introduced in the British Parliament about 150 years ago, but in Ireland it was not until after 1850 that such reform was introduced. In 1852, before an election in County Galway, an Englishman said to an elector from that county, "I think you have an election in your county shortly?" "Yes," replied the Irishman. "Who will win?" asked the Englishman. "The survivor," replied the Irishman. It seems that in those days an election often resolved itself into a matter of bloodshed. British Parliaments all over the world have effected reforms in franchise, and today we have no bribery in our Parliaments, but unfortunately our electoral system is still corrupt. It is so obviously unjust that I cannot see how any man can support it. Surely it must be obvious to everybody that there is too much representation of one particular section, and I have never yet been given a satisfactory answer as to why this should be. If the Upper House is to carry out its function as a house of review surely every section of the community should have the right of equal representation. In studying the merits or demerits of the bi-cameral system members may search for as long as they wish to in books by political economists, not only by radical and Labor writers, but also by men with Conservative views, but they will find that hardly any of them support the bi-cameral system of Government, not because they oppose it as such, but because they oppose the system under which the so-called Upper House is elected in every part of the world. As constituted at present I doubt the wisdom of retaining our Upper Chamber, but if reformed it could do the necessary work for which it was set up. At present it simply tends to perpetuate class distinction by securing the preponderance of representation for special interests. An economist, I think it was Benham, in speaking of the Upper House said, "If it agrees with the first Chamber it is superfluous, and if it disagrees it is obnoxious." I do not advocate the abolition of the Legislative Council, but in its present form I consider we would be better off without it. I do not condemn the gentlemen who make up that Chamber, most of whom are my friends for whom I have the sincerest admiration, but it is impossible under the present method of election for them to be elected so as to fully represent the people of this State. If it is necessary to prevent ill-considered legislation precipitately passed in the Lower House from becoming law and if it is important to have a body to give the requisite technical consideration to the measures introduced, it cannot be done by a Chamber having the scales weighted in favour of one section of the community. At present its decisions must inevitably, even if not intentionally, be unfairly weighted.

With a complete adult franchise all sections, even the women who at present are denied their true rights, will be completely recognized. It seems to me that this would be only elementary justice, for there are certain sections which at present have only a half share of the representation in Parliament but which should have a full share. Under the present distribution of electoral seats some people do not even get a half share of their proper representation, although others have a share and a half. If elected under full adult franchise the Upper House would not be just a reflection of the Lower House or its "echo" as the Premier put it, for the electoral districts for the Legislative Council are entirely different from those of this House, besides which members of the Upper House are elected for six years, half the members retiring every three years; therefore, the Upper House would not tend to reflect passing whims and the wishes of pressure groups or sudden bursts of feeling, but would have the necessary balance because

of the staggered retirement of members. During the last few weeks some people with whom I have discussed this matter have deprecated the principle of compulsory voting, but if compulsion is good enough for the House of Assembly it should be good enough for the Legislative Council. When everybody is compelled to vote, interest is increased, and there is very little interest in the other House today because so many people cannot vote for its members. In fact, some do not know that such a House exists and many who have the qualifications to vote do not bother to enrol. Many people do not know the qualifications necessary for an elector of the Legislative Council and many do not bother to vote because they know their vote will mean nothing under the present set-up. I have never heard a valid reason for the denial to citizens of complete adult suffrage for the Legislative Council. Why should South Australian citizens be robbed of what I consider their birth right?

Mr. DAVIS (Port Pirie)—I support the Bill. I have no desire to cast a silent vote as I feel sure most members opposite will, for the Premier has spoken and therefore they know what they must do. The Premier's speech was the funny story of the session, for he gave no reason for opposing this Bill but merely told members about other parts of Australia and had a long story about the Northern Territory Legislative Council which had nothing to do with this measure. This Bill gives every adult South Australian the right to vote for the Legislative Council, and I cannot see why any adult person should be deprived of that right. Only the other day I was travelling with a Liberal member of the other House who told me that a person who owned or occupied a house would be able to cast a more intelligent vote than a person who did not own or occupy one, but that seems strange to me. In fact, a person occupying a home today who is entitled to vote for the Legislative Council may be thrown out of his house tomorrow by his landlord. Would he then have less intelligence to vote than when he occupied his own home? The Premier said the Bill was sure to blow up because the Leader of the Opposition introduced it on Guy Fawkes Day. If the English Parliament was as undemocratic as the South Australian Parliament is today I can understand why Guy Fawkes tried to blow it up. The Premier also had the audacity to say that if there were adult franchise for the other place it would become only another House. Does he claim that the Senate is only another House in the Commonwealth sphere? He also said that the franchise for the Council has been altered recently because returned soldiers have been given a vote, but the mother of a returned soldier has no vote. A mother may have lost a son overseas whilst fighting in the interests of democracy, yet members opposite say she must not have a Council vote. Is that democratic? There is no difference between voting at Council elections and at Assembly elections. Every person 21 years of age and over should have the right to select the members of another place. I have pleasure in supporting the measure.

Mr. LAWN (Adelaide)—I support the Bill. During the three sessions I have been here I have had the opportunity to discuss the matters dealt with by the measure and I will not deal with them at length now, but I will refer to some remarks by the Premier. I can remember the Leader of the Opposition introducing other Bills for electoral reform and the Premier being the only speaker on the Government side. It is misleading for him to say that similar Bills have been debated at length previously. He said that a similar Bill to the one now before us was debated at length last session, but that is not true. Since I have been here no Bill introduced by members on this side has been debated at length. I do not think Mr. Pattinson spoke on a similar measure last session. I think the Premier was the only speaker on the Government side, and he will be the only one on this Bill. He did not discuss its merits. He referred to some constitutional technicalities, and spoke on matters not mentioned in it. Mr. Quirke aptly described the attitude of the Premier when he said the Premier was at a disadvantage because he was saying something he did not really believe, and that he could not debate the Bill's merits because of their undoubted justness. The Premier spoke about the abolition of the Council, but that is not indicated in the Bill. He also said that if the measure were passed it would be the thin edge of the wedge because a move would soon be made to abolish the Council. I point out that it is not the policy of the Labor Party to abolish it. The Premier also said that although the Labor Party is in office in New South Wales it has made no move to abolish the Council in that State. He also mentioned that when the Labor Party was in power in the Commonwealth sphere it did not try to abolish the second House. I do not know just what the Premier did try to convey. It was evident he felt that the passage of the Bill

would change the structure of our Upper House, and that instead of its comprising 16 members of the Liberal and Country League Party there would be a majority of Labor Party members. That is true, because if every person 21 years of age and over had a vote at Council elections the constitution of the Upper House would be different from what it is today. The Premier quoted some remarks by Mr. C. C. Kingston, who said, "Democracy has nothing to fear in the Legislative Council." I put it to members opposite that if there is nothing to fear, why not pass the Bill? Why not let everyone 21 years of age and over vote at Council elections? Until all adults can vote at those elections we will not have a true democracy.

I have discussed this matter at length previously, and pointed out that by means of the United Nations Organization we are trying to improve conditions in backward countries and to give them a true democracy. Charity begins at home, so why not give all our adults a vote at Council elections? Down through the years members opposite have opposed progress, and they have accepted reforms only when forced upon them. They practise class supremacy and class privilege, which is the direct opposite of the class hatred as practised by the Communists. There we have the two extremes—extreme Right and extreme Left. I believe in the Party which follows the middle road. I believe in reform, and there is no harm in giving all adults the right to vote at Council elections. A child may be born in a district and work hard, 40 or 48 or 60 hours a week, until he is 60 or 70 years of age. Although he gives good service to the State in increasing its productivity he is debarred the right to vote at Council elections if he does not possess the necessary property qualification. In the same street an imbecile may be born to rich parents, and because of the property he acquires from them later he gets a Council vote. In a democracy all people producing in the interests of the State should have equal rights. I will not deal with the aspects raised by the member for Stanley regarding the right of mothers of soldiers to vote for the Legislative Council. That position also applies in respect of mothers and widows of men who served in World War I. and World War II. According to the Prime Minister of England and others, it was felt at one time that there was a real chance of another world war, and not long ago our own Prime Minister said that it would occur within three years. The Goverment supporters will want our boys to fight if such a crisis arises. Among them would be some of those that I had the pleasure of seeing last night in the Army Tattoo at Wayville. I am afraid they may be wanted to protect this country. Yet, honourable members opposite deprive their mothers of the right to vote for the Legislative Council, although they give that right to some citizens whether or not they have ever done a day's work in their lives, or done anything towards our war effort.

I have recently said there will be a change of Government in South Australia following the next election. I know that the people of South Australia are complaining more today than ever before about the electoral injustice existing in this State, and I also know that members opposite have been regimented and must vote against this Bill. I challenge them to go outside the House and tell the people that something should be done to bring about electoral reform. Now is their opportunity to bring about such reform. During the three years I have been a member of the House I have been impressed by the attitude adopted by Government supporters. I have listened to their speeches and then noticed how they voted. I well remember last month the introduction of a motion by the Leader of the Opposition recommending the Government to build homes for the aged and infirm. Every supporter of the Government voted against it. The vote was taken on October 15 and yet eight days later, during the Budget debate, members opposite took the opportunity to speak to their electorates. One of those who voted against Mr. O'Halloran's motion said, "The Budget is a good one and I hope that next year the Government will go ahead and build some more homes for the aged, pensioners and other needy people"; and that is what he will take back to his constituents, but I will remind them of the vote he gave on Mr. O'Halloran's motion. I ask members not to vote against the Bill and afterwards go out to their constituents and say that they believe in some electoral reform.

Mr. Brookman—What are we to assume on your views the other night on the question of reporting progress? The honourable member shouted "No," and yet voted in favour of the motion.

Mr. LAWN—I do not know what the honourable member is referring to. Surely he does not suggest that I had not sufficient intestinal fortitude to vote the way I think? I think I am up to all the tricks he is up to and I can mislead people the same as others. We can all indulge in tactics. Possibly I was misleading the honourable member for some purpose on that occasion. This Bill has a

purpose, and it is to give every person in South Australia over 21 years, irrespective of sex or property rights, the right to vote for the Legislative Council. I ask honourable members opposite not to do what they have done in the last three years—vote against the Bill and then go out and tell their constituents that they believe in electoral reform. Now that the member for Stanley has shown that he has his ear to the ground, probably members opposite will attempt to get their ears to the ground between now and the next election to find out what is causing the change that is evident in public opinion. No doubt they will endeavour to ascertain what the public is thinking regarding the Bill, particularly in their own constituencies. It might be difficult for them to say then "I believe in electoral reform"; but, believe me, members on this side will have the opportunity of telling the people at the next elections that in the last three years Bills have been introduced by the Leader of the Opposition to provide for electoral reform and on every occasion every supporter of the Government has opposed them.

Mr. McALEES (Wallaroo)—I feel that I cannot give a silent vote on the Bill. I believe all that has been said by members on this side. The Premier's speech was one of the weakest I have heard from him since I have been a member of the House. Why is there such strong opposition to the Bill from the Government side? The Legislative Council is called the House of second thought. Are its members superior to members of this House? Do they have a kind of brainwave which enables them to analyse and undo all that this House does? The way members opposite are to vote on any measure is decided at Party meetings. The Premier said today that anything passed in this House is not rejected by the Legislative Council, but I remember one very important Bill which was rejected by the Legislative Council because it provided for improved workmen's compensation payments. Anything that is for the benefit of the worker is refused by the House of second thought, the members for which are not elected by the free thinking people of the State, but only by certain sections with specified qualifications. I do not think there is any hope of convincing the Government that the Bill is necessary, despite the fact that it is a democratic measure. If the Government stands for democracy it should support the Bill. I believe many of its supporters have not voiced their opinion against it simply because they have been told at a Party meeting what they should agree to. If a referendum were taken on the subject, I know what would happen—the people would agree with the objects of the Bill. I have much pleasure in supporting the measure.

Mr. O'HALLORAN (Leader of the Opposition)—I do not desire to speak at length in reply to the arguments, or alleged arguments, used in opposition to the proposals in the Bill, but in order that we might again get it in proper perspective after the frenzied attempt by the Premier to sidetrack the issue, I think it wise to restate those simple proposals. The Bill provides firstly for adult franchise, for the Legislative Council; secondly, for a joint roll for House of Assembly and Legislative Council elections; and thirdly for compulsory voting for Legislative Council elections.

The Hon. T. Playford—And fourthly?

Mr. O'HALLORAN—And fourthly, the Premier created so many smoke-screens and went off at so many tangents up various not well-known but somewhat worn garden paths, that at times he almost blinded himself with his own dust. He did everything except to produce an argument against the principles embodied in this Bill. First I was charged with having a sinister design in regard to the future of the Legislative Council, but I have no such design. I merely seek to amend the franchise for the Legislative Council, and that alone. The Premier said my Bill was only a means to an end, but he only succeeded in demonstrating that he was afraid to trust the people of South Australia with a vote for the Council and to permit them to determine this and any other issue. Then we had an excursion to the Northern Territory, to the alligators and buffalo flies and the uranium fields of Rum Jungle. A comparison was made between this State and one of the far-flung parts of Australia's possessions, this territory that was ceded by South Australia to the Commonwealth in 1910 because we could not govern it properly owing to its isolation and sparse population. The government of that territory has been carried on with great difficulty by the Commonwealth ever since. Finally, a Federal Labor Government was able to bring about some development in the Northern Territory and an increase in its population. This warranted some form of self government being granted to it. The Government of the Commonwealth that found the money spent on the development of the Territory appointed six representatives to the Legislative Council and the inhabitants were given the right to elect the other six, but that

right was not restricted to people with property or other qualifications but applied to the whole adult population. Of course, that Legislative Council was only intended to cover the developmental period. This is the way developmental periods have been covered under the British system of colonization, and the way self-government was inaugurated in South Australia.

The next thing the Premier attacked was the drafting of the measure, that it was necessary to amend two Bills instead of one. I was well aware of the position he put but I shall not be much concerned with the electoral amendments if the major amendment to bring about real democracy in South Australia is defeated. The other matters can wait if the major proposition is defeated, and if it is carried it is obvious that the other matters will be carried too. The weakness of the Premier's arguments today prove that the case I have presented is completely unanswerable. Many arguments have been adduced by members of my Party and the member for Stanley to which there has been no reply. We have asked that the people be given what many members prate about when we become involved in a war. They then talk about the rights of the people, the rights of democracy—those things for which we are prepared to shed the blood of other Australian citizens. We are prepared to grant all those things on foreign soils, but not in our home State of South Australia.

The House divided on the second reading—

Ayes (13).—Messrs. John Clark, Davis, Fletcher, Hutchens, Lawn, Macgillivray, McAlees, O'Halloran (teller), Quirke, Riches, Stephens, Tapping, and Frank Walsh.

Noes (21).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunks, Dunnage, Goldney, Hawker, Hincks, and Jeffries, Sir George Jenkins, Messrs. William Jenkins, McIntosh, McLachlan, Michael, Moir, Pattinson, Pearson, Playford (teller), Shannon, Teusner, and Whittle.

Pair.—Aye—Mr. Fred Walsh. No—Mr. Heaslip.

Majority of 8 for the Noes.

Second reading thus negatived.

IRRIGATION PROJECTS.

Adjourned debate on the motion of Mr. Pattinson.

(For motion, see p. 1041.)

(Continued from November 5. Page 1172).

The Hon. T. PLAYFORD (Premier and Treasurer) moved that the debate be further adjourned.

The SPEAKER—There being a dissentient voice, the debate must continue. The Premier may continue his remarks.

The Hon. T. PLAYFORD—My only reason for seeking a further adjournment was that another member has a Bill before the House and it is the custom to deal with Bills first, particularly towards the end of a session. The Government desires to do everything possible for the benefit of our irrigation areas on the river. Apart from any financial obligations on the taxpayers, it is essential that we utilize our share of the River Murray waters to the utmost. I am sure the member for Glenelg agrees that his motion is not an attack on our irrigation policy. If we do not utilize our share of the River Murray waters it will become obvious that we have no right to continue to hold it. I believe most members will agree that, no matter what title a man may have over land, he is obliged to use it to the best advantage. Of course, he would have legal titles, but his justification for holding a block would be his willingness to develop it and produce from it. We have to pursue the same policy in regard to irrigation waters. The State has incurred heavy losses in our river projects, some of which resulted from the fact that the projects undertaken in the early days were in connection with a science unknown in South Australia. There is a good deal of difference between the type of irrigation engaged in at Renmark, where there is a relatively low lift, and that at other river settlements where water has to be lifted a considerable distance, but I do not believe that irrigation by means of the high level lift should be discontinued. The member for Chaffey is always very keen to criticize losses which may be made on public services, and if he or any of the settlers in his district are prepared to work out the details of an irrigation scheme which could be controlled by a trust, the Minister will give it every consideration.

Mr. Macgillivray—He has not done that up to the present.

The Hon. T. PLAYFORD—That statement is completely wrong. When I represented a district which included several irrigation settlements on the lower Murray, settlers in my district considered that the difficulties arose because of the way the department was administered. In that district overhead liabilities are relatively small, for many of those areas were reclaimed at a period of low reclamation costs, which is vastly different from the position in the Chaffey electorate. Messrs. Shannon and Morphett and myself, as the members for the district, approached the Minister and he said

that if the settlers were prepared to take over the control of such schemes the Government was prepared to hand them over to the control of a local trust. We visited the various river settlements with the object of selling that idea to the settlers, but even in such areas as Monteith and Pompoota where the overhead costs were very low the settlers would not agree to take over the control of those facilities, for the working expenses would not have been covered by the receipts.

Mr. Macgillivray—The costs of administration must be considered.

The Hon. T. PLAYFORD—They were considered. Frequently the member for Chaffey has criticized public undertakings, for instance the railways, that have lost money, and he recently criticized the suggestion that money be made available to assist the Municipal Tramways Trust. If he has any proposition by which the settlers would shoulder the responsibility to run their own project the Government would be interested to hear it, but it will not consider any proposition that does not provide for the preservation of an asset of the State, for it is vital that such assets be preserved. The Government would consider such a proposal, for it would enable the Engineering and Water Supply Department to concentrate on developmental work, but the honourable member will not put forward such a proposition either this afternoon or at any future time.

Mr. Quirke—No doubt he will not be given the opportunity.

The Hon. T. PLAYFORD—Those members who complain loudest about the lack of opportunity are those who have the most to say in this place. For a long period it has been a convention that members should be given assistance particularly when they have Bills before the House, therefore I shall ask leave to continue my remarks to enable other business to be dealt with. The Government has a clear policy on this matter which is to continue to develop to the utmost the Murray irrigation, and it believes that anything which would detract from that policy would be wrong from the State's point of view. If it is possible to develop more trust control of the type that has been developed at Renmark that would be a good thing, and I invite the member for Chaffey to put forward such a proposal so that it may be considered by the Government and in due course by Parliament. At all times the Government has desired to secure a fair and reasonable return to the settlers along the river. It is not prepared to impose charges which it believes the settlers cannot pay, and periodical investigations have been made into the amount settlers can pay. It has been found a great problem exists in that the conditions enjoyed by all settlers are not the same, as some are on better blocks which are less subject to frost and seepage troubles; therefore, the charges must be fixed on a basis which will provide for a fair living for all settlers and not result in the survival of the fittest. Today the river areas are being supplied with electricity which would make it more economical to run a pumping station than in the old days when a larger station and staff of engineers were required; therefore, a proposal for the setting up of a local trust may be more practicable today than it has been in the past. I oppose the motion, as the appointment of a Royal Commission would not help solve any of the problems associated with our irrigation areas.

The House divided on Mr. Shannon's motion that the debate be adjourned:—

Ayes (19).—Messrs. Brookman, Geoffrey Clarke, Dunnage, Goldney, Heaslip, Hincks, and Jeffries, Sir George Jenkins, Messrs. William Jenkins, McIntosh, McLachlan, Michael, Moir, Pattinson, Pearson, Playford, Shannon (teller), Teusner, and Whittle.

Noes (16).—Messrs. Christian, John Clark, Davis, Dunks, Fletcher, Hawker, Hutchens, Lawn, Macgillivray (teller), McAlees, O'Halloran, Quirke, Riches, Stephens, Tapping, and Frank Walsh.

Majority of 3 for the Ayes.

Motion thus carried.

Mr. PATTINSON moved that the adjourned debate be made on Order of the Day for November 19.

Mr. MACGILLIVRAY—Divide.

While the division bells were ringing.

Mr. MACGILLIVRAY—Mr. Speaker, on a point of order, is anyone allowed to give his reasons for opposing the motion?

The SPEAKER—No.

Mr. MACGILLIVRAY—As the Premier has already given notice of motion for Government business to take precedence over all other business, is Mr. Pattinson in order in moving that this debate be adjourned until Wednesday, November 19?

The SPEAKER—At this stage we cannot debate the matter.

Mr. MACGILLIVRAY—As the motion mentioned will be carried tomorrow, is this present motion not a contradiction?

The SPEAKER—No. I am putting a motion which has been moved and seconded.

The House divided on Mr. Pattinson's motion—

Ayes (22).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunks, Dunnage, Goldney, Hawker, Heaslip, Hincks, and Jeffries, Sir George Jenkins, Messrs. William Jenkins, McIntosh, McLachlan, Michael, Moir, Pattinson (teller), Pearson, Playford, Shannon, Teusner, and Whittle.

Noes (13).—Messrs. John Clark, Davis, Fletcher, Hutchens, Lawn, Macgillivray (teller), McAlees, O'Halloran, Quirke, Riches, Stephens, Tapping, and Frank Walsh.

Majority of 9 for the Ayes.

Debate adjourned until Wednesday, November 19.

LICENSING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 5. Page 1178.)

The Hon. T. PLAYFORD (Premier and Treasurer)—I listened to Mr. Christian's remarks with much interest and I have some sympathy for the sentiments he expressed, but on further examining the Bill and learning how it would apply to many buildings, some of which were constructed many years ago and all of which are of various designs, I concluded that there would be many difficulties in connection with most of the hotels of which I have a direct knowledge. During recent years I have been accommodated at as many hotels in the State as any member in this place, and I think the proposal in the Bill is too rigid to be practicable. No right-thinking person desires to see children frequenting hotel drinking lounges. There is a provision in the Act prohibiting them from entering public bars, but if the principle were extended to other parts of hotels difficulties would arise. In many instances the lounge constitutes the entry into the dining room. A blanket provision would meet with many difficulties. I think Mr. Christian came up against them when he prepared the Bill. Other members have already suggested that amendments be moved in Committee.

Mr. Riches—Have you looked at the amendment proposed by Mr. Fred Walsh?

The Hon. T. PLAYFORD—I have looked at a number of amendments and they are all related to the difficulties I see. I have had an amendment drawn, some copies of which have been circulated. I think it will achieve the results desired by Mr. Christian. My proposal is that the matter shall be dealt with administratively. It is to insert the following new clause:—

5a. The following section is enacted and inserted in the principal Act after section 176 thereof:—

Section 176a (1) Any inspector may apply to the court at any meeting for an order declaring that any room in any licensed premises shall be a place to which children under the age of 16 years shall not be admitted.

It will be seen that this constitutes an administrative act on the part of the Licensing Court and does not leave a blanket provision for the defining of rooms in hotels, many of which are used for various purposes. The new clause continues:—

(2) Before making such an application the applicant shall deliver to the clerk and to the licensee at least 14 days before the day fixed for the meeting notice of his intention to apply for the order, and of the grounds on which the application is to be made.

(3) If the court is satisfied that the room to which the application relates is ordinarily used for the sale or consumption of liquor, and that it is undesirable that children under the age of 16 should be admitted to that room, it may make an order declaring that such children shall not be admitted to that room.

(4) A licensee of any premises in respect of which an order under subsection (3) of this section is in force may apply to the court at any meeting for revocation of that order and the court may, if it is satisfied that reasonable cause exists for doing so, revoke the order.

Before making such an application the licensee shall deliver to the clerk and to the Superintendent of Licensed Premises at least fourteen days before the day fixed for the meeting notice of his intention to apply for revocation of the order and of the grounds on which the application is to be made.

(5) At all times while an order under subsection (3) of this section is in force the licensee shall keep posted in a conspicuous place in the room to which the order applies a notice complying with this section containing the words "Children under sixteen years of age are not permitted in this room. By order of the Licensing Court."

The notice shall be in clearly legible black letters of not less than three inches high on a white background.

A licensee who fails to comply with this section shall be guilty of an offence.

Penalty: Twenty-five pounds.

(6) If any child under the age of sixteen years, other than a child of the licensee is for any purpose in any room in respect of which an order under subsection (3) of this section is in force, the licensee of those premises shall forthwith cause that child to be removed from that room.

A licensee who fails to comply with this section shall be guilty of an offence.

Penalty: Fifty pounds.

(7) Any person who causes or permits any child under the age of sixteen years other than a child of the licensee to be in any room in which a notice under subsection (4) of this section is affixed shall be guilty of an offence.

Penalty: Fifty pounds.

(8) The clerk may, by writing, if satisfactory reason is shown to him for so doing, suspend the operation of an order made under subsection (3) of this section during such periods as are specified in the writing.

(9) In this section "room" includes any room, verandah, beer-garden or other part of licensed premises.

Clauses 3, 4 and 5 would be negatived.

I believe that the new clause provides an improved method of administration compared with that in the Bill. Any method of dealing with the proposal as suggested in the measure would be more or less rigid in its application and must ultimately cause some difficulty. I believe the purposes for which the Bill was introduced meet with the approval of all members, and they certainly have my whole-hearted approval.

Mr. SHANNON (Onkaparinga)—It would be difficult for any man not to agree with the principle the member for Eyre wishes to bring into operation. It is one of the things most of us know are being observed by all hotelkeepers. There might be a misunderstanding in the minds of those who listened to his explanation of the Bill—that what he seeks to prevent is a widespread practice which occurs in many places where liquor is sold. I have many meals at hotels and see what goes on, but have never seen anything that one could call objectionable. Frequently children are taken into country hotels—of necessity when they accompany their parents to town—and frequently they have meals there.

Mr. Davis—What about the larger country towns, when they go in only to drink?

Mr. SHANNON—I am not suggesting that what happens in the smaller country towns in my electorate does not also occur in the larger ones, and also in the city—I know it does, but I know it is the practice of many metropolitan hotelkeepers to exclude minors from their lounges, and they do not need a law to do it. It is done voluntarily in their own interests. To my own knowledge that is quite general in Adelaide. From that point of view I do not expect hotelkeepers to have any objection to the suggested amendment. The only objection I have is to the way the measure is framed, and when the Bill was put on the files I indicated to the member for Eyre I would move certain amendments because I thought the method by which he was attacking the problem would in certain areas create disabilities which would make the legislation ridiculous. For instance, it could not operate effectively at some of the hotels in the hills. I also objected to the provisions which make it obligatory for the licensee to prepare a plan for submission to the Licensing Court so that it could have the building inspected and the plan either rejected or adopted. In such circumstances I can visualize many opportunities for officious people to start telling the licensee that his lounge is not in the right place, not the right size, or not properly lighted or ventilated, and all kinds of restrictions being placed on them. I do not think the honourable member contemplated that such a power should be placed in the hands of officials. Now that I have had an opportunity to look at the Premier's proposed amendment, much of my objection has been overcome, and I can support the Bill if Mr. Christian will accept that amendment. He will then achieve his object and we shall have a piece of legislation which can be administered effectively. There will be an opportunity for reasonableness to apply and it will not be necessary to stick to a hard and fast code which would create difficulties. Such difficulties would not arise under the Premier's amendment, nor would there be any relaxation in the enforcement of proper safeguards against small children being in hotels. For those reasons I support the second reading.

Mr. TAPPING (Semaphore)—I oppose the Bill because it can have far-reaching effects. There is no doubt that its sponsor is most sincere in desiring to do good for the community. Much has been emphasized about the moral aspect as regards women and children. From my observations any suggestions of immorality cannot be substantiated by fact. I was in Adelaide last Saturday when the Christmas Pageant was being held and, knowing that this measure was before the House, purposely made observations of some of the hotels in Hindley Street. I strove to ascertain at first-hand the conduct of parents in lounges when they had children with them. After a pageant of such magnitude one could understand some parents wanting to go to a hotel for a drink, whether it was intoxicating or non-intoxicating. After my observations I was convinced that there was no reason to complain. I have also made observations at hotels at Glenelg and Semaphore and found the conduct extraordinarily good. From a moral point of view, we have nothing to complain about. If this Bill becomes law we will penalize

women, and I do not think any honourable member desires to do that. On a Saturday afternoon men play cricket, bowls, and other sports or attend the races, and often their wives are left home to carry out their normal jobs. Possibly at about 4 o'clock they may desire to go to a hotel to meet some friends and have a drink in the good atmosphere prevailing there. Because they have children under 16 years of age, they are bound to take them with them, or otherwise miss meeting their friends and miss their conviviality. It should be understood that some women do not go to hotels to drink intoxicating liquors. I have seen women with their friends having a glass of lemonade.

Mr. Riches—They do not show much judgment in taking their children with them.

Mr. TAPPING—Some people have a wrong conception of hotel life. If we pre-judge this measure we are not being fair. I believe that my morals are as good as those of any member of this House, and I know right from wrong, but I base my attitude to the Bill not on allegations or rumors of hotel life but on what I and other members have seen. Generally speaking, the conduct in hotels is satisfactory. If women become obstreperous they can be ejected or dealt with by the police, but I have never seen such a happening. Most women respect their offspring. Hotel life is viewed quite differently in England; a family atmosphere prevails there. The attitude of hotel keepers has been referred to during the debate, but in every walk of life we always find some people not playing the game. Possibly some of our hotel keepers have not played the game, but in the main they are doing a good job. They try to command patronage, conduct a decent house, and induce women to go into the lounges because they think they are deserving of a place as well as the men. I oppose any social legislation to penalize the women of this State. It seems that the restrictions proposed will not apply to beer gardens, but these places can only be used for about five months of the year.

If the member for Eyre desires to reform our licensing laws he should consider the aspect of rush drinking between 5 and 6 p.m. This is a matter giving concern to every member. I offer no solution of the problem, but it is more important to pay attention to rush drinking than to penalizing women. The member for Eyre said that the additional lounges that have been provided have led to a decrease in lodging accommodation, but lounges are usually situated adjacent to the bar and it is hardly likely that any lodger would be accommodated in that position. Usually the lodging rooms are some distance from the bar, or upstairs. Some hotel keepers were condemned during the war because they would not take lodgers, but in those days they were very short of staff and found it impossible to cater for boarders. In latter years there have been few complaints that hotel keepers do not accommodate boarders.

Mr. LAWN (Adelaide)—I oppose the Bill, though probably all members are in accord with the motives of its sponsor. I do not like to see children taken into hotel lounges or other rooms where liquor is available, but I cannot see how the Bill will achieve the purpose desired. I travel frequently in this State and in others and have observed the behaviour of families travelling on holidays or business. If a family were travelling to Port Augusta and stayed at a hotel there I believe they would be exempt from the provisions of the Bill. However, if the father or mother wanted a drink at a hotel *en route* they would be unable to take a child in with them. Further, if it is wrong for children to be in the same room as people consuming liquor it is wrong for them to be in a dining room if liquor is being consumed at some of the tables. The Bill seeks to prevent the consumption of liquor in the presence of children. but permits them to be present if they are guests at a hotel. I have seen a man go into a hotel in Adelaide for a drink, leaving his child in the street. The Bill aims at keeping children out of hotels, but the child may soon wander into the gutter or into the path of a motor vehicle. It would be far better for the child to go into the hotel and remain under the watchful eye of his parent.

Recently while waiting for a bus I saw some people get out of a tramcar, among them being a mother with two children, the eldest being about 12 years old. The mother was under the influence of liquor and before she got into the bus I noticed her staggering around. On the bus she talked loudly and her child told her not to talk so much because she was making a fool of herself. This had an unfortunate effect, for the mother ridiculed the child and told her to keep quiet, that she was quite all right. From the direction they came I gathered that they had been at Glenelg. The member for Eyre seems to think that if a woman desires to consume liquor her children should remain outside the hotel. They would probably run arounds the streets of Glenelg or play on the sand, but they would

not be under the watchful eye of their parent. That child would have been better off—it would certainly have lost nothing—by being with her mother rather than running about the streets while her mother was in the hotel lounge. I visit the racecourses only once or twice a year, and nearly always at Morphettville because it is near my home. I go on Adelaide Cup Day and Labor Day after attending the procession in Adelaide. On Labor Day this year I noticed for the first time a beer garden at Morphettville, and I commend the club for the manner in which it is set out. I have seen shocking drinking facilities at league football matches in Adelaide.

Mr. Quirke—That is only for the want of proper conditions.

Mr. LAWN—Yes, and I would support any move to improve those conditions. The drinking set-up at Morphettville is excellent, and is in sharp contrast to the conditions I have seen at league football matches.

Mr. Moir—You must be speaking of the Adelaide Oval, for that is the only football oval where beer is sold.

Mr. LAWN—I had the Adelaide Oval in mind, and when I have occasionally visited Cheltenham and Victoria Park racecourses I have seen the way that drinking has been conducted there. People have jostled their way through the crowd to get a drink and then they have taken a dirty glass from the bar, the floor, the window sill, or the hand of another person who has finished drinking. Such shocking conditions should not exist, and having seen the beer garden at Morphettville I feel that such adequate drinking facilities should be provided at other places. Would it be wrong for my wife and myself, with one or two children who are with us on Labor Day, to go into the beer garden and sit under a gaily striped umbrella so that my wife and I might have a beer or wine and the children a lemonade or sarsaparilla?

Mr. Brookman—It would be better than leaving them at home alone.

Mr. LAWN—Yes, or sending them to a picture show or leaving them somewhere on the racecourse until we returned. Generally speaking, I prefer to see drinking in hotels done in rooms away from the presence of children, but we must face the facts. I am not a frequent visitor to our beaches, but my family and I like to spend two days of the Christmas holidays at Glenelg, where we hire a tent on the foreshore near the Pier and Family Hotels. On December 28 a man has to fight his way into the Glenelg hotels to get a drink, and drinkers are to be seen not only in bar, lounge, and passages of the hotels, but on the verandahs, on the lawn, and on the foreshore south of Jetty Road.

Mr. Pattinson—Are you complaining about that?

Mr. LAWN—No, but what will happen if this Bill is passed? On December 28 I usually go for a drink at a Glenelg hotel late in the afternoon and by that time the hotels are full.

Mr. Stephens—So are some of the customers.

Mr. LAWN—Probably, but that state of affairs may also be seen at trotting and race meetings. This Bill aims at excluding children from hotel rooms in which liquor is consumed whether or not the customers are full, but I see a problem for licensees of hotels and the general public if it is passed. I am sure the residents of Glenelg and the general public who visit Glenelg on December 28 would not appreciate the position, for they would find this year they could only get a drink in the bar or in certain rooms and that they had to leave their children outside. It would mean the purchase of more bottled beer for consumption at home, but is it better to have beer drunk at home in front of the children than in a hotel? There is a limit to the amount of beer a person will consume in a hotel, but at home where there is no-one to criticize a man's action when he becomes inebriated and where he has nothing to fear from the police he may let his head go in front of the children. This would result in more beer being drunk at home than is normally the custom in hotel bars.

The need for a larger police force to police this legislation would cause the Treasurer concern. For many years the city of Adelaide has not had enough policemen patrolling its streets, and such districts as Thebarton have experienced difficulty because the police have been taken away on Saturday nights to control trotting meetings. On such occasions women have been molested in those areas. The Commissioner would have to almost double his force if he were asked to police this legislation, for there are many hotels in Adelaide and suburbs such as Norwood.

Mr. Moir—There aren't many out there.

Mr. LAWN—In other suburbs more police would be needed to police the provisions of this Bill. It would be useless to pass the legislation and then not put it into operation. The Premier said he intended to move in Committee a new clause permitting an application to be made to the Licensing Court by an inspector to get an order preventing children under 16 years of

age from drinking in an hotel room. He further said that if the licensee had an order made against him he could apply to the same court to have the order set aside. I am not criticising the Premier for his proposal. I criticize the proposal itself, and the position would be the same if some other member made it. Almost all members will agree that the presence of children in drinking lounges is a problem, and Mr. Christian is trying to overcome it. Before agreeing to the Bill we should consider other proposals. The Premier has submitted one. It is possible that an unreasonable penalty may be imposed because of an offence being committed unknowingly, and sometimes offences are committed unknowingly. If a licensee had a notice in an hotel room saying that children under 16 years of age were not entitled to be there the children would have to play in the street outside whilst the parents were inside having a drink. The children may be playing with a tennis ball or marbles, and if the tennis ball or a marble were to go into the room where the parents were drinking and the children went in after it, the licensee would be guilty of an offence if a policeman found the children there. Mr. Christian has made an attempt to improve the position, but it is possible that under his proposal the best results will not be achieved.

The matter merits consideration, but other matters also should be considered in connection with the licensing of hotels. In my district there is a complaint about the small number of hotels, and in the locality where I live there is no hotel at all, and under the present provisions of the Act there is no chance of ever getting one. Every time an attempt is made to get one people as far away as Keswick Bridge have a say as to whether or not one should be licensed. It seems that the people in that area, where there are plenty of hotels, can decide that there should not be a hotel in my locality. The whole thing is stupid. Mr. Christian's attempt to improve the position is only a piecemeal way of dealing with the matter. It should be done properly.

Mr. RICHES (Stuart)—I support the Bill. There are several ways of defeating it. One is to talk it out, another to vote it out, and another to submit amendments that will sabotage it and render it completely ineffective. The Bill is a genuine attempt to improve a position which members generally say is undesirable. If the Bill were to pass the second reading members would have the opportunity in Committee to consider amendments. Several have been suggested which might improve the Bill. I hoped that the Bill would pass the second reading so that the amendments could be considered. The Bill as drafted is difficult of operation and Mr. Shannon's amendment appeals to me, but I am sorry that a compact has been made and that the amendment, and the original clauses of the Bill, are to be sabotaged in favour of a proposal indicated from another source that will render the Bill inoperative and leave the position largely as it is now. I resent the implication that anyone who speaks in support of such a Bill automatically adopts some superior moral code or air of superiority. I do not profess to have a higher standard than any other member, but I claim the right to express my opinion.

Mr. Quirke—No-one has denied you that right, has he?

Mr. RICHES—When I expressed an opinion by way of interjection it was inferred that because I held such views I considered myself on a higher moral plane than other members. As far as I am concerned, there is no sense of superiority. It is not in the interests of young people to be associated with drinking, and I deplore the signs of drunkenness among teenagers I have seen in recent weeks. I am concerned for them. I believe Mr. Christian was thinking more of the children than of the rights of people to drink. I hope I am broadminded enough to appreciate difficulties when they are pointed out, but I also insist that my first concern is for the children and what is best for them.

Mr. Lawn challenged me in a friendly way to state my attitude towards people travelling from Adelaide to Port Augusta with a family and desiring to have a drink. My answer is that I think it would be better for the parents to consider the effect of their example on the minds of their children. When they have their families with them there are many places where they can have congenial refreshment without going to a hotel. I do not think that is narrow-minded, or would inflict hardship on anyone, but any action this Parliament can take to minimize the drinking which is taking place among teenagers or minimize the effect of the association of our children with public drinking is a step in the right direction. Because of that I give my support to the Bill, and not from any personal sense of superiority. I think Parliament should express an opinion on this matter and not pass its responsibility over to some inspector of the Licensing Court, nor should we require the court to sit and judge the suitability of every room in every hotel which an inspector

may refer to it. It has been suggested that instead of the plans of rooms of hotels being submitted, as is envisaged by the Bill, we should throw the whole onus on to a licensing inspector to place before the court the rooms to which, in his judgment, children should not be admitted. If that is the kind of situation which is to develop as a result of this Bill, it may just as well never have been introduced for all the good it will do.

I give Mr. Christian credit for the way in which he introduced the measure. I have discussed it with a number of people in the trade and they agree it is undesirable that children should be in the recognized drinking lounges. Many hotel keepers themselves have taken action to see that children are kept out of these places during trading hours. The trouble could be overcome if we limited the restriction on the presence of children in lounges to the hours in which trading is taking place. There would be no objection to women and children occupying these places when not used as public drinking lounges. If that were made clear I think the situation could be adequately met. The suggestion made in the course of the debate that individual applications should be made by a licensing inspector to declare every room in every hotel which should come under the provisions of this Bill appears to me very much like an attempt to sabotage the whole measure.

Mr. Frank Walsh—Is there not a tendency to keep children out of lounges?

Mr. RICHES—There is a general feeling among the community that a hotel lounge is no place for children. Most hotel keepers I have spoken to discourage it and where possible prohibit it. I believe the majority of them would welcome legislation supporting them in their attempt to meet the position. Many of them are as anxious to protect family life as we are. This is as much a problem for the parents as for those engaged in the industry, and that is why the amendment suggested by Mr. Fred Walsh appeals to me. I do not think the whole responsibility should rest with the licensee. The greater responsibility lies with the parents. Mr. Walsh's amendment would place the responsibility where it rightly belongs. There is a tendency for fashionable teenagers to drink in hotel lounges. Far too much drunkenness is noticed among them. I had not seen it until recently, but it shocked me. It may have been an isolated instance: I do not know.

Mr. Frank Walsh—What do you call a teenager?

Mr. RICHES—Those who are aged from 15 to 19 years.

Mr. Pattinson—Where do you see them?

Mr. RICHES—Unfortunately I have seen them in the streets during daylight hours and also at dances. I think this legislation would help to prevent that kind of thing and would be accepted as a pronouncement from Parliament. I am not saying it is Parliament's responsibility entirely, or that the trouble can be cured by any Act, but I believe it is a step in the right direction. I therefore support the Bill and hope that in Committee honourable members will give full consideration to certain suggested amendments which appeal to me.

Mr. STEPHENS (Port Adelaide)—When the member for Eyre Peninsula introduced the measure I thought it contained something which would be of benefit to the people, but after hearing the debate and the amendments suggested I think it would be in the interests of everyone, and particularly in the interests of members of the House and of respect for our laws generally, if the honourable member withdrew the Bill. I consider it in the same category as the Lottery and Gaming Act Amendment Bill which was passed a couple of years ago. On that occasion I said that if the amendment which prohibited children from being allowed to be within a certain distance of a bookmaker were carried it would not be enforced. That has actually happened, and I see the law being broken every Saturday night at trotting meetings, and I also know it is being broken at racecourses. The police are disgusted with the stupid action of this House. I have seen the position arise where people could not get into the grandstand at the trotting races without in fact breaking the law. If the Bill now before us is passed its provisions will be broken just as the lottery and gaming law is broken. I ask members not to vote for something so stupid. I do not want to see children in hotels or in lounges where intoxicating liquors are supplied. Some members say we should blame the publicans, and others that we should blame the parents. We should not attempt to place the blame on to somebody else. If we pass a Bill which we are not sure can be enforced let us accept the responsibility for our foolish action and let us make laws which can be carried out.

Mr. QUIRKE secured the adjournment of the debate.

Sitting suspended from 6 *to* 7.30 *p.m.*

LOCAL GOVERNMENT ACT AMENDMENT BILL.

In Committee.

(Continued from November 11. Page 1247.)

Clause 10—"Expenditure of council."

Mr. PATTINSON—I move to insert after "amended" the following paragraph:—

(*a*) by inserting therein after paragraph (*f*3) of subsection (1) thereof the following paragraph:—

(*f*4) subscribing to any hospital situated within or outside the area if the hospital is incorporated under the Associations Incorporation Act, 1929-1953, and if the council is satisfied that the hospital provides directly or indirectly for the needs of the inhabitants of the area:

Section 287 (1) provides that councils may expend revenue in certain ways, and paragraphs (*f*) and (*f*1) provide particularly for expenditure in respect of the maintenance or the provision of equipment for any public hospital, public asylum, and certain charitable organizations both within and outside the local government area, if the council is satisfied that such institution provides directly or indirectly for the needs of the inhabitants of that area. However, neither of those paragraphs give a council the power to subscribe to a community hospital, which is not a public hospital within the meaning of the Hospitals Act in that it does not take in poor and indigent persons free of charge, for it cannot afford to do so. Government-subsidized hospitals are subsidized on their annual revenue from year to year by the Government, but although community hospitals are subsidized pound for pound towards the cost of establishment, once established they are obliged to pay their own way. This applies to the LeFevre, Glenelg, Ashford, and Hindmarsh community hospitals, and the Northern Hospital Inc., as well as one or two other community hospitals in the metropolitan area. Although they cannot comply with the conditions of the Hospitals Act in order to become a public hospital in that they cannot give free service, however much they would like to do so, they are catering for people who can afford to pay, thereby leaving more room in the public hospitals for indigent cases.

Community hospitals were being supported generously by councils within their areas and some by councils outside their areas as provided by section 287, subsection (*f*1) of the Act. If there were any doubt as to the legality of that action it would have been wise, in my opinion, to keep it within the four walls of the various council chambers, but legal advice was obtained by the Port Adelaide council on the question. It was advised that it was doubtful whether it could contribute to such community hospitals, and this has placed councils in an awkward position. I do not of necessity share the doubts of the solicitors for the Port Adelaide council, but their opinion has had the effect of making some councils hesitate in continuing their grants. Both the Glenelg and Ashford Community Hospitals have been incorporated under the Associations Incorporation Act, and their various powers are set out in their constitutions. The purpose of this amendment is to settle any doubts which may exist as to whether the Glenelg and Brighton councils can contribute part of their revenues to the Glenelg Community Hospital, and whether councils of West Torrens, Marion, Unley, and Mitcham can do likewise in respect of the Ashford Community Hospital. The amendment will also apply to other community hospitals which at present exist throughout the State or which may be proposed. I am sure there can be no real difference of opinion as to the necessity and desirability of this amendment.

The Hon. M. McINTOSH—On behalf of the Government I indicate its support of the amendment to the extent only that it places beyond doubt what has already been done, properly in my opinion; but the passing of this amendment is not to be taken to mean that the councils will be obliged to do what this Committee is now giving them the privilege and opportunity of doing.

Mr. FRANK WALSH—I commend Mr. Pattinson for moving the amendment. I am pleased that the Government is accepting it and that we do not have to revert back to a Statute of Queen Elizabeth's day to get somewhere. It is extraordinary that on the establishment of the Ashford Community Hospital the Chief Secretary insisted that there should be a guarantee from the four councils. The Minister in charge of the Bill cannot have it both ways. If the Government insists in that way it is useless for one of his Ministers to say that the position is different. Undoubtedly, if the amendment is accepted, action will have been taken in the interests of councils which subscribe to community hospitals. The amendment clears up all doubts I had on the matter.

Mr. SHANNON—I commend Mr. Pattinson for clarifying what might be a doubtful position. At present councils can contribute to non-subsidized hospitals in their area. In my district two councils so contribute. In regard to subsidized hospitals the Government nearly always insists on a rate being levied in the

area where the hospitals are situated. Mr. Pattinson's proposal is an extension of that principle. I thought the proposal might place an obligation on a council, but taking around the hat for funds for a local institution of this character is a thankless task and sometimes profitless. Many people able to contribute are not always forthcoming with their money when the hat goes round. The proposal will enable them to bear some share of the burden.

Mr. HUTCHENS—I support the amendment and was pleased to hear the Minister accept it, saying that it gave councils the right but not the obligation to subscribe to community hospitals. In my district there are two. One obtained legal advice and then the council in its wisdom contributed a sum of money to the hospital. The other was told that legally money could not be advanced to a community hospital, with the result that its progress has been somewhat delayed. My negotiations with the Chief Secretary on behalf of both hospitals were most happy, and as the representative of the Government he was most helpful.

Mr. STOTT—The amendment is very wide in its scope. Community hosiptals are not mentioned in it. I think it would help to delete the words "situated within or outside the area." I thought that the honourable member desired to restrict his amendment to community hospitals, but it will enable councils to subscribe to any hospital. A hospital wherein a cure for arthritis or some other complaint had been discovered could be regarded as benefiting an area and a council could subscribe to it even if it was in Canberra. The amendment is extremely wide and I wonder whether it may be the thin edge of the wedge to enable the Government to place the responsibilities of hospitalization on ratepayers. The hospitals at Loxton, Waikerie, Renmark, and Lameroo are wholly dependent upon subsidies from the Treasury. I realize the motives behind the amendment but I would have preferred it to be more specific.

Mr. WHITTLE—I appreciate the Minister's remarks concerning the element of danger involved. I am in favour of permitting councils to spend money on local activities particularly if they satisfy a need as hospitals do. When the Northern Community Hospital was taken over it was not obligatory upon the council to provide money but the people in the area raised £12,500 in a few months. Hospitals largely manage their own affairs and there is an element of danger that if councils subscribe, people in the community may not continue to assist the hospitals. I hope the Minister's remarks in accepting the amendment will be noted for all time. A council gets its revenue from its ratepayers but frequently people from outside the area receive benefits from the hospital because patients are largely regulated by the doctors. From my own experience I know that a large section of the community does not feel obliged to support the District Bush Nursing Society or the Mothers' and Babies' Health Association because the council makes a donation to those bodies. They believe the council assists the various health bodies for their benefit but that is entirely wrong.

Mr. FLETCHER—Community hospitals serve a worthy purpose and are of great benefit to the district in which they are situated. Frequently the efforts of women's auxiliaries and other bodies which assist hospitals do not receive the recognition they merit. The amendment seems to favour community hospitals, but it would be better if all hospitals were subsidized on a pound for pound basis. Those who work for the hospitals would then receive more consideration. Hospitals generally serve those who live within the area but people from outside a district are often assisted.

Mr. MICHAEL—I support the amendment, which is quite justified. The Freeling district council area is rated to contribute to the Kapunda, Angaston and Gawler subsidized hospitals, but the township of Freeling has a local hospital which is not eligible for a subsidy but does give a very valuable service to the local people; in addition to relieving the strain on the aforementioned subsidized hospitals. I do not think any country town of similar size has as many industries as Freeling, where accidents are likely to occur at any time. The hospital has a small staff and the local people have done a wonderful job in assisting it. It is right that councils should be given power to subscribe to such institutions. My own experience of local government is that ratepayers will quickly tip out a council which they think is spending too little on roads and other services. Even if a council makes only a small donation it shows that it is behind the institution and those who are assisting it.

Mr. WILLIAM JENKINS—I also commend Mr. Pattinson for introducing the amendment —not so much because of the good it might do, but because it will legalize the action of councils which are already subscribing towards this

purpose. I have before me a report showing that the district council and corporation of Strathalbyn subscribed £959 to the Strathalbyn Memorial Hospital for the year ended June 30 last.

Mr. PATTINSON—Mr. Stott raised serious doubts as to the wording of the clause, but had he looked at the original Act he would have seen that the draftsman had slavishly copied the two preceding sections which have been the law for more than 25 years. Section 287 (*f*) refers to the acquisition or maintenance of a hospital within the area and section 287 (*f*1) provides for subscribing for the maintenance and the provision of equipment of any hospital outside the area. Under the Associations Incorporation Act if there are any profits they must go back to the hospital. I should not like the impression to go out that councils are carrying these subsidized hospitals; that is far from being accurate. For instance, the Ashford Community Hospital serves the area of four large councils and the four mayors are members of the board of management, and those councils each voluntarily subscribe £250 a year. The residents of the districts subscribed just a few pounds short of £10,000 last year by voluntary contributions, collections and returns from fetes.

Mr. Fletcher—Did it get a subsidy?

Mr. PATTINSON—No. It is not a Government subsidized hospital in the sense that it receives a pound for pound subsidy on its revenue. Some of us have been very generous to the Government in giving praise for helping to establish community hospitals. It is incorrect for any impression to go abroad that we are now loading up the councils. These hospitals came into existence as a result of the public spiritedness of a group of citizens who wanted to do something for humanity when the Government of the day was unable to do so owing to the lack of money, manpower and materials. There is a tremendous demand for a public hospital financed by the taxpayers to serve the growing needs of the south-western suburbs. Two or three men in my electorate, aided by the member for Goodwood and two or three people in his electorate, conceived the idea of the Ashford Community Hospital, and but for their public spiritedness and enthusiasm it would never have been established. The Premier and the Minister of Health laid it down as a condition that unless I could get the support of the West Torrens, Marion, Unley and Mitcham councils towards the establishment of this hospital it could not be established, because the Government was not prepared to make a grant toward the purchase price. We are not under any obligation to the Government, but it is under a great obligation and debt of gratitude to us for relieving it of its responsibilities in providing community hospitals in the metropolitan area which are not subsidized pound for pound on their revenue as are hospitals in the country. Much honorary work is carried out by the boards of management and the women's auxiliaries which cannot be measured in terms of money.

Amendment carried.

Mr. PATTINSON—I move—

To insert after "subscribing" in line 1 of new paragraph (*j*4) "for any purposes which the council deems desirable including subscribing," to strike out "to organizations" in line 6 and to strike out "fifty" and insert "two hundred."

When I outlined this proposed amendment last night I indicated that I intended to insert "two hundred pounds or one per cent of its total revenue whichever may be the greater." Some members expressed doubt as to the wisdom of including as much as one per cent of the council's revenue, and so I have excluded that portion of the amendment. The effect will be to increase the amount from £50 to £200. This Parliament, and in particular the Party to which I belong, has for a long time paid lip service to the principle of the diffusion of power and authority. But when we come to the very epitome of the diffusion of power and authority, as expressed in local government we have for a long period cribb'd, cabin'd and confined it within very narrow limits. In fact, we have placed local government in this State in a straight jacket; we have given it a charter which is the most voluminous Act in the whole of the Statute Book; an Act of nearly 1,000 sections, but at least half of them contain prohibitions, either direct or indirect, upon the councils, so we do not carry out in practice our professed beliefs. I wonder sometimes whether we are not a little presumptious in this regard, because in South Australia local government is almost as old as the State itself and much older than this Parliament. The State was founded in 1836 at Glenelg and within three years a system of local government was set up, the first in Australia. It has been carried on magnificently over that long period by a long line of very worthy men who have given their services in an honorary capacity. Without making invidious distinctions, I believe that, by and large, mayors and members of councils measure up in ability, integrity and public

spiritedness with members of this House, yet, apart from the few limited powers that this Parliament has ceded to the Commonwealth Parliament, we arrogate to ourselves absolutely unlimited powers for a small Parliament of 39 members in this place and 20 in another.

All that this amendment says is that councils are not obliged to do anything, but that henceforth they shall be at liberty to expend a small amount of their revenues—up to £200—for any purpose they deem proper, including organizations having the object of the furtherance of local government or development in any part of the State in which the area of the council is situated. On the previous amendment I said either "within or without the council area." In this, against my better judgment, I am confining it to within the council area, I had an experience recently in connection with the Brighton High School which serves the areas of Glenelg, Marion and Brighton Councils in particular. Public spirited citizens of the Parents' and Friends' Association have raised huge sums to provide additions and amenities to the school and they asked those three corporations if they would lend some small portion of their respective plants, and perhaps give some screenings, to help them put down a few cricket pitches for the boys, and help them mow the long grass so that the area would be presentable when the Premier came there to open the school. The Brighton and Marion Councils readily acceded to this request, and I am sure that had I remained mayor of Glenelg that council would have done likewise, for when I was there we did not worry about getting legal opinions upon such matters as that. However, with some diffidence the Glenelg Council obtained a legal opinion and was advised that it could not subscribe any money, lend any plant, or give any screenings to aid this very worthy institution established at the cost of the Government, and which is meeting the needs of hundreds of children of the ratepayers of the Glenelg Council. My amendment, against my better judgment, does not cure that defect, because I only say that they should be allowed to spend up to £200 on a variety of public endeavours within their areas, whereas I would have preferred to see it within or without the area. However, knowing the Scotch caution of the Minister in charge of the Bill, I have proceeded very gently and only gone so far as I felt confident that he would agree.

Mr. Riches—Are there any other limitations on this amendment?

Mr. PATTINSON—The limitations are that it must be for some organization having the object of the furtherance of local government in the development of any part of the State in which the area of the council is situated and for any purpose which the council deems desirable.

Mr. Riches—Would that include a donation to the Youth Travel Scheme?

Mr. PATTINSON—I am not sure that it would. I mentioned that last night as an illustration. That is a scheme which is sponsored, I understand, by councils. They believe it is an excellent thing to send youths from this State on conducted tours abroad which will broaden the outlook of those young men and be of indirect benefit to the community in years to come, at the same time giving publicity to the State and creating goodwill in the countries they visit. In my view, however, they have no power to subscribe to that movement, just as they did not have power to subscribe to that most worthy of all movements—the Food for Britain Appeal.

I cannot understand the lack of trust by members of this House in local government, considering that so many members have played a very prominent part in local government over a long period, with an outstanding example in yourself, Sir, as a person who has occupied every office in local government with great distinction. Many of my colleagues on both sides of the House have either been or still are mayors of municipalities or chairmen of district councils, yet they seem to be the very people who show their distrust of councils.

Mr. Stott—It is much more pronounced in another place.

Mr. PATTINSON—I realize that. I hope that the Minister will agree to the amendment because if he does not I assure him that it will seriously offend a large number of very earnest persons who have given up a great amount of time and leisure to carry on in an honorary capacity functions which, but for them, it would be the duty of the Government to carry on at great expense.

The Hon. M. McINTOSH (Minister of Local Government)—I ask that the amendments be put separately. The crux of the whole amendment is in the sum of £200 and I raise no objections to the other two. The last remarks of the member for Glenelg were not, I am sure, intended to be hurtful, but they were to me to this extent; this is the first time it has been suggested that this power should be given, except that it was put in last year by myself. In most cases the councils themselves did not want it because they felt they would become subject to high pressure politics within their

own circles. This, after all, is a question of local government. I had in mind 1 per cent, but then I found that some councils have a revenue of £50,000, and 1 per cent of that would be £500. The origin of this request was the desire of councils along the River Murray to be able to subscribe to the River Murray Development League. It was included last year, but was thought to be too general because it placed no limitation upon the powers of the councils, and sometimes they would like to be protected from their friends. So long as the council has the power to do it it is bound to have requests to subscribe to this and that. There should be no room for improvement societies in councils. The amount of £50 was inserted so as to give councils a certain amount of latitude. Compare on the other side of the State border Corowa with Renmark. With a population of 2,900 Corowa subscribes £24 to the Murray Valley Development League and Renmark, with an almost identical population, could subscribe that sum and still have half its allowable fund for contributions intact. Except in the case of a big town like Mildura, no council along the River Murray would find it beyond its financial power to keep pace with similar bodies across the border in the eastern States. No council has ever asked for this power. In some cases it will only legalize what has been done. I suggest that the £50 already mentioned in the clause be allowed to remain, as it will enable councils to subscribe without being made a target for outside bodies. There is no intention to restrict councils' powers. I wish to protect councils from being subject to attacks by high pressure groups in their areas.

Mr. MACGILLIVRAY—The clause was inserted because the Premier had given a definite promise that the power would be given to the councils along the Murray which desire to subscribe to the activities of the River Murray Development League. Practically the same provision was inserted in the Local Government Bill last year, with the exception that there was no limitation of £50.

The Hon. M. McIntosh—And the clause was rejected by the Legislative Council because of that.

Mr. MACGILLIVRAY—Yes, it was claimed that the provision was too wide and would give power to every council in this State to make subscriptions. The only councils that asked for the power were those adjacent to the River Murray, and had the proviso been limited to councils who wanted the power for the specific purpose mentioned it would have been supported. The clause was rejected last year because it was considered to be too wide and it will be endangered again this year if Mr. Pattinson's suggestion is agreed to. Parliament must accept responsibility for what it puts into legislation. As far as I know, no council has asked for the powers Mr. Pattinson suggests.

Mr. Moir—Plenty of councils would like it.

Mr. MACGILLIVRAY—I do not know about that.

The Hon. M. McIntosh—Ninety-nine per cent of the councils would come to the Minister about it.

Mr. MACGILLIVRAY—It is all very well for a member who has a particular barrow to push to try to convince us that he is right. Mr. Pattinson contended that councils could not subscribe to the Red Cross or the Food for Britain Appeal, but they would be helped by the clause as it stands in the Bill. If anybody wants to give to the Food for Britain Appeal he should do it as an individual; councils have no right to tax ratepayers for the purpose of subscribing to anything that does not come within the sphere of local government. We, as members, know what pressure is brought to bear on us by all kinds of organizations and people in districts, and councils are much closer to the people than Parliament is. Sporting bodies might ask councils to subscribe towards clearing a football ground or a cricket pitch, but it is not the function of councils to do these things. Mr. Pattinson seemed perturbed because his local council did not have power to lay gravel at a high school, but that is the work of the Education Department. He wants councils to be allowed to do this kind of thing.

Mr. SHANNON—I wish to correct a misconception that even the member for Glenelg seems to labour under, that no member of another Chamber has had practical local government experience. About a third of the members in each House have had such experience, therefore members need not worry that when this Bill is sent for further consideration to the Legislative Council it will not be dealt with in as practical a manner as in this Committee. I agree with some of the comments of the member for Chaffey, and cannot agree with the amount of £200 suggested by the member for Glenelg as it is excessive for the type of distribution of ratepayers' funds envisaged by this amendment. The sum of £50 in the Bill is ample in this regard; indeed I would have thought £25 enough. I do not support the amendment to increase the amount.

Mr. STOTT—I oppose the amendments of the member for Glenelg for they make the clause too wide in its application by enabling councils to subscribe for any purpose they deem advisable.

The Hon. M. McIntosh—So long as the maximum amount is £50 little damage will be done.

Mr. STOTT—If the amendments are accepted the Bill will meet the same fate as last year's Bill met in another place. Under the amendments it would be possible for a council to subscribe to the Australian Labor Party. I support the clause as it stands.

The Hon. M. McINTOSH—I have faith in councils to the extent that when subscribing they will stick to things within their scope, and I ask the Committee to support the clause as printed. If, however, the first two amendments are passed, I ask the Committee to oppose the alteration of the limit of subscription from £50 to £200.

Mr. WHITTLE—A number of metropolitan councils having revenues of over £60,000 subscribe amounts of more than £200 to such worthy organizations as the District Bush Nursing Society and the Mothers and Babies Health Association, so it appears that councils at present have all the powers required in this direction.

Mr. RICHES—I support the first two amendments, but the limit of £50 should be retained. Surely councils can be trusted to that extent for they are answerable to their ratepayers, with whom they are in close touch.

Mr. PATTINSON—There is a consensus of opinion amongst members that they do not wish to give this power to councils but prefer them to continue the practice which they have condoned for many years of illegally spending the ratepayers' money, as I had the great pleasure of doing for many years as mayor of Glenelg. When the matter of contributing to a worthy cause came before the council it was considered whether it was within the strict letter of the law. It may have been only a small donation, but it gave a lead. There is one simple way to overcome the position. There is no limit on the amount of the allowance which a council can vote to its mayor. If advice is received that a council cannot contribute to a worthy cause in the interests of the ratepayers the mayoral allowance can be increased, and then the mayor can make the contribution. In view of the opposition to the amendments I will not press them.

Mr. QUIRKE—I am sorry that Mr. Pattinson has adopted this attitude. I would have voted for the first of his amendments. I look forward to the time when an extension of powers will be given to councils. How can we decentralize the powers of local government unless the councils have power to handle their own business as they wish?

Amendments negatived.

Mr. TEUSNER—I move to add the following new paragraphs:—

(j5) band and orchestral concerts.

(j6) contributing in the case of a municipal council towards the establishment or maintenance of any band or orchestra or contributing in the case of a district council towards the establishment or maintenance of any band or orchestra within the district of the council.

The amendment does not introduce anything new to the Act. The power is already vested in a council. Section 287 deals with district and municipal councils and the expenditure of revenue. Section 288 deals with municipal councils alone and the spending of money. Two of the matters upon which municipal councils can expend money are bands and orchestral concerts, and the establishment and maintenance of any band or orchestra. The amendment gives similar powers to district councils, except that the councils are limited to establishing and maintaining a band or orchestra within the area of the councils. Municipal councils have the power to spend money whether the band or orchestra is established and maintained within or outside the council area. I do not move in this way of my own volition, but a district council desires the provision in the Act because it wants to make contributions to a band. I come from a district known for its musical appreciation. Within its area there are a number of bands and other musical organizations. Some of the councils want the power vested in them to contribute towards the maintenance of a band. The amendment does not make it obligatory for municipal or district councils to make these contributions. Bands and orchestras make a valuable contribution to our cultural life. Many district councils desire to make contributions to the bands functioning in their areas and under this amendment they will be empowered to do so. There are four bands in my electorate—Tanunda, Nuriootpa, Angaston, and the Marananga Bands. Marananga is only a small hamlet in a farming and horticultural community, but it has had a band hall for many years. That band has competed and excelled in interstate contests and is worthy of support from a district council. Bands are also established at Mount Gambier, Renmark, Port Pirie, Whyalla and

Maitland. The latter band has participated in annual competitions. If municipal councils have power to contribute towards bands and orchestras surely district councils should be so empowered. It costs between £4,000 and £5,000 to equip a band with instruments and uniforms and annual contributions from district councils would be of inestimable value to some bands which are labouring under difficulties. I hope the amendment will receive the support of members because it is warranted.

The Hon. M. McINTOSH—Section 288 of the Act empowers municipal councils to subscribe to bands and orchestras and I see no reason why those provisions should not be extended to districts councils. The honourable member has made out an excellent case and I have no objection to the amendment.

Amendment carried.

Mr. RICHES—I move to insert the following new subsection:—

(2) Section 287 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection:—

(1a) If the mayor or any alderman or councillor at the request of the council indicated by a resolution of the council attends any function or is engaged on any business of the council (other than a meeting of the council) and if as a result of so attending or being so engaged the mayor, alderman or councillor, by reason of being absent from his usual employment is not paid by his employer any amount as salary or wages which would otherwise have been paid to him by his employer, the council may, out of the revenue of the council, pay to the mayor, alderman or councillor the whole or any part of the said amount.

Some councils have been labouring under a disability because many councillors are engaged in the public service or other organizations and if they attend special functions they are sometimes obliged to forfeit half a day's salary. In my district, for instance, some councillors are employed in the Broken Hill Proprietary Company and others in the Commonwealth Railways and it imposes an unfair burden upon them if they are asked to suffer a loss in salary. This resolution has been submitted on at least two occasions to conferences of the Eyre Peninsula Local Government Association and has been unanimously supported. I do not suggest that the amendment should in any way involve payment for attendance at council meetings. On one occasion in reply to a request from that association the Minister said that it was not considered good policy to pay councillors for attending meetings. However, in most cases council meetings are held at night and councillors are able to attend without interfering with their employment. There are occasions when the council requires the services of its members at special functions or at deputations and in order to assist the council some members have lost pay. That is a serious sacrifice if a councillor is a family man and is dependent on wages for his sustenance. I mention this because the Minister on one occasion said he did not believe that any organization would dock the wages of a councillor who was attending council business, but I assure him that the Broken Hill Proprietary Company and the Commonwealth Railways do it regularly.

Mr. Davis—And also the South Australian railways.

Mr. RICHES—As late as last week the Commonwealth railways refused a request for payment of employees who attended public business during working hours. Ratepayers in my district do not expect councillors to suffer such a disability. If the council requires their services at a special meeting or deputation during their working hours they should not have to suffer the loss of pay. Surely it is not cutting across the principle of honorary service to allow such payment? I hope the Minister will agree to the amendment.

The Hon. M. McINTOSH—Section 289 of the Act provides:—

In addition to the powers conferred by section 287, a district council may expend the moneys in—

Payment of or towards the travelling expenses of councillors in attending the meetings of the council, or when engaged on special business at the request or by the authority in writing of the council, including, where a councillor uses his own means of conveyance, such allowance as the council considers reasonable in the particular case for the use thereof.

A man who was engaged in his own business and was called out to attend to council matters would not be recompensed. It is accepted that service in a council is honorary. If a councillor attended a civic ball arranged by his council during his working hours he should not be paid. Who would reimburse a member of a council who was in business as a doctor, lawyer or chemist? The suggestion would not work out equitably, as one member of a council would receive more for attending a function than another. The member for Port Pirie said that the South Australian railways had deducted the salary of an officer while he was attending to council business. I have not had such a case brought under my notice and I do not accept the statement as being correct. If a man is not prepared to make such a sacrifice

he should not have entered upon council service. I ask the Committee not to accept the amendment.

Mr. DAVIS—I support the amendment. I do agree with the Minister that a member of a council attending a function such as a ball should not be paid if he is absent from work. I suggest that the mover relate payment to the time when councillors are engaged in council work. As the Minister knows, the Port Pirie Corporation has been unable to get delegates from the council to attend deputations to him because they would lose a day's wages. I cannot understand his argument that a man in business would not be reimbursed for any time lost, because his business would still go on. In my council I have business men and others working in the smelters, one in the railways and another in a bakery. Would it be right to ask the employer to pay their wages while they were doing the council's work? When a man enters a council he gives his time voluntarily to the ratepayers, and when he is asked by the council to do additional work why shouldn't he be paid? I suggest to the Minister that if Mr. Riches is prepared to delete the part of the amendment referring to functions he accept the remainder.

Mr. MOIR—I am a little sympathetic towards the amendment, but I would like it confined to country members. I would never agree to paying councillors in the city in such circumstances. On several occasions country members have had to come down to the municipal council meetings and have lost a day and a half or two days' pay.

Mr. MACGILLIVRAY—This is another amendment which I feel has not been asked for by any representative body of opinion.

Mr. Davis—My council has asked for it for years.

Mr. MACGILLIVRAY—It is 15 years since I was a member of a council, but it was brought up in the council of which I was a member that councillors should be paid for every meeting they attended. That was rejected because the council felt the work should be honorary, and councillors in general have never asked for payment; odd ones may have done so, but they have always bowed to the opinion of the majority. If this line of thought continues no-one will do anything for the good of the community without payment, and that is a very low standard of citizenship.

Mr. Davis—You could go away for a week and your money would still come in, but what about the poor old wage earner?

Mr. MACGILLIVRAY—One of the tragedies of this session has been the class consciousness displayed by members on the Labor benches. They always think and talk of the wage slaves. The greatest slave today is the employer who has no protection from the court to see that he gets back his costs of production. If a worker offers his services to the ratepayers he knows what he is doing and obviously has made some arrangement with his employer, otherwise he would be in an impossible position. He is probably very proud to hold this high honorary position of serving in local government. The member for Port Pirie laughs, which merely shows how low his standard is, but there are hundreds of honest working men who are very proud to serve the community in this way, just as the honourable member is proud to be mayor of his town. Who is to judge whether an employer is paying his employee during his absence? There are hundreds of councillors who make mutual arrangements with their employers.

Mr. Davis—What if no arrangement can be made?

Mr. MACGILLIVRAY—In that case the workman has no right to be on the council. I do not think one in ten thousand workers would even offer his services if he knew he could not make arrangements with his employer.

Mr. Quirke—Justices of the peace give their services.

Mr. MACGILLIVRAY—Probably more than the average councillor does, especially in country townships, and there is no suggestion that they should be paid. Why should we measure service by payment?

Mr. RICHES—Obviously Mr. Macgillivray has not taken the trouble to examine the purport of the amendment. There is no suggestion that anybody should be paid. I have already pointed out that the clause does not provide for payment for services rendered on a council. The men I am speaking for render a voluntary service which is as freely given as in any council area in the State. A farmer can leave his farm without any effect on his income and collect a travelling allowance to pay for his journey. That is done regularly in country areas, but take an industrial area where a council consists of employees in the Railways Department or the Broken Hill Pty. Co. Ltd. and arrangements cannot be made for them to attend council meetings. There are occasions when a council requires the attendance of members at functions or on council business

during the day. On such occasions the employees have to forego half a day's pay or more.

Mr. Macgillivray—If an employee or an employer cannot afford to give his services free on council business he should not be a member of a council.

Mr. RICHES—My experience is that in a town where the great majority of the people are Government employees it is highly desirable that they should interest themselves in local government affairs. There have been occasions when the executive of the Electricity Trust has wanted to meet members of my council on matters affecting the town and every time a member is called upon to attend he must lose half a day's pay. The best workers in our community are those who can least afford to lose pay. Every member of the Whyalla Town Commission is an employee and most of the councillors at Port Augusta and Quorn are. The Eyre Peninsula Local Government Association has asked for this provision. I ask the Minister to give serious thought to the insertion of the new sub-clause. If there is no resolution passed requesting a councillor to attend to certain duties for a day, no payment will be made to him, for no councillor can elect himself to perform those duties. Only when requested by resolution of the council to attend, thereby causing him to lose pay, will the councillor be paid.

Mr. DAVIS—The member for Chaffey hurled accusations at the member for Stuart and myself, but I am proud that I rose from the ranks of the wage-earners and that the people of Port Pirie saw fit to make me their mayor.

Mr. Macgillivray—I am still a wage-earner.

Mr. DAVIS—The honourable member has never been one and his mind runs along the same lines as those of his Tory friends, for he is the greatest Tory ever to enter this Chamber. He has never thought of the workers' interests. He said that if workers could not afford to lose the time they had no right to nominate for council office. The general business meetings of councils are usually held in the evenings after the normal hours of employment so that the worker is given an opportunity to attend. The amendment merely seeks the payment of a certain sum to a man who has been appointed by a resolution of the council to attend to some of its business during his normal working hours. Is there anything wrong with that? The council is protected because only when he is acting under instructions will he be paid. How often will it happen? If I take ill it may be necessary for the deputy mayor to visit Adelaide on council business. Should he lose a day's wage through having to act in my stead or should I be expected to pay him while so acting? The member for Chaffey said that the employer receives no payment when he attends to council business, but neither do I, nor do I expect any, because I lose no wages: my salary as a member of Parliament continues. I also get a mayoral allowance which is granted by the council, but this does not cover my expenses. No council member who does not lose any wage as a result of official duties expects reimbursement for time lost. I ask the Minister to further consider this matter.

Mr. CHRISTIAN—I am not very enamoured of this method of trying to compensate certain members of councils for time lost for employment. It is time Parliament did something sensible about remunerating those people who give honorary and valuable service in local government circles, for they are just as much entitled to sitting fees or some such remuneration as directors of companies and managers of big concerns. Many of our district councils manage large concerns and Parlaiment is very inconsistent in not recognizing those services in a practical way. We talk grandly about the valuable service rendered by local councils in an honorary capacity and give them a large measure of praise, but that is no practical recognition of their work. I do not advocate the payment of a salary, although that would not be inconsistent with our position as members of Parliament for we are paid for the work we do on behalf of the people, but would it not be equally proper for councillors to be paid for services which in some cases are as important and involve responsibilities as great as those of members of Parliament? Yet we say that members of councils should not be remunerated for their services and that theirs must remain an honorary job because it has always been so. This amendment is rather a minute way of recognizing the work of these people, and we should establish a system under which they are paid at least a sitting fee for their attendance. Members know that in some of the larger country towns the local council not only does its normal work but looks after large business undertakings. At Mount Gambier, for instance, there is a large electricity undertaking to which the councillors devote considerable time. It is operated admirably, but the councillors get no monetary reward. Councillors should not be expected to render

such a service in an honorary capacity. The amendment is a small recognition of the loss that some councillors sustain in attending to council duty. I have met a number of the members of the Whyalla Town Commission, and Port Augusta and other town councils, and I know they are doing a remarkably good job, many of them at considerable sacrifice because they are only wage earners. The amendment only plays with the problem, but I shall support it and hope that Parliament will soon see that councillors are properly rewarded.

Mr. O'HALLORAN—I support the amendment, which should be given serious consideration. In local government activities there are many communities with diverse interests, and in some of them industrial workers predominate. They are willing to act as members of the local council and they make considerable sacrifices. Councils meet at least once a month, but they appoint various committees which meet more frequently. The industrial workers must sacrifice many nights during the month in order to carry out council duties. Mr. Riches wants them to be compensated for loss of time when, at the request of the council, they have to forgo some of their usual working hours to attend to council duties. I have never been a member of a council but I have had experience of the difficulty there is in getting worthy men to become council members. If it were not for railway employees at Peterborough the council could not function as efficiently as it does. On a number of occasions in the last few years some of the men have had to lose a half a day or a day from work in the interests of the council. When on a visit to Adelaide to see the Minister they have had to forego a portion of their holidays in order to avoid a loss of wages. If the amendment is rejected the only alternative for the men is to forego local government work and leave it to men with more free time, and that is the very negation of democracy. I agree with Mr. Christian that we should go further in this matter, but it is not possible with this amendment.

The Committee divided on the amendment—

Ayes (11).—Messrs. Brookman, Davis, Hutchens, Lawn, McAlees, Moir, O'Halloran, Riches (teller), Stephens, Tapping, and Frank Walsh.

Noes (20).—Messrs. Christian, Geoffrey Clarke, Dunnage, Fletcher, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, Messrs. William Jenkins, Macgillivray, McIntosh (teller), McLachlan, Michael, Pattinson, Pearson, Playford, Quirke, Teusner, and Whittle.

Pairs.—Ayes—Messrs. Fred Walsh and John Clark. Noes—Messrs. Shannon and Jeffries.

Majority of 9 for the Noes.

Amendment thus negatived.

Mr. TEUSNER—I move to insert the following new subclause:—

(2) Section 288 of the principal Act is amended by striking out paragraphs (*a*) and (*a*1) of subsection (1) thereof.

This follows the amendment which was accepted relating to bands and orchestras, and as the powers of municipal councils referred to in paragraphs (*a*) and (*a*1) of section 288 (1) are now incorporated in section 287 those paragraphs are superfluous.

Amendment carried; clause 10 as amended passed.

Remaining clauses (11 to 18) passed.

New clause 3a—"Proclamation of municipality as a city."

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

3a. (1) Section 47 of the principal Act is amended—

(*a*) by striking out the word "twenty" in the third line thereof and by inserting in lieu thereof the word "fifteen";

(*b*) by striking out the word "twenty" in the last line thereof and by inserting in lieu thereof the word "fifteen".

(2) Section 48 of the principal Act is amended by striking out the word "twenty" in the third line thereof and by inserting in lieu thereof the word "fifteen".

This will enable a municipality to become a city if the population is 15,000, instead of 20,000 as previously. I have in mind, in moving this, the municipality of Glenelg, which was the foundation town of South Australia where the Union Jack was hoisted at the old gum tree, and I, with many others, was disappointed that it was not given the privilege of becoming a city in our centenary year. I have in mind also such councils as Brighton, Hindmarsh, and Kensington and Norwood. The lastnamed, which will celebrate its centenary next year, is the oldest municipality in South Australia. All these councils are hemmed in and have little opportunity to expand.

The Hon. M. McINTOSH—I ask the Committee to accept the amendment. It is in keeping with what the House did recently in respect of country municipalities, enabling them to become cities when their population reaches 10,000, instead of 20,000 as previously. In New South Wales a municipality can become a city

when the population exceeds 15,000 and in Victoria when a council's revenue is not less than £20,000 a year. In Queensland the Governor can proclaim a town a city. Only in Western Australia and South Australia is the limit 20,000.

New clause inserted.

New clause 6a—"Duty of councils to provide superannuation or retiring benefits for employees."

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

6a. The following section is enacted and inserted in the principal Act after section 158 thereof:—

158a. (1) Subject to this section it shall be the duty of every council to establish within a period of twelve months from the passing of the Local Government Act Amendment Act, 1952, a fund for the provision of superannuation benefits or retiring benefits to its employees or to make arrangements with an insurance company carrying on business in the State for the provision of such superannuation benefits or retiring benefits.

(2) Every such fund or arrangement shall provide for the following:—

i. The superannuation benefits or retiring benefits shall be provided for such of the employees of the council as are, in the opinion of the council, permanently employed by the council and are employed as full-time employees:

ii. The said benefits shall accrue to the said employees on ceasing to be employed by the council:

iii. The said benefits to be provided for any employee shall be such as may be obtained by the payment during every year on behalf of the employee of an amount which is not less than five per centum of the salary or wages of the employee during that year:

iv. It shall be provided that not less than one half of the amount necessary to provide the said benefits for any employee shall be paid by the council.

(3) If any such fund is instituted or arrangements made, it shall be a condition thereof that any employee of the council shall have the option as to whether or not he shall participate therein.

(4) Nothing in this section shall impose any obligation upon a council which, at the passing of the Local Government Act Amendment Act (No. 2), 1952, had instituted a fund or had made arrangements for the provision of superannuation benefits or retiring benefits for its employees if that fund or arrangement substantially carries out the intent of this section.

My amendment provides that within 12 months after the passing of the Act all councils throughout the State, excluding those which have already done so, shall provide for superanuuation or retiring benefits for all of their full-time permanent employees. A council can either establish its own special fund or make arrangements with an insurance company to do so; the benefits to be provided to be obtained by the payment each year of an amount of not less than 5 per cent of the employee's yearly salary or wages. This is to be contributed jointly by the council and the employee provided that the council pays not less than half of that amount. Employees include both what are commonly known as the inside and outside staff—that is the administrative, construction and maintenance staffs. The council is to determine which employees are to be regarded as permanently employed, and on the other hand no employee can be forced to participate in the scheme unless he so desires. I make no apology for this amendment. I have been interested in the principle of council superannuation for about 18 years. In my 30 years in the Prospect council I have never known a time when there have not been some railway employees in the council and, of course, they are all covered by superannuation.

Mr. Macgillivray—The council could do it now.

Mr. WHITTLE—The Prospect council did it in 1934. The Local Government Officers' Association was then moving that this principle be applied to its members the same as it was to public servants, and as the railway men at Islington who are covered by superannuation comprise a big proportion of the ratepayers of Prospect and some of them are councillors also, the council accepted the principle without question.

Mr. Macgillivray—Why are you moving it now?

Mr. WHITTLE—Because it will make it compulsory for all councils except those who already have it. All metropolitan councils are covered; there is not one without some form of superannuation, though I do not think they all cover their outside employees.

Mr. Macgillivray—How many in the country have it?

Mr. WHITTLE—I could not quote exact figures, but I think fewer than one-third of country councils are now participating in some scheme. Admittedly some councils are small and feel that they cannot undertake it. The matter was brought to a head when, in 1947, Victoria brought in a Bill setting up a board to control the superannuation of all council officers, and even councils with their own schemes were required to come in. Western Australia did the same in the following year and since then the Local Government Officers'

Association and the Municipal Association here have repeatedly approached the Government asking that a similar board be established. On the other hand, quite a large number of metropolitan councils which already have their own superannuation schemes, such as Adelaide, Unley, and particularly Burnside which was definitely opposed to coming in because their own scheme was working so admirably—were not in favour of the board.

Mr. Pattinson—What councils have asked for it?

Mr. WHITTLE—I cannot name any, but I was most definitely advised by the Local Government Association that quite a large number of country councils were waiting for a decision regarding the suggested board. Generally speaking, all the large country councils have adopted the principle. Possibly some of the clerks of the smaller councils are part-time officers and there is no provision for them. The Officers' Association and the Municipal Association have asked me by letter to bring the matter forward. My amendment provides that councils having their own scheme will be left as they are provided they give substantially the same benefits as proposed. Each council will work as a unit, probably through an insurance company, which is the usual way. It is only a fair thing that council officers should have the benefits of a retiring allowance. Usually the retiring allowance is paid in a lump sum, though it may be paid weekly or monthly. I hope that the amendment will receive the Committee's support.

The Hon. M. McINTOSH—This matter has received earnest consideration by the Cabinet over a period extending from June last year and I have had a lot of personal discussions with the secretary of the Municipal Association. Although it is a most estimable suggestion the principle involved is "should councils, as employers, be forced by Act of Parliament to do something that they have power to do between themselves and their employees?" In short, we say we believe in local government and that councils can employ who they like, but now we say they must do something no other employer in the State has to do. Is that local government? We would be taking away the sovereign powers councils possess. Are councils themselves agreed on this matter? The secretary of the Municipal Association supplied me with these details in June, 1951:—After a census was taken it was found that 29 corporations were in favour, nine against, and five did not reply. Interpreting the five as negative it would give 14 "noes." As regards councils, 58 said yes, 16 no, 23 did not reply, and three reached no decision, which meant that there were 42 against the proposal as against 58 in favour. Many council employees may not pass a medical test for a superannuation scheme. We should not tell councils what they should do for their employees and we would, by agreeing to the new clause, be asking councils to carry an onus which other employers are not asked to do. Under the Public Service Superannuation Fund public servants have to pay certain contributions in order to receive benefits.

Mr. O'HALLORAN—I support the clause. The Minister has convinced me that the majority of councils either favour the scheme by an actual expression of opinion or by their silence. It is an old and widely accepted axiom that silence means consent. When the Public Service Superannuation Fund was inaugurated there were members in the Public Service who became beneficiaries although they did not put one penny into the scheme. It was only in accordance with the scheme of things when ultimately it became necessary to become a contributor for a certain number of years before being entitled to benefits. Any scheme of this nature must have a beginning and it is time we had one in this regard. Three years ago we made a beginning with a superannuation scheme for members of Parliament; a most ungenerous one. It was accepted by a majority of members because they felt that some form of superannuation was necessary. If we agree to a superannuation scheme being made mandatory on councils, as the great majority favour it, we will raise the standard of local government service immediately and the increase in the value of that service by a better type of employee, both clerical and otherwise, will more than compensate ratepayers for any cost which might be involved. The scheme will not be provided wholly by the ratepayers as substantial contributions will be required from those who will benefit from it.

Take the Peterborough Council which two years ago made an arrangement with an insurance company for a scheme. Although the majority of employees favoured its being brought into operation it was nullified by one or two older employees who were uninterested because they would obtain the old age pension. We have followed this practice in the Public Service and even with respect to members of Parliament, and I see no reason why local government should not have a similar scheme associated with it. The Minister said we

should not compel councils to do this and to do that, but in many parts of the Local Government Act we prevent them from doing this and that. The franchise and powers of local government should be on a broader basis, and then not only would local government become more beneficial to the community but the responsibilities of Parliament would be lessened as a result of the additional tasks carried out by councils. This is one opportunity we can take to make local government more efficient by rendering a meagre justice to many thousands of local government employees who are entitled to the same consideration as the people who serve the major government and are entitled to benefits under the Superannuation Act. I support the amendment.

Mr. WILLIAM JENKINS—I support the amendment, as I have always advocated a superannuation scheme for local government officers. As the Public Service, the Electricity Trust, and the Railways Department have superannuation schemes, members should be consistent and support the extension of this principle to local government officers. If councils desire to have efficient clerks they must give them the incentive of security at retiring age. A clerk's duties require efficiency of a high order and can be competently carried out only by a man capable of handling the many complexities of local government business. Only a few men of this calibre are available and these naturally seek occupations which offer a certain measure of security. Councils employing clerks who are not members of the Local Government Officers Association may find their clerks failing in efficiency at the retiring age, but will be unable to dismiss them as no man holding a job will relish retirement if no provision has been made for that retirement, and the Act makes no such provision. If a superannuation scheme were available, a clerk thus provided for could be retired on superannuation benefits.

Mr. PATTINSON—Earlier I expressed the opinion that this Parliament paid only lip service to local government, and this amendment is a perfect illustration of the point I was trying to make because over the years we have deprived councils of the right to do something constructive, such as to spend some portion of their revenues on some worthy object. We say, "No you shall not do that!" That is not local government at all, for local government is in effect self-government and a real test of democracy. Local councils are not the servants or deputies of a central government but are elected by and are solely responsible to the ratepayers. Local government bodies affords the opportunity for the ordinary citizen to take an active part in community life, but Mr. Whittle, who has spent half a life time in local government and who should be an upholder of its democratic principles, when he has the opportunity to do something positive and constructive to allow local government to carry out its useful and beneficial functions, says, "No, I will not have a bar of that." Yet almost in the next breath he introduces this amendment which in only one page covers no less than 10 sanctions. This is the very negation of local government and democracy, and I am surprised, particularly as it comes from members who espouse the cause of liberalism. The ideal of any democratic system of government is to allow the citizens the largest possible share in the control and management of their own affairs, yet citizens who are giving their services in an honorary capacity are told that they shall do certain things because we as Parliamentarians know better than they do the state of affairs in their districts. We are getting back to a system of a central all-powerful totalitarian government which we abhor, and are bludgeoning councils into doing something they may not want to do. Members who oppose this amendment do not necessarily oppose a system of superannuation for local government officers. Mr. Whittle has been requested to move this amendment by some worthy citizens in the Glenelg electorate, for example, Mr. Frank Lewis, Town Clerk of Glenelg, for whom I have a high regard. The Glenelg Council, of which Mr. Lewis is a servant, did not ask my friend to move the amendment. This request for the compulsory dragooning of everybody into the scheme does not come from councils, but from some pressure groups. It is time that we spoke clearly on this matter. If we are to have local government let us have it, and if there are to be requests for reforms and other things let them come from councils and not from any pressure groups. Last year I had the privilege of introducing to the Minister of Local Government a deputation from which this request emanated. I am in an invidious position regarding this amendment because the town clerks of Glenelg, West Torrens, Brighton and Marion, four councils within my area, not only desire to dragoon councils into the matter, but are vociferous in their request. I have a high regard for these gentlemen, but I was not prepared to move the amendment and they

decided to get another member to do so. We should not try to enforce sanctions on councils in matters of this sort.

Mr. GEOFFREY CLARKE—I disapprove the principle of the amendment for the same reasons as Mr. Pattinson. The very essence of local government is that it should be local. Where there is power in the Act to do these things the discretion should lie in the local authority. This Parliament would be grievously offended if the Canberra Parliament said that we should do this or that without having the right to determine whether discretion should be exercised. For that reason I object to the mandatory provisions in the amendment. Councils already have a discretionary power. If there is pressure in a council area for a superannuation scheme I have no doubt that all the factors would be considered and the scheme given effect to if the council believed it to be a good thing. The local governing authority has charge of the administration of local affairs and if Parliament says that it should be compelled to do something it is taking the discretion away from it and returning it to Parliament, which is the very negation of local government.

Mr. PEARSON—If any direction is to be given to a council in a matter of this nature it should come not from Parliament but from the ratepayers who elect the council. The member for Stirling referred to the standard of service which council officers give and he said that in the absence of a superannuation scheme the standard of service and the type of servant would be less efficient. Be that as it may, it is still a matter for the council itself and not for Parliament.

Mr. HUTCHENS—I support the amendment, but not because pressure has been brought to bear on me. It is unfair to suggest that the honourable member has sponsored an amendment which he does not think just. Members represent their constituents, who in turn are ratepayers. The Minister has convinced me that the majority of councils favour the amendment. A majority of Hindmarsh council members desired to inaugurate a superannuation scheme, but it was thought that such a scheme should only be inaugurated when all councils did likewise. A number of councils did not inaugurate such schemes because they felt that it would operate against councils which did not start them. The Hindmarsh council has a scheme now, but it was long delayed. Nearly all Government workers are covered by superannuation and many councils suffer because they do not have a scheme that will entice a good staff. A question has arisen regarding an employee who could not pass the medical requirements, but similar problems have been overcome in practically every superannuation scheme. I urge the Committee to support the amendment in order that councils may act in unison.

The Hon. T. Playford—It is not a question of "may," but "shall" act, because councils may act at present.

Mr. HUTCHENS—I will say "shall" act because the majority of councils favour the amendment and in accordance with democratic principle the majority rule should operate.

Mr. DAVIS—I oppose the amendment because it is only a shandygaff measure. I object to it being compulsory for councils to participate in a scheme when it is optional whether an employee does. Many years ago the Port Pirie council introduced a scheme whereby all employees were insured for an amount to be received on retiring, but not one employee was prepared to take out a similar policy. This proposal will break down when employees find that they will have to pay contributions to superannuation—and large amounts will be involved if employees are nearing the retiring age. A man of 55 will have to pay three times the amount paid by a 25-year old man and he will only receive the same benefits on retiring. I favour the spirit of the amendment because I believe in superannuation and employers and employees should provide for the retirement of an employee. An employee would have to pay 2½ per cent of his earnings into the scheme and the least an employee of the Port Pirie council would be required to pay would be about £16 a year.

Mr. Quirke—Has the Port Pirie council a superannuation scheme?

Mr. DAVIS—A small retiring allowance is paid to each employee.

Mr. Quirke—That scheme is non-contributory on the part of the employees.

Mr. DAVIS—That is so, and the amount payable on retirement is about £150. The amendment should provide for the compulsory participation of the councils and employees.

Mr. DUNNAGE—I oppose the amendment on similar grounds to those advanced by the member for Port Pirie. The Unley council has a superannuation scheme for the inside staff and tried to start one for the outside staff. At that time we were employing about 140 men, but today we only employ about 80. We found that the employee was better off on the

old age pension when he retired unless he was prepared to pay a considerable amount into the scheme. I investigated the matter with the staff and went to a good deal of trouble to evolve a satisfactory scheme, but it was impossible to arrange one whereby an employee would not be involved in higher payments than he could afford. The staff refused the proposal because it would have been far too costly. Councils already have power to establish superannuation funds if they so desire. I object to the amendment because it would force councils which are already in debt to take action in this direction and this would undoubtedly involve increased rates. I believe that most councils are in debt today.

Mr. MACGILLIVRAY—Councils are already heavily in debt because of the high cost of wages, machinery and other things. I quote Mr. Davis' town as a horrible example of what is taking place throughout South Australia. Port Pirie is the biggest town outside the metropolitan area and should be one of the strongest and most substantial, but the following was published in today's *Advertiser* under date of November 11:—

Last night the Port Pirie Town Council decided that owing to its financial position it could not grant the claim for long service leave made on behalf of members of the Australian Workers' Union and Electrical Trades Union employed by the corporation. The northern organizer of the A.W.U. (Mr. H. T. Murray) who introduced a deputation of representatives of unions, the second received by the council on the question, said the union sought 13 weeks' leave for 20 years' service, which was deemed a modest claim. The mayor (Mr. Davis, M.P.) said the council did not dispute the justice of the claim, but it was faced with a heavy overdraft. The town clerk (Mr. J. H. S. Leahey) said 17 men would be entitled to long service leave immediately, involving an average of £170 a man.

It is a mockery to pass the amendment, which would incur councils in all kinds of increases, and I therefore hope the Committee will not accept it. Many small councils would be smashed if it were carried.

Mr. DAVIS—I am opposed to that part of the amendment which does not make it mandatory for both parties to contribute toward the scheme. I pointed out that it would cost elderly men a large amount to enter the scheme if they were to get any good out of it. I favour superannuation at all times, but both parties should take part in it and this amendment does not make that provision.

Mr. RICHES—I have listened with great interest to those who have said that this takes the local out of local government; that local government is answerable to the ratepayers and not to this Parliament, which seems to be a complete contradiction of the attitude those very members adopted on a vote taken earlier this evening, when they were prepared to allow councils to exercise no discretion; they were then only concerned about imposing a prohibition on them. They now glibly voice their belief that this question can safely be left in the hands of local government. I support the member for Prospect and express my pleasure that he has brought this amendment before us. I do not think it imposes a hardship on any council to ask it to make provision for its elderly employees on their retirement. I know of councils making some provision for retiring employees and taking the whole of the money out of the ratepayers' funds without making any provision for it over the years. All this amendment does is to require councils to make some provision by way of a small insurance, and surely if Parliament can give direction to anything on local government it is on this. I agree with Mr. Davis too, because I believe there will be some elderly men who cannot afford to embark on this kind of insurance and I am not prepared to compel them to do it at this stage. But a start has to be made somewhere, and I believe that the carrying of this amendment will make that start.

Mr. STEPHENS—This amendment seems to be merely creating a field for insurance companies. Is it compulsory, or only make believe?

Mr. Pattinson—The word "shall" occurs 10 times so it is pretty compulsory.

Mr. STEPHENS—What will happen to a council if it decides not to carry out this provision? If they want to dodge it they can easily resolve that the men are not permanent employees. Although I believe in the principle of superannuation and am going to support the amendment to see how it will work out, I really think it is only make-believe and though it will not do much good it will not do much harm.

Mr. WHITTLE—I assure Mr. Davis that the scheme is workable; it is working in dozens of councils throughout the State through insurance companies. As regards subclause (3), Prospect Council employees have always had the option of participating in a superannuation scheme and I am sure that most of the councils which have not a superannuation scheme will welcome the provision. If small

councils cannot afford to initiate such a scheme they should not exist as separate entities, but should amalgamate with a larger council.

Mr. DAVIS—I oppose subclause (3) which would give councils an opportunity of shirking their responsibilities to aged employees. Although the Port Pirie Council cannot give its employees long service leave it would favour a superannuation scheme.

The committee divided on new clause 6a—

Ayes (12).—Messrs. Davis, Hutchens, William Jenkins, Lawn, McAlees, Moir, O'Halloran, Riches, Stephens, Tapping, Frank Walsh, and Whittle (teller).

Noes (18).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Fletcher, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, Messrs. Macgillivray, McIntosh (teller), McLachlan, Michael, Pattinson, Playford, Quirke, and Teusner.

Pairs.—Ayes—Messrs. Fred Walsh and Stott. Noes—Messrs. Shannon and Pearson.

Majority of 6 for the Noes.

New clause thus negatived.

[Midnight.]

New clause 6a—"Request for poll."

Mr. FRANK WALSH—I move to insert the following new clause 6a:—

The following section is enacted and inserted in the principal Act after section 189 thereof:—

189a. If one hundred or more ratepayers request the council in writing to take a poll as provided by section 190, the council shall hold a poll as provided by that section.

Section 196a of the Act provides that if one hundred or more ratepayers request the council in writing to take a poll as provided by section 197, the council shall do so. Section 197 applies where a system of unimproved land values rating has operated for two years, after which period a petition may be presented praying that the council revert to the rental system of rating, but no provision is made for a petition for a change from the rental values to the unimproved land values system of rating. The only way in which such a change may be made is for ratepayers to elect councillors so that there will be a majority to carry a resolution that a poll of ratepayers be held. Recently in the West Torrens district efforts were made to hold a poll of ratepayers, but this was prevented by the provisions of the Act and it was necessary to wait for the expiration of two years to elect councillors who would implement the unimproved land values rating system. Recently in my electorate ratepayers were notified by public announcement of a meeting to protest against the system of rental values, and that meeting carried a certain resolution. A petition signed by 605 ratepayers was presented to the Marion council asking that a poll of ratepayers be held to determine whether a system of unimproved land values rating system should apply, but the Marion council ignored the petition, saying that the Act did not provide for the holding of a poll to consider the matter. Section 196a of the principal Act enables 100 or more ratepayers to petition for a poll to revert to annual values, and I think the same principle should apply when it is desired to adopt land values.

The Hon. M. McINTOSH—On the face of it there is something to be said for the honourable member's argument, but the poll, following the request of 100 or more ratepayers, to revert to annual values applies only when the council has had some experience of the system. Although the proposal may appear logical I ask the Committee to reject it. I know of no case where a petition has been presented to revert to annual values. In a district where there are 10,000 ratepayers it would be ridiculous if a poll could be granted when 100 or more ratepayers requested one. If that were the position, we would have many polls.

Mr. RICHES—Here is another instance where members have the opportunity to vote for ratepayers being the masters of local government. The Minister said that there has not been a petition to revert to annual values. Some ratepayers want to change from annual values to land values, but that is not possible at present. This important Bill has been reserved for consideration in the dying hours of the session and members should not throw out a proposal like this by summarily dismissing it with only two members out of 39 speaking on it. It is a live subject among many ratepayers and merits more consideration than is being given to it by the Committee.

Mr. O'HALLORAN—I support the clause which applies the same principle to a poll for the adoption of land values as applies to a poll for a reversion to annual values. I know of two cases in recent years, Marion and Willunga, where strongly worded requests from ratepayers for a poll were refused by the councils concerned. If a poll were granted, it would be necessary for 75 per cent of the ratepayers to vote in favour

of the adoption of the new system. In opposing this amendment the Minister is showing conclusively that he has no sympathy for the land value system of rating which I maintain is the only fair method of assessing land values in council areas. In districts working on rental values thousands of acres which have been watered, sewered and provided with roads and footpaths at the expense of general ratepayers are not being used and the owners are able to sit back and smilingly wait for that land to increase in value while they spend nothing. If 100 ratepayers sign a petition they should have the right to vote to decide whether they will have land value rating or the old system of rental values. I support the amendment.

Mr. HUTCHENS—I support the amendment. Under the present law ratepayers can sign a petition asking for the introduction of land value rating and it is not mandatory upon the council to hold a poll. For many years Henley and Grange has functioned under a system of rental values and there has been rapid development in that district recently. Over 12 months ago a petition was submitted to the Woodville Council requesting land value rating. The matter was delayed but it now appears that a poll will be held because the ratepayers have threatened that they will dismiss every member of the council if it is not held. Between Port Adelaide and the city many acres of land are idle and useless whereas homes are being built many miles from the city. Woodville ratepayers sought to have certain services made available but under the present system those services are withheld. The amendment will enable ratepayers to demand the type of rating they desire.

Mr. FRANK WALSH—It appears that no Government member will express an opinion on this matter. The Minister referred to 100 signatures from a possible 10,000 ratepayers but at a recent meeting of over 1,000 people 605 signatures were obtained to a petition. Because there was no provision in the Act the council ignored that petition. If the Minister thinks that 100 is too small a figure would he be satisfied if my amendment provided that 20 per cent of the ratepayers in any district should sign a petition. Mr. Dunnage complains that his council is in debt. No wonder. I am assessed at £10 a week for my house in that district, but on the block next door the rate is only 24s. 6d. and yet the owner has all the services that are available to me except that of garbage collection. Too many people are holding land out of use and paying a rate of only 9s. or 10s. a year. Section 196a already provides that if 100 or more ratepayers request a council in writing to take a poll as provided by section 197, it shall hold one, but when I ask that when 100 or more ratepayers request the council in writing to take a poll as provided by section 190, I am refused. The only hope of getting a request for a poll granted is for ratepayers to elect a sympathetic council.

Mr. LAWN—I support the amendment. It seems unfair that all the obstacles possible are put in the way of ratepayers to change from one system of rating to another, although it is made easy for them to revert to the system which the Government supports and which it wants to maintain in the Act. At a meeting at Marion recently more than 1,000 ratepayers protested against increased assessments and rates. More than 600 of them signed a petition that night, but it has been disregarded by the council. Assuming that the council took a poll and the land value system was accepted, at any time in the future it would require only 100 to sign a petition and the council could revert to the system operating today. Before the Bill can pass this House it must have a constitutional majority and that rule applies in a lot of organizations—in sporting bodies, trade unions, etc. Once a rule is passed it takes a two-thirds or a constitutional majority to upset it, quite the reverse to the principles in the Act. I think the amendment is quite fair and reasonable, but if the Minister thinks the figure of 100 is wrong I do not care what other figure or percentage he prefers, provided he alters section 190 to make it conform. It should be the same in both cases, and I think possibly the Minister will see the justice of our claims and save further debate.

The Committee divided on new clause 6a:—

Ayes (12).—Messrs. Davis, Fletcher, Hutchens, Lawn, Macgillivray, McAlees, O'Halloran, Quirke, Riches, Stephens, Tapping, and Frank Walsh (teller).

Noes (18).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Hawker, Heaslip, C. S. Hincks, and Sir George Jenkins, Messrs. William Jenkins, M. McIntosh (teller), McLachlan, Michael, Moir, Pattinson, T. Playford, Teusner, and Whittle.

Pair.—Aye—Mr. Fred Walsh. No—Mr. Pearson.

Majority of 6 for the Noes.

New clause thus negatived.

Schedule and title passed and Bill taken through its remaining stages.

RETURNED SERVICEMEN'S BADGES BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act relating to the unauthorized use or possession of membership badges issued by the Returned Sailors' Soldiers' and Airmen's Imperial League of Australia (South Australian Branch) Incorporated.

Read a first time.

STAMP DUTIES ACT AMENDMENT BILL (No. 2).

The Hon. T. PLAYFORD (Premier and Treasurer) moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the whole for the purpose of considering the following resolution—That it is desirable to introduce a Bill for an Act to amend the Stamp Duties Act, 1923-1952.

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

ADJOURNMENT.

At 12.58 a.m. on Thursday, November 13, the House adjourned until 2 p.m. the same day.