HOUSE OF ASSEMBLY.

Wednesday, September 1, 1954.

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

QUESTIONS.

TANUNDA RAILWAY HOUSING.

Mr. TEUSNER—Has the Minister of Works any information as to whether my recent request that an additional railway cottage be built at Tanunda for a railway employee can be granted?

The Hon. M. McINTOSH—I have been informed by the Minister of Railways that following on representations made by the honourable member he has gone into this matter with the Railways Commissioner and as a result an additional cottage will be erected as soon as possible.

PORT PIRIE SEWERAGE.

Mr. DAVIS—Has the Minister of Works a reply to the question I asked yesterday about sewerage at Port Pirie?

The Hon. M. McINTOSH—As I stated earlier in the session, and the Premier also announced, the whole question of sewerage of country towns is now being investigated by the Government from two angles. The maximum rate that can be charged is 1s. 9d. in the pound and that is so unrealistic that it makes any country scheme prohibitive from the point of view of economics. In reply to the Leader of the Opposition earlier this session the Premier said that the Government was considering the matter but that no decision had been arrived at. As was intimated then Port Pirie will have a high priority when a decision is arrived at. The matter cannot be taken any further until general policy on the matter has been decided upon. One of the complexities is that it involves a great deal of finance and, unless the Act is amended, a great loss to the community. The matter has not been overlooked and will be expedited.

HOUSING SITUATION.

Mr. DUNNAGE—Has the Premier a reply to my recent question, following on a statement by the Commonwealth Minister for National Development, regarding the housing position in South Australia?

The Hon. T. PLAYFORD—The Chairman of the Housing Trust reports:—

At the present time the South Australian Housing Trust is receiving applications for rental houses at the rate of about 95 per week and for sale houses at the rate of about 70 per week, a total of 165 per week. The completion rate of houses is about 70 per week. Whilst it can be assumed that every applicant to the Trust needs a house at the time he makes his application, many of them find housing accommodation from sources other than the Trust. It is therefore somewhat difficult to assess the number of outstanding applications to the Trust which are still effective. However, it is estimated that there are approximately 12,850 outstanding effective applications for rental houses and approximately 1,350 for sale houses.

SATELLITE TOWN NEAR SALISBURY.

Mr. LAWN—Will the Premier consider the suggestion made yesterday by the member for Gawler that the satellite suburb near Salisbury be named "Gerrymanderville" so that the present unjust electoral system in South Australia may be commemorated?

The Hon. T. PLAYFORD—The Government always considers the Opposition's suggestions, but many do not prove to be of much value and have to be discarded. Nevertheless, we try to make some sense out of some of them.

AUSTRALIAN PERFORMING RIGHTS ASSOCIATION.

Mr. WHITE—Has the Premier a reply to my question of August 17 regarding the charges made by the Australian Performing Rights Association?

The Hon. T. PLAYFORD—I have had this matter examined both by the Prices Department and the Crown Law Office, and I am assured that from a practical point of view it is impossible to fix the amounts that may be charged for performing rights, because the Association, having its headquarters in Sydney, has no legal entity in South Australia. I am also informed by the Prices Department that some of the charges are excessive in the extreme. I have decided to discuss this matter directly with the Association and am communicating with it accordingly.

Mr. PEARSON—I understood the Premier to say that the headquarters of this association were outside the State. Does that mean that if a body is registered as with its headquarters in another State and forwards its invoices for services rendered from outside the State it is not subject to the control of the Prices Department of this State?

The Hon. T. PLAYFORD—The honourable member is getting me into fairly deep water, because it does, of course, ultimately involve

a principle contained in section 92 of the Commonwealth Constitution concerning the freedom of trade between States. Although the Crown Law officers in the main support the validity of State price control, they point out that as the control is subject to attack as a violation of section 92 it should be avoided if possible. The Commonwealth Government is the proper authority to control the amounts charged by the Performing Rights Association. I believe it has legislative power to completely cover this matter and it is the authority which should from time to time examine the charges made.

Mr. Dunstan—What about power over patents?

The Hon. T. PLAYFORD—This is an arrangement in regard to material already produced. It is a copyright. I believe the Commonwealth Government has previously passed legislation in regard to the matter. When Mr. Cameron, the present Speaker, was Postmaster-General he went into the matter fully and drastic alterations were made at that time. I have written to the association and before making any further statement I prefer to see the reply.

MOONTA MINES ELECTRICITY SUPPLY.

Mr. McALEES—Has the Premier a reply to my question of August 17 regarding the extension of the supply of electric power and light to Moonta Mines people living beyond the Post Office?

The Hon. T. PLAYFORD—I have a report from the Electricity Trust as follows:—

The Trust has already received several inquiries from residents in this area for an electricity supply. The applicants have been informed verbally that a survey of their requirements will take place within the next six months. A firm quotation for supply will then be submitted, and if this is accepted by them work on the extension will begin within the following six months.

QUEEN ELIZABETH HOSPITAL.

Mr. DUNNAGE—Can the Premier indicate when the Queen Elizabeth Hospital will be ready to receive patients?

The Hon. T. PLAYFORD—The Minister of Health is not in the city today, but so that everyone concerned will have an opportunity of knowing the position I have been asked to say that the chairman of the Queen Elizabeth Hospital Board, Dr. Rollison, has advised that arrangements have been completed for the reception of maternity patients as from Monday September 6, 1954.

MORPHETT STREET BRIDGE.

Mr. STOTT—Has the Minister of Works a reply to the question I asked on August 18 as to whether the Government has considered widening the Morphett Street bridge and consequentially the widening of the railway yards?

The Hon. M. McINTOSH—I have a report from the Commissioner of Railways, through the Minister of Railways, as follows:—

The question of widening the Morphett Street bridge was considered by the Paine Royal Commission on State Transport Services in its third interim report dated 21/2/51. The Commission recommended that full consideration be given to the reconstruction of the Brown Street-Morphett Street route, which would call for the widening of the railway bridge to prevent a bottleneck. The Morphett Street bridge is under the control of the Adelaide City Council, who are responsible for its maintenance. The proposals for the electrification of the Adelaide passenger surburban service, as submitted to the Public Works Standing Committee, did not call for any alterations to the existing bridge structure. There can be no doubt, however, that in the event of its being necessary to provide a wider bridge at or near this point in the future, to relieve traffic congestion in the city, then it would be advantageous, in planning the new bridge, to provide for its lengthening. In this way, those portions of railway land on the northern side of the Adelaide yard would be made available for the provision of railway facilities which may be required in the future.

MOUNT GAMBIER SEWERAGE.

Mr. FLETCHER—For some time I have been unable to get a satisfactory reply regarding sewerage of Mount Gambier. In the *Border Watch* of August 28 I was severely castigated for my lack of interest in the matter. As the Public Works Committee has approved a number of sewerage projects, can the Minister of Works set out the Government's policy for the future, because earlier this afternoon he said that the policy had not been decided? If it has not been decided, why has the Public Works Committee been investigating these sewerage projects?

The Hon. M. McINTOSH—The Government has received nothing but interim reports but I do not want to hide behind that. As far as I know, no final reports have been received, as the committee is not satisfied to give final reports on any particular schemes at this stage, but the Government will be glad to receive them. Often we get reports far in advance of the capacity of the Government and the availability of labour and materials to undertake the work. There is a well-known axiom "Don't start a work until you are in a position to carry it through." It was initiative on

the part of the Government that caused the projects to go to the committee. We have not received the final report, but when we do it will be considered, but it cannot be considered in the light of present-day circumstances. Several years ago the maximum sewer rate was fixed at 1s. 9d. in the pound, but that has no relationship to present-day costs. The question to be considered is, can we proceed with these works and if so who will pay the piper? Some towns have gone in for septic tanks and possibly found that cheaper than paying the rate. The whole position is in a state of flux as to what is the best scheme. The Treasurer has announced definitely that one phase to be taken into consideration is whether in some areas councils may be assisted to establish the septic tank system. None of these sewerage schemes are possible on a rate of 1s. 9d. in the pound.

EGG BOARD SURPLUS.

Mr. DUNKS—Has the Minister of Agriculture a reply to my question of yesterday regarding the Egg Board's surplus?

The Hon. A. W. CHRISTIAN—I regret that I cannot furnish the figures for the last financial year because the accounts of the board are in course of examination by the Auditor-General, and therefore the figures cannot yet be released. I understood that the honourable member yesterday raised the question of the application of the reserves. They are used in financing the board's normal operations, the major portion being employed in the manufacture of egg pulp. There is also the cost involved in cold storage at certain times of the year.

COMMONWEALTH DEPARTMENT EMPLOYEES.

Mr. STOTT—The Commonwealth Budget has made provision for a lowering of the sales tax and the payroll tax, and as a result employees in the departments concerned have much less work to do. It has been stated on many occasions that no Government department gives information to the Taxation Department of a person's income, but it has come to my knowledge that certain persons employed in the sales tax and payroll tax departments are now acting as pimps among primary producers and other people because they have no employment in those departments. Will the Treasurer call for a report and furnish it to the House?

The Hon. T. PLAYFORD—A Commonwealth department is concerned and I have no authority whatever to call for reports concerning its activities. However, I will forward to the Commonwealth Treasurer a copy of the honourable member's statement and ask if he will furnish me with some material which will enable me to reply to it.

PORT PIRIE TRAIN SERVICE.

Mr. FRED WALSH—Last week when returning from abroad I travelled overland by the East-West express, which is known to be one of the best trains in the world, but when I left that train at Port Pirie and joined the train for Adelaide I was not only disappointed but almost disgusted with the conditions compared with those on other trains. There was no cafeteria car on the train, and because there were three sittings on the East-West Express a number of people were compelled to have their lunch on Saturday morning as early as 10.30 a.m. No dining facilities were provided from the time the train left Port Pirie until it arrived in Adelaide at about 4.30 p.m., whereas, according to the Commonwealth railway schedule, the train was due at 2.35 p.m. It stopped at practically every small station, but not at Snowtown or Bowmans, two of the biggest towns on the route In the interests of the reputation of the South Australian railways I ask that the Minister of Works request that steps be taken to restore the Port Pirie-Adelaide section of the route to its original standard and to have a cafeteria car attached on all possible occasions.

The Hon. M. McINTOSH—I will take up the question and bring down the Commissioner's and the Minister of Railways' report as soon as possible.

GEPPS CROSS MIGRANT HOSTEL.

Mr. JENNINGS—When I took a deputation to the Premier from the Gepps Cross Hostel he promised to investigate the rents being charged for the flats there. Has he a reply now?

The Hon. T. PLAYFORD—I understand that the honourable member was satisfied with the reply I gave him on the priority for the transfer of migrants to normal trust houses, but he desired further information with regard to rents. The chairman of the trust reports:—

The costs of the administration of Gepps Cross are almost equal to the revenue derived from the rents, and the excess of revenue over expenditure, based on the results of the last financial year, is approximately £400 per year. This is an extremely slender

margin and, obviously, this small excess could easily be converted into a deficit. Under these circumstances, I would not recommend that any decrease in the rents payable by tenants at Gepps Cross should be considered as any such decrease would have the result that Gepps Cross could only be administered at a loss.

The honourable member will see that the statements I previously made about the costs that would be incurred by the trust by going into this activity have been found in practice to be substantially correct.

HIRE-PURCHASE AGREEMENTS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 25. Page 488.)

The Hon. T. PLAYFORD (Premier and Treasurer)—I listened to the Leader of the Opposition with much interest when he moved the second reading. I found he had some difficulty about the question of hire-purchase agreements because, while he realized that they were capable of being greatly abused and that the system itself could be a grave abuse in certain circumstances, he ran up against a problem that I have met in looking at this question from time to time: is it in the interests of the people to make any legislative enactment designed either to curtail or prohibit these transactions? Any such legislation would undoubtedly have two immediate effects. Firstly, it would deprive many people of articles or commodities which it is desirable for them to have and which experience has proved they can finance over a period. The second effect is that it would undoubtedly, in a number of industries, seriously curtail the amount of employment offering because it would have a depressing effect on the sale of commodities which come more directly within the ambit of the hire-purchase facilities that have been provided. I thought the Leader found himself in considerable difficulties because, though he instinctively felt that hire-purchase agreements could be detrimental to the community and should be checked, particularly where no deposits were required, nevertheless, there was nothing about requiring deposits in his Bill. In point of fact there are two enactments in the measure, one dealing with the question of interest rates and the other with the very delicate question of the authorization of a transaction. A spouse cannot enter into a transaction unless his marriage partner formally agrees to it.

Mr. O'Halloran—Nevertheless that is a desirable provision.

The Hon. T. PLAYFORD—I can conceive no provision in any Bill which is more undesirable. It puts the whole question of marriage on a completely wrong basis. I will deal with that aspect later. This Bill has two objects. The first is that it attempts to ensure that the rate of interest stated in a hire-purchase agreement (whether described as a charge or by any other words) will not be charged in full, but will be subject to a deduction to allow for the fact that the amount of the purchase price outstanding is being reduced from time to time as periodical payments are being made. The effect of this proposal was explained by the Leader of the Opposition by means of an example. He referred to a case where goods having a net purchase price of £100 were sold on hire-purchase with interest at 10 per cent per annum on the purchase price, and repayments by 24 monthly instalments of £5. In a case like this the Bill would require the seller to tell the hire-purchaser (either orally or in writing) the percentage which the amount of the interest bears to the net purchase price, *i.e.*, 10 per cent per annum. The agreement would also have to state that percentage; but the Bill says that words must be added indicating that the percentage is "adjusted pursuant to the Hire-Purchase Agreements Act, 1934-1954." The percentage having thus been stated in the agreement, the Bill goes on to say, in effect, that the percentage so stated is not to be the actual percentage payable, but there is to be a reduction from each of the periodical instalments calculated in accordance with a formula set out in the schedule to the Bill. In the actual case instanced by the Leader, the agreement would indicate that the rate of interest was 10 per cent, and the natural result of this statement would be that the total amount payable under the agreement was £120, payable in 24 instalments of £5. But by reason of paragraph (*c*) in clause 4 of the Bill the true instalments would, in fact, only be £4 13s. 4d. because of the enforced statutory reduction. In other words, although the agreement would have to speak about interest at the rate of ten per cent that would not be the rate charged. I think members will see that there is not much virtue in this proposal. Why should the hire-seller be forced to over-state the rate of interest and then reduce it in fact? The proposal would tend to make hire-purchase agreements more difficult to follow than they are now, and would certainly not tend to lower the rate of interest. No good purpose is served by a

proposal of this kind. If, however, the Leader would suggest a workable amendment to ensure that a hire-purchase agreement states clearly the real rate of interest being charged, taking into account the fact that the outstanding amount of the purchase price is being reduced by every instalment that is paid, I would be prepared to give it sympathetic consideration; but I cannot support the proposal in the Bill.

Mr. O'Halloran—That is precisely what I sought to do.

The Hon. T. PLAYFORD—I have already shown in my example that the Leader's formula does not do that; in point of fact it makes it necessary to state a rate of interest that, because of the working of the formula, is totally different from the rate charged. I believe there is a strong case for an amendment of the type I have outlined. Frequently the rate of interest is expressed as a certain percentage, but it is not explained to the purchaser that that percentage is paid irrespective of reductions of principal made from time to time. Thus if an agreement is expressed in the form of 5 per cent, payable in 12 instalments, in point of fact the real interest rate would be not 5 per cent but nearer 9 per cent. That is something that is capable of misunderstanding by many people entering into hire purchase agreements and it would be advantageous for all parties concerned if the real rate of interest had to be expressed in the document.

Mr. Travers—It is usually expressed as being 5 per cent of the amount due on such and such a date.

The Hon. T. PLAYFORD—In many instances it certainly is not along those lines. In some instances no consideration is given to the fact that repayments of principal are being made. The provisions in the Bill do not provide for a clear statement of interest; they provide for a statement of interest and then nullify that by a formula that the Leader has worked out, which must be viewed with caution because its meaning is not clear to me and I have tried to obtain expert views on it. The proposal in the Bill will not do anything to reduce the rate of interest and will only tend to confuse the ordinary citizens who are buying goods on hire-purchase. With regard to the actual merit of the formula by which the reduction is to be made, it is a somewhat difficult mathematical problem to determine its virtue. The Public Actuary has had a look at it, but so far he has not been able to discover its full implications. I notice that the Leader only claims that it works out to being mathematically correct within a few pounds in every instance.

Mr. O'Halloran—Within a few pence.

The Hon. T. PLAYFORD—I do not want to misquote the Leader but if he looks at *Hansard*. I think he will find that he said "pounds." The formula that has been suggested must be looked at more critically than we have done because the experts have not been able to give me a report yet on its full implications. All I can say on that is that an error of a few pounds in the average hire-purchase agreement is rather too big an error to be provided for in a statute.

The other provision is that where a hire-purchaser is a married person his or her wife or husband must state in writing in the agreement that she or he consents to the agreement. I do not think this is a good general rule. We in Parliament here do not know the infinite variety of circumstances in which a wife or a husband may desire to buy an article on hire-purchase, nor do we know the motives of the spouse who may desire to make the purchase or of the spouse who may object to it. In some cases it is quite possible that one of the spouses who is not even called upon to pay any money under the agreement may without any just cause prevent the other from obtaining highly desirable articles.

Mr. Travers—If they happen to be separated it would possibly put both of them out of the market altogether.

The Hon. T. PLAYFORD—That is so. I find now that the Leader was correct as to what he said about the degree of accuracy of the formula. It is stated as "pence" in the weekly number of *Hansard*. I regret the error I made. If all human beings were perfectly reasonable and free from vices a provision such as the Leader of the Opposition proposes would not do much harm, though in such circumstances it would probably not be necessary. But as things are less harm will be done if people are allowed to work out their own salvation in these matters without the aid of an artificial statutory rule which could have the effect of permitting a spouse actuated by unworthy motives to obstruct a perfectly reasonable and legitimate desire of his or her wife or husband.

There is another object to this Bill which is more serious than it looks at first sight. The Bill applies only to hire-purchase agreements concerning (*a*) household goods intended to be used in the hirer's home and (*b*) personal

effects or clothing used or intended to be used by the hirer or the hirer's spouse or child. It will be seen that the seller when preparing the hire-purchase agreement will have to ascertain where the goods are intended to be used, and in cases of personal effects or clothing by whom they are intended to be used. This will necessitate inquiries by the seller. No doubt these could be made, but if the seller made a mistake as to the intention of the buyer, and did not prepare the agreement in the right way the result would be that the agreement would be unenforceable by virtue of the Bill. It is not a good principle to make the enforceability of a hire-purchase agreement depend on the intended use of the goods. An even more serious criticism is the difficulty of determining the meaning of such expressions as "household goods" and "personal effects." This latter expression, read literally, includes almost every kind of personal chattels, even tractors and bull-dozers, though that, no doubt, is not intended. If the Bill is to go through in any form the articles to which it applies should be described more specifically, and without reference to intended use.

Mr. Stott—Is the Premier trying to bulldoze the Bill?

Mr. O'Halloran—He obviously has not examined it.

The Hon. T. PLAYFORD—The proper place for discussion on legislation is in this House, and any member may, by speech or interjection, comment on the terms of a Bill. This Bill infringes the first legislative principle: it does not remedy a defect. Although the Leader of the Opposition believes that hire-purchase agreements may be dangerous, he is not at all sure that he wants to stop them.

Mr. O'Halloran—I said definitely I did not want to stop them.

The Hon. T. PLAYFORD—And having said that, the Leader said he was opposed to any hire-purchase agreements under which no deposit was required, whereas most hire-purchase agreements embody that principle. The principles of the Bill are such that the House should not support them. Firstly, I see no logical reason for requiring the statement in an agreement of a rate of interest which, in practice, is not the rate being charged. With regard to my earlier statement regarding the accuracy of the formula set out in the Bill, I have now received a minute from the Director of the Government Reporting Department stating that "pounds" appeared in the first proof, but in the next proof this was corrected to "pence."

Mr. O'Halloran—In my speech I said "pence."

The Hon. T. PLAYFORD—Apparently my misunderstanding was due to an error that crept into *Hansard*. The example of a hire-purchase agreement given by Mr. O'Halloran stated a rate of interest of 10 per cent, whereas it works out at £4 13s. 4d. per cent. Of course, I am always willing to be corrected.

Mr. O'Halloran—You are confusing instalments with percentage.

The Hon. T. PLAYFORD—I have had this legislation examined by the most competent authority obtainable, and I am informed that, although it is rather unintelligible, no benefit could be derived from the obligation to state the rate of interest to be charged. If the Leader of the Opposition will amend his Bill along the lines I have indicated, I shall be quite happy about that provision.

Mr. Pearson—What happens if interest rates vary from time to time?

The Hon. T. PLAYFORD—I do not think interest rates on hire-purchase agreements vary. The interest rate is set out in the agreement, the terms of which cannot be altered after it is signed. I see no virtue in the second provision of the Bill, which puts matrimony on a completely false basis. I cannot see any merit, for instance, in a provision requiring a wife to get her husband's consent before buying a Mixmaster mixing machine, while, on the other hand, a husband may, as the legal owner of a house, sell it without consulting her. Although the Leader no doubt is imbued with the best motives in introducing his Bill, it will not accomplish what he desires. Indeed, the second provision, which is based on an entirely wrong idea, would do more harm than good. If the Leader will amend the first provision so that the real rate of interest being charged must be set out in an agreement, that provision would then be, by and large, desirable, but I cannot support the Bill in its present form.

Mr. HUTCHENS secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT BILL.

Second reading.

Mr. O'HALLORAN (Leader of the Opposition)—I move—

That this Bill be now read a second time.

In previous sessions I have drawn attention to the need for electoral reform; and it is unnecessary for me to recapitulate the

various arguments that I have advanced from time to time in support of the provisions of the Bills which I have introduced in attempting to bring about that reform. I think I can summarize those arguments in the assertion that our utterly undemocratic system, under which more than 60 per cent of the electors return one-third of the members of this House and less than 40 per cent return two-thirds, still remains the worst example of gerrymandering that can be found anywhere in the free world. The amendments proposed are essentially the same in principle as those I have submitted previously. They are, firstly, the abolition of the convention of prescribing electoral districts in the Constitution Act itself and the substitution therefor of the principle of more or less automatic—and disinterested—revision of districts as circumstances require; secondly, the more specific recognition of the claims of the sparsely populated areas, which members on the opposite side of the House have urged in times past, by the division of the State into two zones, one comprising those sparsely populated areas and the other comprising the remainder of the State, and each having an appropriate quota of representation.

Mr. Dunks—Would the committee's decision come back to the House?

Mr. O'HALLORAN—It would come back for ratification but not amendment and it could be returned to the committee for further consideration. Thirdly, the Bill provides for the adoption of multiple electorates—and, in particular, three-member districts. In these two last respects the Bill differs in the matter of detail from the Bill introduced last session. On that occasion I did not make any provision for dividing the densely populated from the sparsely populated areas. I provided for five-member electorates whereas in this Bill I propose three-member electorates. I have given great consideration to those points and particular attention to the criticism by some members opposite of last year's Bill, firstly, on the point that due recognition had not been given to sparsely populated areas and, secondly, that electorates returning five members would be much too large having regard to the physical configuration of South Australia, but I submit that although I have changed the details of the Bill in that respect I have not upset the fundamental principles of electoral justice on which last year's Bill was founded.

Mr. Travers—You have given away one vote one value.

Mr. O'HALLORAN—I did not suggest for a moment last year that I was attempting to establish the true principle of one vote one value mathematically. I did provide then, as I do now, for a margin to be considered by the commissioners in determining the boundaries of the electorates which would enable them to have regard to those factors which should be considered in fixing boundaries. It is exactly the same as the method by which Commonwealth divisions for the House of Representatives have been fixed adequately and fairly for more than 50 years.

Before dealing specifically with the main provisions of the Bill by which I seek to effect these changes, I desire to point out that the Bill refers only to the House of Assembly. Previously, I have sought to make similar amendments apply to the Legislative Council, to be met with the objection that it is not the province of this House to dictate to that branch of the Legislature. The Bill makes no changes whatever in the constitution, method of election, etc., of the Council, but is confined to matters concerning the Assembly. By not attempting to alter the constitution of the Council I hope that one of the objections to previous Bills will be answered. In order to implement the general provisions of the Bill—and to bring the membership of the Assembly into line with present-day enrolments—it is proposed to increase the number of members of the Assembly from 39 to 45. As the Constitution Act is framed at present, electoral districts are crystallized in the schedules to that Act; they are part and parcel of the Constitution Act and can only be altered by Bills receiving the approval of absolute majorities in both Houses at their second and third reading and the Royal Assent. Whether this was intended when the provisions requiring the observance of these conditions was inserted in the Constitution Act originally—nearly a hundred years ago—may be debatable; but it is a fact that for many years colonial Governments had reason to complain of this kind of provision inserted in the various colonial constitutions, with the result that an Act was passed by the British Parliament in 1907 authorizing the colonial Parliaments to pass laws relating to electoral matters without having to secure the Royal Assent. By some technicality arising from the fact that our Constitution Act was re-enacted in 1934, although without being amended in the real sense of the word at that time, there is some doubt whether the privilege intended to be conferred by the British

legislation on the subject was actually conferred on the South Australian Parliament; but it is nevertheless obvious that the mere description of electoral districts and cognate matters should not now be rendered more difficult to vary by being included in the Constitution Act. As far as I can ascertain, no other Australian Constitution Act prescribes the actual districts within its own provisions. The general principle expressed in the electoral systems of other States may be part of the Constitution and may even be subject to statutory majorities before it can be altered, but the districts themselves are determined from time to time in accordance with that general principle. That is what we seek to accomplish by this Bill.

The acceptance of the principle of distribution expressed in the Bill would, of course, be subject to the provision as to absolute majorities and submission for the Royal Assent; but once the principle is accepted and incorporated in the Constitution Act, distributions in accordance with population changes, etc., could be carried out with a minimum of Parliamentary intervention, as under the Federal Electoral Act, on which the whole system is based. The most important provision in the Bill is for the incorporation in the Constitution Act of this general principle. It proposes to write into the Constitution a method of determining electoral districts instead of fixing the names, descriptions and boundaries of those districts in the Constitution itself. The method proposed is, as I have just said, the same as that prescribed in the Federal Electoral Act for the determination of electoral divisions for the election of members of the House of Representatives. This is based on the principle of the district quota and the appointment of a commission to draw the boundaries of the districts, having regard to geographical features, communications, community or diversity of interests of the electors, etc., but so that the enrolment of any one district at the time of the distribution shall not vary from the quota by more than 20 per cent of that quota. This principle is one that has remained in the Federal Electoral Act for over 50 years and represents the nearest practical approach to democracy that we can reasonably expect to be achieved. By providing also for the adjustment of boundaries when more than a certain number of district enrolments exceed the 20 per cent allowance, the democratic basis of the system tends to be preserved.

One of the main objections raised by members opposite to our previous proposals for electoral reform has been the absence of any allowance for differences in density of population in the various parts of the State. Last session some members, in effect, declared that for that reason they could not support the Bill then introduced. In this Bill I propose to divide the State into two zones in order to meet that objection. One zone would comprise the present districts of Flinders, Eyre, Stuart, Newcastle and Frome. These districts cover about three-quarters of the State and have a total Assembly enrolment of about 33,000. It may perhaps be said that these districts will never carry a large population relative to the State; and they could safely and justly be given special recognition for purposes of electing members of the House of Assembly. At present these districts are represented by five members in this House, each one representing an average of about 6,600 electors. This number is, incidentally, the present average enrolment for all existing extra-metropolitan districts. Under the Bill the five districts mentioned would form a separate zone, divided into two districts, each returning three members, the average number of electors represented per member being about 5,500. In determining the boundaries between the two districts forming this zone, the commissioners would, of course, be entitled to use the 20 per cent margin, if necessary. The quota for each district would be about 16,500, so that one district could contain as many as 19,800 electors and the other as few as 13,200. If the zone were divided so that Flinders, Eyre and the Whyalla subdivision of the present district of Stuart formed one district, and the remainder of Stuart, together with Newcastle and Frome, formed the other, the former would have about 18,000 electors and the latter about 15,000.

The other zone would comprise the rest of the State. The present total enrolment of all Assembly districts in that zone is about 423,000. It is proposed to divide this zone into 13 districts and the district quota would therefore be about 32,540, or about 10,850 per member. At present those electors are represented by 34 members in the House of Assembly, each member representing an average of about 12,440 electors. Under the Bill there would be 39 members. The quota per district in this zone would be about 32,500, so that the largest possible enrolment, using the 20 per cent allowance, would be about 39,000 and the smallest about 26,000.

The present system, under which people living in the metropolitan area are opposed to the people living beyond that area, is based on the principle that, generally speaking, the people in the metropolitan area vote Labor and those living beyond the metropolitan area vote L.C.L. That is the only excuse for the L.C.L.'s contention that, regardless of relative enrolments, the people in the country should be represented by twice as many members in Parliament as the people living in the metropolitan area. There is no political philosophy whatever to justify that contention. I emphasise that point. Under our present constitution it does not matter to what extent the population of the metropolitan area increases or the population of the country area diminishes, the country will always have 26 members and the metropolitan area 13. It is something that shrieks to high heaven for redress. But it is the only method whereby the L.C.L. can retain office, and that is the real reason for the present electoral anomaly. It is idle for us to periodically take part in various well-meaning conferences throughout the world in an effort to keep our democracy free if, here in our own State, we are prepared to allow this iniquitous injustice to continue.

Mr. Dunks—There was nearly an upset at the last State elections.

Mr. O'HALLORAN—Yes. Miracles do happen, but unfortunately infrequently. The right of the people to speak effectively in their Parliament should not be dependent on miracles but on justice.

Mr. Dunks—Why does the honourable member join up country south of Adelaide with the metropolitan area and leave out the northern part of the State?

Mr. O'HALLORAN—I am not joining up any district. I am leaving the matter to a commission. Like other members who support the Government, Mr. Dunks is so obsessed with the idea that an electoral system should be designed to favour one Party that he cannot recognize a truly just system when he sees one.

Mr. Travers—In the No. 1 zone there is only the northern part of the State and no southern part.

Mr. O'HALLORAN—There is a northern zone and the other zone includes the remainder of the State.

Mr. Dunks—Why aggregate them?

Mr. O'HALLORAN—Because I am prepared to accept that some of the arguments used last year had merit and that the sparsely populated regions of the State are entitled to some consideration.

Mr. Dunks—Is this the only way the Labor Party can get into office?

Mr. O'HALLORAN—No. As the honourable member admitted a few moments ago, we nearly did it last time, and I have no doubt that we shall succeed next time; but the fact remains that if we succeed it does not mean that we should not at every opportunity press for electoral justice. No doubt, if the Government does anything about it, it will be prompted purely and simply by the apparently urgent need to protect some of its supporters who are in danger of losing their seats even under the existing scheme of distribution. The essence of democracy is that the electors may dismiss a Government if they desire to do so. Once a situation develops, rendering it impossible or extremely difficult for a Government to be dismissed through the vote of the people, democracy ceases to exist notwithstanding the retention of democratic forms. It is bad for the country also for a Government to remain in office too long, even if it started off with the best of intentions and with the highest of ideals. The position has long since been reached when a change of Government could bring nothing but good to the people of this State, quite apart from the need to introduce a system under which electoral justice would be guaranteed. We have got into a hotchpotch of conflicting principles in the legislation passed by this Parliament and in the administrative moves supported by this Parliament, some of which were referred to yesterday. We have acquired a new hybrid type of economic principles—a kind of Capitalism-cum-Socialism economy and like all hybrids it is neither fish, fowl, nor good red herring politically. As this thing grows and becomes more powerful, we in the Labor Party are being forced into a position of having to fight for the rights of the individual. Yesterday I had something to say about all the State's building resources being concentrated for the next 10 years on the erection of a satellite suburb, and as a result the man who wants to build a home on his farm or add to his country store will be unable to do so, as is the case today, unless he is prepared to pay black market prices.

Mr. Hawker—You must anticipate Labor getting back?

Mr. O'HALLORAN—I have anticipated that, and as I said a few moments ago if

Labor does it will not be necessary for people in the honourable member's electorate to pay black market prices for buildings. Labor will so organize the programme and the progress of the State that a fair deal will be available to all. I do not want to traverse the ground covered on former occasions when comparing the electoral systems of other States, except to say that not one of them, however they may have been gerrymandered—as some have asserted—in the interests of one Party or the other, is such a glaring example of that policital evil as our system is. I should like, however, to make a brief reference to the position in Western Australia. A few years ago a Liberal Government secured office in that State and one of the first things it did was to bring in a gerrymander, that is, to re-organize the electoral system in its own favour. It introduced the principle of quotas for the bulk of the State—excluding the two or three exceptional electorates in the outback areas—and laid down the principle that the metropolitan area should have a quota of electors per member twice the quota fixed for the rest of the State.

Mr. John Clark—It sounds like South Australia.

Mr. O'HALLORAN—They probably got a copyright for South Australia, but there was no difficulty with the Performing Rights Association over the charge made for its use. Even this a gentle form of gerrymandering compared with the system prevailing here; it does at least recognize a definite ratio between the value of a metropolitan vote and that of a country vote. In South Australia it is merely prescribed that there must be two country members for every metropolitan member. I make this reference to Western Australia because even under its special form of L.C.P. gerrymander it has been possible for an L.C.P. Government to be defeated. It is now a good deal more difficult for Labor to secure office, but it is possible under a slightly higher average swing away from its opponents. Generally speaking, an electoral system under which each Party has the same degree of difficulty in ousting the other from office is a democratic system, and the further we depart from that principle the further we depart from democracy. In this State we have departed from it further than anywhere else in the British Commonwealth. It is not our intention to perpetrate a gerrymander in favour of the Labor Party in this State. That would involve reversing the present system so that where our opponents had their greatest concentrations of supporters there would be an extremely high quota for each member. All we desire is that an opportunity should be given to the electors of this House, voting under something like democratic conditions, to say at election time whether they want the present brand of Government or some other kind. As far as my own Party is concerned, the great majority of the people have for many years been trying to express their political sentiments effectively, that is, to elect a Labor Government, but the electoral system has prevented them from doing so. It has been designed to achieve that result. Members will appreciate that I have gone a considerable distance towards meeting their *bona fide* objections to the provisions of the Bill submitted last session in that I have offered to give special recognition to sparsely populated areas. And if this Bill is passed and the system of determining electoral districts proposed is adopted, you will not find the party I represent endeavouring to ensure that the commissioners carry out any petty ideas regarding the isolation of voting strength in order to make it powerless to affect representation in Parliament. On a basis of one vote one value there is no doubt that the L.C.L. would never secure office in this State, for it can be said that South Australia is the most Labor-minded State in Australia.

Mr. John Clark—That has been proved.

Mr. O'HALLORAN—Yes, over a long period and at many elections. Under this legislation, you can be sure that if a Labor Government secured office in this State, it would not be on a minority vote, so that the old objection to the so-called gerrymander in Queensland, for instance, could never be raised against any electoral system we might propose. I say "the so-called gerrymander in Queensland" because in that State the Government has recognized the principle put forward by members opposite, namely, that there should be various zones with varying quotas in order to meet the circumstances existing in that State. Even if we were granted the same basis as in Western Australia, Labor could secure office. We do not want a gerrymander in our favour any more than we want to perpetuate the gerrymander that has been perpetrated in our opponents' favour. Last session a good deal was said about proportional representation, and I had to remind members that the Bill then introduced made no reference to that method of election. The same is to be said about this

Bill. The Constitution Act makes no reference to the method of electing members of Parliament and therefore a Bill amending the Constitution Act is not the place in which to make such provision. In fact, most of what I have now submitted as amendments to the Constitution should, strictly speaking, be amendments to the Electoral Act, for the whole subject itself should be in that Act. But for reasons which I have suggested, these matters are contained in the Constitution Act and thus the present Bill must seek to amend that Act. The Bill merely provides that there should be three-member districts. This was more or less the system which obtained before the gerrymander of 1936 was perpetrated; for it must be remembered that that particular gerrymander consisted in the creation of single electorates. The disproportion in city-country representation had been a feature of the electoral system for many years prior to that time. By drawing up the electorates so that the minimum of L.C.L. electors could return the maximum number of members—by cunningly arranging the district boundaries to exclude this area or include that from the point of view of which way the electors in such area would vote—the L.C.L. sought to make sure of a majority in the House of Assembly. The abolition of the multiple electorates was the master stroke of that time. It distorted even the country vote in favour of the L.C.L., which already had an advantage in regard to country districts. From a purely democratic point of view, therefore, the multiple electorate has much to recommend it. It tends to give a more accurate and effective value to the voting strength contained in a district. In the old days voting was on the basis of first past the post, and I would not greatly object if, having accepted the principle of multiple electorates, the Government insisted on that method of election. However, voting could be on the preferential system if the Government so desired. Of the two, I would prefer the former because it would give a much more accurate or much less inaccurate expression of the true political sentiments of the electors of any district. Actually, of course, I would prefer that the principle of proportional representation should be applied, for that is Labor's policy and it gives as nearly as possible the result desired.

Mr. Travers—You have nothing about proportional representation in this Bill?

Mr. O'HALLORAN—No. If this Bill is passed the Electoral Act could then be amended to provide for proportional representation.

Mr. Travers—That is your intention.

Mr. O'HALLORAN—Yes.

Mr. Dunks—The member for Torrens has no need to worry about that.

Mr. O'HALLORAN—I am disappointed with the member for Mitcham, for I thought that by the interest he was taking I had at least one convert. I repeat, the Bill makes no provision for the method of election, and if it is passed, an amendment of the Electoral Act would have to be passed to give effect to it. I come now to consideration of the actual clauses of the Bill. Clause 4 is purely consequential. It re-designates Council districts as portions of the State instead of as being made up of a number of Assembly districts. Under the Bill, the Council districts would not be made up of complete Assembly districts, although they would remain exactly as they are now. Clause 5 increases the number of members of the House of Assembly from 39 to 45. Clause 6 provides for the election of members to fill vacancies in the House of Assembly. It prescribes a minimum period of three months before the expiration of the House of Assembly and also provides that an election to fill a vacancy shall not be held concurrently with any other election in the district. There is no provision on this matter in the Constitution Act at present. If proportional representation were adopted under this system, provision would be made in the Electoral Act for the return, wherever possible, of a member of the same party as the one whose seat has been vacated.

Clause 7 provides for the creation of two zones, zone A comprising the first 34 existing Assembly districts as set out in the Third Schedule to the Act, and zone B comprising the last five of those districts. The clause also provides for the distribution of zone A into 13 and zone B into two three-member districts. Clause 8 proposes the enactment of five new sections, all dealing with the method of determining electoral districts. They are almost word for word the provisions contained in the Federal Electoral Act. Proposed new section 32a prescribes the method of distributing the proposed zones into electoral districts. Three commissioners would be appointed—normally the Chief Electoral Officer, the Surveyor-General and one other—and they would work to a quota for each zone ascertained by dividing the respective zone enrolments by the number of districts comprised therein, namely 13 and two respectively.

Proposed new section 32b sets out the factors which the commissioners would have to consider in determining the boundaries of the electoral districts, namely, geographical features, communications, community and diversity of interest and existing subdivisions. It also provides that a district enrolment shall not vary more than 20 per cent from the quota.

Mr. Dunks—Why have you departed from single member districts?

Mr. O'HALLORAN—For the very good reason that I desire to introduce proportional representation. Proposed new section 32c provides for the publication of any proposed distribution, the lodgment of objections and suggestions and the ultimate submission of the commissioners' suggested distribution, through the Minister, to the House of Assembly. Proposed new section 32d provides for the approval or disapproval of the proposed distribution by the House of Assembly. If a distribution is approved, the Governor is empowered to proclaim the districts and their names in the *Gazette*. If it is not approved, the commissioners are directed to reconsider their report and resubmit it to the House, as before, but without the necessity of advertising and asking for objections or suggestions from the public.

Proposed new section 32e prescribes the conditions under which any given distribution in operation is to be revised. It provides that a new distribution may be authorized by proclamation whenever the number of members of the House is varied, whenever five or more of the districts enrolments exceed the allowable margin of 20 per cent above or below the quota and whenever the Governor so decided. Clause 9 increases the quorum of the House of Assembly from 15 to 20 in accordance with the proposed increase in the number of members of the House. Clauses 10 and 11 amend the Second and Third Schedules, which now name and describe existing districts for the Legislative Council and the House of Assembly. The effect of the amendments, which are complementary, is that the Legislative Council districts retain their names and comprise the same areas as at present, but the names of the Assembly districts are deleted so that the two schedules, as amended, refer entirely to the Legislative Council districts. These districts thus appear as portions of the State as described in the Third Schedule.

The Bill is designed with one object, and one only, that of providing for the distribution of voting strength on a fair and just basis. Once that is done we would apply the system of proportional representation. That is not provided in the Bill but it is a necessary machinery provision which will follow the passing of the Bill, so that all sections of the community which are articulate politically may have the representation in this Parliament to which their numbers entitle them. Thus, for the first time for many years, the people of this State will have an opportunity to speak effectively in their Parliament.

The Hon. C. S. HINCKS secured the adjournment of the debate.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

Second reading.

Mr. JENNINGS (Prospect)—I move:—

That this Bill be now read a second time.

The Bill provides a simple amendment to the principal Act, and is to prohibit the release of captive birds for shooting sports. The effective portion of the Bill is clause 3 which enacts new section 5a as follows:—

(1) Any person who—

(*a*) promotes, arranges, conducts, assists in, receives money from, or takes part in, any event in the course of which captive birds are liberated from captivity for the purpose of being shot at; or

(*b*) being the owner, occupier, or person in charge of any premises, permits such premises to be used for any purpose specified in paragraph (*a*) of this subsection,

shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

That is a replica of the English legislation on this matter and conforms in principle to the legislation of other Australian States all of which, with the exception of Victoria and South Australia, have prohibited this sport. The Bill concerns a subject which can competently be dealt with by members and I do not think it is a measure that we need have had to wait for the Government, with its multiple duties, to introduce. I believe that any member who introduces a Bill of this nature can be satisfied that it will receive the individual attention of all members irrespective of their position or Party because it is scrupulously non-political and is designed for the sole purpose of prohibiting cruelty which is, I am sure, abhorrent to all members.

Out of respect for the right and ability of all members to decide this matter, I have carefully refrained from any lobbying. I have not asked any member for support nor have I communicated with outside organizations, including the R.S.P.C.A. My correspondence has been confined to unsolicited letters, many of which

I have received from all over the State and all of which support my proposals. The prevention of cruelty is the distinguishing mark of civilized man just as the perpetration and disregard of cruelty is the distinguishing mark of the barbarian or the primitive. All States, as they proceed towards civilization, have progressively prohibited cruel acts, whether they be sports or practices, as they have been recognized as such. Section 5 of the principal Act prohibits the torment and baiting of animals and I consider that new section 5a will prohibit another form of torment and baiting, because who can deny that the practice of trap shooting pigeons is cruel and brutal.

Mr. Fletcher—What about the trapping and shooting of rabbits?

Mr. JENNINGS—I think that is one of the ill-advised arguments advanced in respect of discussions of this nature. It cannot be denied that the ruthless and wanton destruction of life is brutal and when it is perpetrated in the name of sport it is all the more reprehensible. It has long been acknowledged in our conception of British sport that the quarry must have a fair chance and the idea of a sitting shot is repugnant to British sportsmen. In this case, the bird has no chance whatever. It is held in captivity and transported long distances, put in a box and released to face shotgun fire from a close range. It virtually has no chance of escaping. It frequently happens that shotgun pellets are not immediately fatal and the wounded bird flutters away to die a lingering death. I have received a letter very much to the point in this regard from a doctor in my electorate. It reads—

I am very pleased to hear that you are introducing a Bill to outlaw the trap shooting of pigeons. I live about three-quarters of a mile from the Gilles Plains Gun Club, and on two occasions following shoots I have had the sickening experience of destroying pigeons which fluttered, wounded, into my garden. It is high time this barbaric "sport" was barred. Dr. Tipping has lived in this house for only a few months. It is three-quarters of a mile from the Gun Club, yet he has killed two wounded birds in an ordinary sized suburban backyard in a short time, so it is likely that many birds were not fortunate enough to finish up in someone's backyard to be killed humanely.

Mr. Brookman—From what range are these birds shot?

Mr. JENNINGS—It is a short range—about 10 yards I would think.

Mr. Brookman—Have you ever been to a shoot?

Mr. JENNINGS—Yes. One of the arguments used to condone this sport is that the pigeons are not wasted, but are used as food. This seems to me to be a peculiar way to go about getting food, because the birds are already in captivity and could be killed humanely if food were required. That is tantamount to saying that if someone is going to kill a sheep it should be captured, released and shot while on the run. The argument is scarcely supportable because it must be obvious that the value of these pigeons as food is considerably reduced, because they contain shot gun pellets and their carcases are bruised. I have also heard the argument that pigeons are a nuisance and therefore should be destroyed. I do not know to what extent they are a nuisance, but although rabbits are a nuisance I have never heard it suggested that the best way to reduce their numbers would be to catch them in a trap or snare and then release them to be shot at. If pigeons are a nuisance they can be killed humanely while they are in captivity. It is obvious that an entirely different argument would be used if we were to talk about combining genuine sport with the gaining of food. That practice will not be interfered with in the slightest way by my Bill; I am only endeavouring to prohibit the release of birds from captivity for shooting. If the argument of getting rid of a nuisance is to be maintained, it is a peculiarly cumbersome and expensive way of getting rid of them, because they are already in captivity and are released for valuable shot to be wasted on them. It is obvious that the birds shot are not those that could conceivably be a nuisance, because they are bred for this purpose. My credulity would be stretched to breaking point to believe that the birds used in this sport are those that we should get rid of.

Mr. William Jenkins—Some of them are.

Mr. JENNINGS—That may be so, but it would be hard to supply sufficient birds for shooting by catching wild pigeons. The practice that the Bill seeks to prohibit is purposelessly cruel and that is, in itself, sufficient to justify it. Apart from that, we must consider the effect it has on children witnessing it. There is no doubt that our education system is designed to shape our children into citizens who respect the sanctity of life and who have a revulsion to cruelty of any kind, and it must be perfectly obvious that if they witness things of this nature they will become callous to mutilation and bloodshed.

Mr. Brookman—How many gun clubs are there today?

Mr. JENNINGS—I have no idea.

Mr. Brookman—Have you any idea of the number engaged in this sport?

Mr. JENNINGS—I do not think that is at all relevant. I am concerned only with the principle of the matter, and that applies whatever the number of clubs. There is no justification for allowing a continuation of the practice. The only thing that could be said in its favour is that it gives pleasure to a few people. That can scarcely be regarded as justification, because there is a perfectly good alternative in the clay pigeon used in other States and in most parts of the world. I sincerely hope all members will support this Bill and bring South Australia into line with every State in Australia except Victoria. By so doing they will remove a blot from the fair name of South Australian sport.

The Hon. C. S. HINCKS secured the adjournment of the debate.

MOTOR SPIRITS DISTRIBUTION BILL.

Second reading.

Mr. DUNSTAN (Norwood)—I move:—

That this Bill be now read a second time.

It is necessary to meet a situation that has arisen in the South Australian petrol retail trade, and this Parliament has a duty to ensure equality of opportunity and protection of the public against monopolies and combinations in restrain of trade. This House must ensure that people have the opportunity to engage in retail trade under conditions of fair competition and that the avenues of that trade are not tied up by monopolies and combines to the detriment of persons engaged in the trade and the public generally. As was pointed out by the Liberal Government of New Zealand in introducing a similar Bill, the petrol retail trade is one requiring legislation. We must maintain adequate opportunity to enter the business and ensure that the resellers are protected from the operations of rings, controls, and monopolies amongst the wholesalers. It must be remembered that the wholesalers of motor spirit are some of the biggest combines and companies in the world.

The trend that I will outline is not a local but a world-wide movement: the things of which I will speak are going on not only in South Australia, but throughout Australia, New Zealand and other countries. They have been experienced in the United States where action was taken under the Sherman anti-trust laws to prevent them. We must protect the retailer from agreements that, although not illegal, are nevertheless effective in restraint of trade and from undue influence being exercised by the wholesaler to deprive the reseller of his business. We must oppose the tying up of retail business by wholesalers in motor spirit distribution and protect the public from the ill effects of price and trade wars and the needless expenditure of capital on property occasioned by those wars. Before the second World War 277 shop licences to sell petrol were issued for the metropolitan area, and they were adequate to provide the public's requirements. Further, there was ample opportunity for newcomers to enter the business. Today there are at least 450—probably about 500—petrol resellers in the metropolitan area. It is extraordinary that during the last few days the Royal Automobile Association in its publication *The South Australian Motor* stated:—

> From 1939 to the end of June 1954 the number of petrol resellers in the State increased by 17 per cent while the number of motor vehicles increased 142 per cent . . . . . Since 1939 the number of resellers, including stores has risen from 1,325 to 1,551 in the State, and in the metropolitan area only, from 455 to 550, an increase of 21 per cent.

I cannot imagine how the association arrived at the figure of 455 for 1939, because according to the Factories and Steam Boilers Department, the number of shop licences to sell petrol issued in 1939 was 277; therefore, the association's statement is completely misleading. There has been an enormous increase in the number of petrol stations serving the community, and it is not necessary for me to quote further figures, for everyone is aware of that increase.

Mr. Macgillivray—Why should the R.A.A. make a statement that could be considered misleading?

Mr. DUNSTAN—I do not know, but I understand the R.A.A. and the petrol re-sellers have not been on particularly good terms recently over trading hours in the metropolitan area, and it may be that the R.A.A. obtained its figures from the oil companies. Be that as it may, I believe its figures are completely wrong. The gallonage of petrol sold to the public may have increased, but it must be remembered that only about one-third of the total gallonage of motor spirits sold in South Australia is sold through the petrol resellers, the remainder going direct to the Government and semi-Government departments, primary producers and industrial pumps. Since

the war there has been what has been termed in some circles an oil war between the oil companies in the retail business in Australia, and it is easy to see why: most of them have American capital and are unable to take their profits back to America because of the dollar restrictions with the result that they have much floating capital in Australia. From their point of view it would be advantageous to sew up the distribution side of the business, so that they would have a stronger grip on the public. There would not be the same amount of competition, and they would be able to cut down on their overheads in the marketing of their products. As a result of this trend we saw the institution of the one-brand petrol station scheme. That was not intended to ultimately increase the number of stations, and the companies have said so. In a statement to the Victorian Automobile Chamber of Commerce the Shell Company said:—

We do not think that there can be any hardship occasioned to resellers in the form of lost sales through this change because the overall demand for motor spirit and for Shell products will be unaffected, as neither are dependent immediately upon the method of distribution but rather upon the needs of the public to satisfy their daily requirements. Resellers will therefore obviously sell as much as they do now. On the contrary, the total of retail outlets is likely to be reduced ultimately, as overseas.

Mr Quirke—Ultimately they may be correct.

Mr. DUNSTAN—Exactly; they intend that to be the ultimate effect. They intend by this one-brand station device that the small independent retailer shall be driven from business, and I will show directly the extent to which they have been successful. Under the one-brand station agreements the companies restrict the retailer's ability to sell any other petrol. Provided they can provide him with petrol he cannot buy petrol from other companies and, in fact, they bring pressure on the retailer to see that he does not market the product of any other companies.

Mr. Quirke—But he is free to make that agreement initially.

Mr. DUNSTAN—Yes, but he must make the agreement with one of the companies or he does not get any petrol—and there are only about five wholesale companies in existence. The extraordinary thing about this war is that it is being fought on strictly gentlemanly lines; that is, there is a very strict gentlemen's agreement between the companies which means that if a retailer who has been with one company chooses to go to another because he has had a rotten deal from the first and been screwed down by irksome conditions he cannot get petrol from other companies.

Mr. Hawker—How can independent men get Shell or Plume petrol, as they do?

Mr. DUNSTAN—Where do they?

Mr. Hawker—Any number of independent retailers do it.

Mr. DUNSTAN—Can the honourable member point to any in the metropolitan area?

Mr. Hawker—I do not know about the metropolitan area, but I know that independent stations in the country sell all sorts of petrol.

Mr. DUNSTAN—In some localities the companies have not yet instituted the one-brand scheme.

Mr. Hawker—I am referring to towns in which there are one-brand petrol stations and also independent stations at which one can get Plume and Shell and perhaps Golden Fleece or Ampol.

Mr. DUNSTAN—Perhaps the honourable member can point to places in the country where it happens but I know of no independent station which is getting either Vacuum or Shell petrol. I believe that some independent stations are getting Caltex, Ampol, C.O.R., and Golden Fleece, but not Vacuum or Shell, and in fact Caltex, C.O.R., Golden Fleece and Ampol are now instituting their own one-brand stations. The one-brand station scheme was started in Western Australia and the *Journal* of the Western Australian Motor Spirit Retailers points out that throughout Australia there is an agreement between the oil companies that they will not supply each other's one-brand outfits regardless of whether or not there is a contract in existence. The agreement has been tested by that association in other States, and in one case here, and it has been proved. I have had numbers of reports also from petrol retailers in the metropolitan area saying that they have been unable to switch over.

Mr. Macgillivray—Because of this gentlemen's agreement.

Mr. DUNSTAN—Yes. The company ties up a man under one of these one-brand station agreements, but I will show from the Shell agreement that it does not restrict the company. Clause 6 of that agreement provides that the retailer shall not purchase any petroleum or its products from any other person or corporation during the continuance of the agreement so long as Shell is able to supply him with sufficient products to satisfy his weekly requirements, but nothing contained in the agreement shall prevent Shell from selling petroleum or

its products to any other person or corporation to be used for any purpose whatsoever. Not only do they tie up a man with this agreement, but in the metropolitan area in some places the companies are putting their own stations within 50 yards of the retailer. I could point to an instance on the Port Road where a man had worked up a successful business over a period of years. Not only did other companies put unnecessary petrol stations within a small radius which reduced his gallonage but did not give him sufficient to make a successful business, but the company to which he was tied put its own station within 50 yards, and he cannot get other companies' petrol. In other words, the companies are aiming at getting these small independent men out of business at any cost. They have the capital and they cannot take it out of the country, so they are prepared to spend the money in tying up the distribution at the expense of the independent man, and ultimately of the public.

The erection of service stations in the metropolitan area has resulted in a most fantastic position. The Premier himself admitted that in answer to a question when he said:—

> The Government is just as much concerned as honourable members and the public about this mad policy of building large numbers of petrol stations in excess of public demand and at great waste of materials and manpower at a time when these could be used for housing and other matters.

Nothing could be truer than those words as to the expenditure of manpower and materials. I have in my hands some photographs, which I will make available to members. The first two relate to a single corner—

THE ACTING SPEAKER (Mr. Dunks)—The honourable member is not allowed under Standing Orders to bring exhibits into the House.

Mr. DUNSTAN—I will ask permission in due course to put them on the blackboard so that members may see them. On a triangular area with boundaries to Gray Street, Torrens Road and Islington Road, Kilkenny, two house properties were purchased by Ampol and an 8-roomed house demolished to make way for a service station. Across the road shown in photograph No. 1, which shows the house being demolished to make way for the service station, there was an established Caltex station and a new Caltex station under construction.

The ACTING SPEAKER—The honourable member is now referring to exhibit No. 1, but he is not allowed to bring exhibits into the House.

Mr. DUNSTAN—Then I will not exhibit the photographs at the moment, but will put them on the blackboard.

The ACTING SPEAKER—The honourable member will have to get permission to do that.

Mr. DUNSTAN—I will ask permission in a few moments. In another part of the metropolitan area there was a house property opposite an existing service station. It was purchased by the C.O.R. and situated on a corner in Fullarton Road, Rosefield. The house was demolished. These houses are being demolished at a time when people are in dire need of them. I have people in my electorate who are living in waterlogged cellars. They are in urgent need of homes, yet these companies are spending ridiculous sums of money in demolishing houses and building needless service stations. At the corner of Grey Terrace and Grand Junction Road, Rosewater, two old-established garages are within 50 yards of a site that is being vacated for a Vacuum Oil Company garage. At the corner of William Street and Victoria Avenue, Lower Mitcham, a house is to be demolished for a C.O.R. garage. At the beginning of the year on the Magill Road there were five service stations within a distance of a mile. Another three have since been erected. In one case a house was demolished in order to put up a garage. This sort of thing is needless. A new service station was put up within 100 yards of three other stations. It is ridiculous for this sort of thing to go on. There can be no benefit to the community, only detriment.

It is significant that when the local retailers got upset about the matter and made representations to the Premier, the oil companies declared that the companies at present marketing motor spirit in Adelaide had agreed that for a period of two years from July 1, 1954, with the exception of those outlets under construction at that date, no additions to the total number of reselling outlets would be made within the metropolitan area. That statement was made on July 1, but on July 3, at the station which Mr. Stephens mentioned the other day, work was being continued. I am instructed that on the week-end of July 3 petrol pumps were rushed in. That is how far the companies were prepared to honour the agreement. It is obvious to anyone knowing the position of land sales that the oil companies are negotiating for properties throughout the State, and the purpose is obvious. It must be apparent to members what the effect of these activities will be. Not only will the community have to put up

with hardships through unnecessary use of capital and materials and the demolition of houses, but independent men will be driven out of business. Before the war resellers got a return of 3¼d. a gallon on petrol sales. Although the price of petrol has gone up considerably they still get the same return. I think some of the companies make up to 8d. a gallon. The resellers get that return despite the increase in cost of living and the decline in the value of money. In recent years the gallonage per station has declined and it will decline further with all these unnecessary outlets being built. It is a position which must be remedied. When I set out to bring in a Bill I thought we should prohibit entirely the companies from owning service stations. It seemed to be the only feasible way of putting an end to the business. The unfortunate part of it all is that the companies are already in a number of businesses, and small men are tied up to them who would suffer grave hardship if the companies were prevented from taking an interest in the existing businesses. In consequence, the Bill is designed to prohibit an extension of their business activities, but to allow for existing businesses to continue, although the licensing authority will be charged with seeing that restrictive trade practices are not allowed. Where such practices are put into operation the licensing authority has power to revoke the licence. In New Zealand a Liberal Government introduced legislation and completely agreed that regulation was necessary in the distribution of motor spirit. In introducing the Bill the Minitser said:—

There are some industries that need promotive protection, that is, help in the early stages of their development, and Governments here and elsewhere have by legislation given that promotive protection. There are some industries, not many, which experience has shown need regulation or control by legislation. The motor spirits industry, over the years since the beginning of the slump and even before that period, showed itself to be an industry which, both in the price side and in the distribution side, requires some form of regulation. The most careful consideration has been given by the Government over the past few years to the petrol reselling industry, as it is one of the largest industries subject to the Industrial Efficiency Act . . . the industry needs some form of continued regulation . . . the Government's view is that the wholesalers or oil companies should not obtain control, or increased control of, or increased interest in, the retail outlet of motor spirit.

The SPEAKER—The honourable member expressed a desire to have a photograph exhibited in the appropriate space on the board. I have had a matter of this kind before me previously, and if it is the unanimous wish of this House that I should adopt the same procedure the photograph, which I have inspected, may be placed on the board during those periods while the debate is being conducted.

Mr. DUNSTAN—Most of the provisions of my Bill are a replica of those in the measure introduced in New Zealand. I now turn to the Bill itself. The introductory provisions are interpretation clauses, which I think will be clear to all members. Part I constitutes the motor spirit licensing authority. It is to consist of a chairman and two other members. The Government may, in cases of incapacity of members, provide for deputies, and it is also provided that they will not be personally liable for the actions of the licensing authority. Provision is made for the actions of that authority at its initial and subsequent meetings.

Clause 7 relates to the functions of the authority, the principal of which shall be to consider and determine applications for the granting, transfer, or amendment of licences and to carry out such other functions in respect of licences as are prescribed in this Act and for any of those purposes to hold such inquiries and make such investigations as it thinks necessary or expedient.

In the exercise of its functions the licensing authority shall have regard to the public interest and the maintenance of the economic welfare of the persons engaged in the business of selling motor spirits and shall ensure, as far as is consistent with fair and reasonable competition in the motor spirits industry, that members of the public in each locality where the holder of a retailer's licence carries on business have a reasonable opportunity of purchasing motor spirits sold by holders of wholesaler's licences. In the exercise of its functions the licensing authority shall also, within the jurisdiction conferred on it by this Act, prevent, by such measures as it thinks fit any wholesaler from giving to any person any rebate, refund, concession, allowance, reward, or valuable consideration for the reason, or upon the express or implied condition, that that person purchases motor spirits exclusively or principally from the wholesaler, or does not purchase motor spirits from any other wholesaler, or restricts his purchase of motor spirits from any other wholesaler.

The authority shall also prevent any wholesaler from refusing or restricting the sale of motor spirits to any person for the reason that that person had bought or intended to

buy motor spirits principally or exclusively from the wholesaler; or any wholesaler from monopolizing wholly or partially the wholesale supply in South Australia or any part thereof of motor spirits, or from establishing any price or restrictive trade association with any other wholesaler or wholesalers.

Mr. Macgillivray—How do you propose that that part of the Act should be policed?

Mr. DUNSTAN—For that purpose I have included clause 8, which provides that the licensing authority shall, subject to the provisions of the Act, have certain of the powers of a Royal Commission. That may appear to be a very extensive power to give to the licensing authority, but it has been found necessary elsewhere. In fact, the New Zealand legislation gives to its licensing authority the full powers of a commission of inquiry, which is their equivalent of a Royal Commission. Under this clause the authority would have full powers to investigate and arrive at the necessary conclusions. As to the granting of licences, Part II of the Bill provides that after the commencement of the Act it shall not be lawful for any person to carry on the business of a retailer or a wholesaler otherwise than pursuant to and in conformity with the terms of a motor spirits distribution licence granted under the Act. An exception to that is to be found in clause 10, which provides:—

(1) Every person who at the 25th day of August, 1954, was carrying on the business of a wholesaler or retailer within the meaning of this Act at any premises in South Australia shall be entitled to a grant of a continuous licence in respect of those premises by the licensing authority.

(2) Until the first grant of such licence as is provided for by subsection (1) of this section, notwithstanding anything contained in section 9 of this Act, provided that an application for such a licence is pending before the licensing authority, it shall not be an offence for the applicant for the licence to carry on his business as a wholesaler or retailer as the case may be.

An existing business may be continued provided an application for a licence is lodged immediately. Then there are various machinery provisions as to the consideration of applications and for matters to be considered in an application for a retailer's licence. The licensing authority must consider the extent to which the service proposed to be rendered by the applicant is necessary or desirable in the public interest. That would cut out needless and useless outlets. The authority must also have regard to the extent to which motor spirits sold by the holders of wholesale licences are available for retail purchase in the locality or localities proposed to be served by the applicant, or can be so made available within the limits of fair and reasonable competition; also to the desirability of providing and maintaining a reasonable standard of living and satisfactory working conditions and the suitability of the site of the proposed business. In considering an application for a retailer's licence the authority must have regard to any evidence or representations received by it at the sitting at which the application is heard and any representations otherwise made by or on behalf of a local authority or public body; provided that before taking into consideration any adverse representations made otherwise than at the sitting, the licensing authority shall give the applicant and all other persons likely to be affected a reasonable opportunity to reply to the representations. This is to provide that no harm can come to an applicant from a private hearing by the licensing authority. The clause also provides that the authority shall consider such other matters as, having regard to the purposes of the Act, it thinks proper or may be prescribed by regulations.

In considering any application for a wholesaler's licence the authority shall have regard to—the extent to which the service proposed to be rendered by the applicant is necessary or desirable in the public interest, the extent to which the economic welfare of those persons engaged in the motor spirits industry would be affected by the grant of an additional wholesaler's licence and any evidence or representations received by it at the sitting at which the application is considered and any representations otherwise made by or on behalf of the Minister. The licensing authority may, after duly considering an application, grant or refuse a licence, but that is subject to clause 10. A retailer's licence will authorize the licensee to sell motor spirits both through pumps and otherwise than through pumps, sell exclusively through pumps or sell in any manner except through pumps. Licences will be either temporary or continuous. If temporary they will remain in operation until a date to be specified. There must be prescribed in all licences the premises, the maximum number of pumps if petrol is to be sold through pumps, such matters as are required in clause 14, the date on which the licence shall come into force, in the case of a temporary licence the date on which it expires, and such matters and conditions as may be prescribed by regulations or as the licensing

authority thinks proper in the public interest. Of course, the public interest would include all those matters contained in clause 7.

Clause 16 states that there are to be conditions implied in licences. One is that a retail licensee shall not be the holder of a wholesaler's licence and that he shall not cause or permit the holder of a wholesaler's licence to get any share or interest in any business to which his licence applies. However, that provision will not apply with respect to any estate or interest existing on August 25. Therefore, existing interests are protected. Corresponding conditions are to apply to wholesalers' licences. Clause 20 states that a register of licences is to be kept, and the licensing authority may, of its own motion, or on the application of a licensee, or on the application of a wholesaler or of a local authority, amend or revoke any of the terms or conditions of the licence, and it also contains machinery provisions by which the licensee's rights are protected.

Clause 21 deals with the revocation and suspension of licences, and enforcing the general principle with regard to preventing restrictive trade. If, as a result of an inquiry, the licensing authority is satisfied that the licensee is not carrying on the business in all respects in conformity with the licence, or that he has disposed of the business to any person other than in conformity with clause 22, or is carrying on business in conflict with the principles set forth in clause 7, the licensing authority may revoke the licence. This is a vital provision, for it will mean that the oil companies must be circumspect and cannot go on establishing restrictive trade associations and rings within the business. There are also machinery provisions for the transfer of licences.

Part III deals with appeals. It allows for appeals by a licence holder or an applicant from a decision of the licensing authority to the local court of full jurisdiction nearest the appellant's place of business. The local court will not be bound by procedure in inquiring into the matter. It will have full powers to allow or reverse the decision of the licensing authority, or remit the matter to the authority for further hearing and determination. The decision of the local court will not be appealable. I believe it is undesirable to allow a limitless number of appeals. I am confident that these appeals can be adequately determined by the local court. These provisions are similar to those set out in the Landlord and Tenant (Control of Rents) Act concerning rent appeals. There are some evidenciary provisions in Part IV—miscellaneous. Clause 28 enables the Governor in Council to make necessary regulations for the administration of the Act.

I believe that this Bill makes fair and just provision for the future of the motor spirits industry. It provides that people with legitimate interests in the industry will be able to maintain them fairly and on the basis of fair competition and that monopolies, rings and cartels will not be able to drive the small, independent man out of business. It will also ensure that the public gets the advantages of fair and free competition, in which I have always believed. My only quarrel with the economic system of this country is that in many instances fair and free competition does not or cannot exist. It seems that fair and free competition is being driven out of existence in the petrol selling business by large scale interests. We must put a stop to that in the interests of those now in the industry and in the interests of the community. I do not think there are any members in this House who would not subscribe to those principles.

Mr. Macgillivray—Wait and see!

Mr. DUNSTAN—If there are, some members will have to swallow their words. I hope that members opposite will consider the Bill not as a Party measure, but on its merits. I have introduced it as a private member of this House. I think there are members opposite who are interested in maintaining fair and free competition in the petrol resale industry, and I hope they will support the measure.

The Hon. C. S. HINCKS secured the adjournment of the debate.

PUBLIC ACCOUNTS COMMITTEE.

Adjourned debate on the motion of Mr. O'Halloran—

That in the opinion of this House it is desirable to appoint a Public Accounts Committee to—

(*a*) examine the loan and revenue accounts of the State and all statements and reports required by law to be submitted by the Auditor-General to Parliament;

(*b*) report to Parliament with such comment as it thinks fit, any items or matters in those accounts, statements and reports or any circumstances connected therewith, to which the Committee is of the opinion the attention of Parliament should be directed; and

(*c*) report to Parliament any alteration which the Committee thinks desirable in the form of the public

accounts or in the method of keeping them or in the mode of receipt, control, issue or payment of public moneys.

(Continued from August 25. Page 497.)

Mr. TAPPING (Semaphore)—I support the motion. I have heard the Premier on many occasions submit strong arguments in support of his views, but I have never known him weaker than he was last Wednesday when trying to destroy the case put forward by the Leader of the Opposition. On the other hand, the Leader of the Opposition was never stronger in debate. The motion has nothing to do with Party politics. Mr. O'Halloran brought this matter forward in the interests of the community. The Premier took about 55 minutes to reply, and two-thirds of that time was absorbed in praising the Public Service and the Grants Commission. Every member would support his statements about the ability and integrity of public servants. He referred to Mr. Drew (Under Treasurer), Mr. Bishop (Auditor-General), and Mr. Fitzgerald (chairman of the Grants Commission). These men have given sterling service to South Australia and, because his case was so weak, the Premier devoted much of his time to lauding these gentlemen. The Premier said that the annual reports of Government departments are tabled in this House. I do not deny that, but it is difficult for members, because of the many duties assigned to them, to be able to study every detail in them. In many instances we give them a cursory glance, but do not thoroughly understand their implications. The Premier also said that the motion does not deal with proposed expenditure but only with holding post mortems on past expenditure. If a Public Accounts Committee only serves that purpose it will be worth while, particularly if it safeguards the repetition of costly mistakes. The Premier tried to justify his case by stating that all projects costing more than £30,000 had to go before the Public Works Committee for consideration, but he did not say that matters pertaining to the Housing Trust, Railways Department and Municipal Tramways Trust did not go before that committee. The Premier misled the House by making that statement. Let us analyse the procedure of that committee. All projects costing more than £30,000 go before the committee for investigation and evidence is taken. As a member of that committee I confess that I am guided by evidence given by officers of various Government departments. I am not an authority on building or economics and must accept what these officers say. Above all, the committee must be concerned with the need for the project under consideration—whether it be a hospital, a school or something else—and eventually the committee recommends to the Government that the work be proceeded with. The Premier's suggestion that that committee could undertake duties which I claim would be the function of a Public Accounts Committee is without foundation.

Mr. Brookman, in opposing the motion, said that he would not agree to adding to the 28 members from both House already on committees. I realize that there is a Public Works Committee and Land Settlement Committee but I cannot understand his reference to 28 members occupying positions on committees. It may be that he was referring to the Printing Committee and Library Committee, which are minor committees and not concerned with the economic position of this State. His opposition to the motion was very weak. He suggested that the appointment of this committee would have a stultifying effect on public servants. As member for Semaphore I have about 25,000 bosses but that does not have a stultifying effect on my efforts in this House. Indeed, I am grateful for the co-operation of my constituents who frequently make suggestions to me. The appointment of a committee would have a beneficial effect and would assist members in carrying out their duties. Such an appointment would not be a new procedure. A similar committee has been operating in Canberra since 1931 except for a break of three or four years. There is a similar committee in South Africa and another in the United Kingdom.

Mr. Corcoran—There is a similar one in New South Wales.

Mr. TAPPING—Yes. In 1933 this House supported the appointment of such a committee and Mr.—now Sir Richard—Butler piloted a measure through this Chamber. It was passed in another Chamber, but apparently not proceeded with. My point from that is that in 1933 a Liberal Government introduced a measure having a similar purpose to that contained in this motion.

Mr. Brookman—What provisions governed the Public Works Committee then?

Mr. TAPPING—That committee was appointed in about 1927 and had the same functions as now. I propose now to refer to the opening remarks of the chairman of the Parliamentary Joint Committee on Public Accounts

in Canberra, Professor F. A. Bland, M.P., at its first public meeting on February 19, 1953. He said:—

As this is the committee's first public meeting it may be appropriate if I make one or two remarks about its nature and purpose. The committee was constituted by the Public Accounts Committee Act, 1951. The first Public Accounts Committee functioned for many years prior to 1932 when it was disbanded. Ironically enough the committee was abolished as an economy measure at the very time when it might have been able to render its most valuable assistance to the country. There are three main instrumentalities concerned with the administration of public finance. First, there is the Treasury which has to safeguard the volume of expenditure to which the Departments wish to commit Government. Then there is the Auditor-General who is concerned with the honest expenditure of public funds and, particularly in recent years, with ensuring that funds are used for the purpose for which they are voted and for no other purpose . . .

The third instrumentality is the Public Service Board which is charged with the responsibility of ensuring that the various Government departments shall be efficiently organized so that the funds voted by the Parliament may be economically expended and full value obtained in return.

That does not cut across the functions of departmental officers. There may be a weakness in bookkeeping or costing methods and this would be discovered by the Public Accounts Committee, which would make suggestions. Last year I read a report of the Federal Public Accounts Committee which took to task the Postmaster-General's Department for a waste of public money that had occurred. This will not occur again because the committee made it abundantly clear that the mistakes must not be repeated. I cannot judge whether mistakes have occurred in State Government departments because I do not know what happens in them. I do not belittle members of the Public Service, who are doing a wonderful job, but a stringent watch should be kept to ensure that Parliament and above all the people that it represents are safeguarded. Last week a leading article appeared in the *Advertiser* headed "Checks on Loan Works," and the following extract attracted me:—

Too heavy a demand by the States for labour and material for public works, leading to greater competition for these resources, would merely stimulate inflationary trends. It is thus essential for Federal and State authorities to keep a strict rein on the scale and cost of works.

I do not deny that this happens today, but by having a Public Accounts Committee no mistakes would be repeated. Although the *Advertiser* did not refer to the matter before the House the article made it abundantly clear that the paper advocated the establishment of such a committee.

As I mentioned before, this is a non-Party matter and to prove my contention I remind members that in 1933 a similar measure was introduced by a Liberal Government. When matters originate from this side of the House they are sometimes discredited because members opposite feel they savour of Party politics, but this is not so in this case. The House of Commons and the New Zealand Parliament and other Governments in Australia, irrespective of the political set-up, have such committees. The officers of various departments are extremely busy today, something that I realize as a member of the Public Works Committee, hearing them giving evidence to support cases brought down by the Government. They devote much of their time getting out costs of works of any magnitude and because of the way the State has developed more public works will be required, which makes it more necessary to have a Public Accounts Committee. The Public Works Committee cannot deal with matters emanating from the Housing Trust and when we consider what this body has done for the people of South Australia we realize that it has had a terrific task, involving the expenditure of large sums of public money. On many occasions I have commended officers of the trust for the sincere way they have tackled housing problems, but I am not satisfied that the money has always been spent wisely. I do not cast any aspersions on its officers but Parliament should be cautious when dealing with millions of pounds and should be satisfied that the money is being spent in a correct manner. Some years ago the Premier negotiated with overseas firms to bring out prefabricated homes to this country. I do not know what their cost was but when they were ready for habitation it was found that the rental would be £3 3s. or £3 5s. a week, indicating that the capital cost must have been between £3,000 and £3,500. It was a very unwise step for the Government to commit the State to an expenditure of such a large sum.

Mr. Pearson—Would you have done without these houses?

Mr. TAPPING—My reply is that temporary homes serve an excellent purpose.

Mr. Pearson—But there were not enough of them. You advocated more.

Mr. TAPPING—Yes, I think all members did so because of pressure brought on them,

but surely it would have been better to build emergency homes than spend such a large amount to bring prefabricated homes from the other side of the world.

Mr. Pearson—Who would have built them at that time?

Mr. TAPPING—The people who do so now.

Mr. Pearson—We did not have the labour or resources to build them.

Mr. TAPPING—Contractors were prepared to enter into contracts with the trust and emergency homes sprang up over night like mushrooms.

Mr. Pearson—I thought it was common knowledge that we could not build them.

Mr. TAPPING—The emergency homes were completed in a short period, and we should have had more of them because they were much cheaper. If we pay £3,000 for a timber-frame home, where is the equity? The depreciation on them would be about 50 per cent in four or five years. Buying these homes from overseas was unfair and uneconomic to the State. While they were being brought here at a high cost other building programmes, including the construction of hospitals, were disturbed. If the matter had been investigated by the Public Works Committee the mistake would not have been committed, but it can be repeated and members will have no redress. Except for an annual report, we do not know much about the trust and nobody knows for certain the cost of these prefabricated homes. A Public Accounts Committee would ensure that these things would never occur again.

Nobody can truthfully deny that the Electricity Trust is doing yeoman service in providing power, particularly in country areas, and I am glad to know that in the near future the tariff will be reduced. Last year the trust made a profit of about £50,000 on the year's operations, and it is pleasing to know that a State instrumentality is making a profit and will pass it on to the people by reducing tariffs. However, the trust has not much relation to Parliament except that Parliament votes money for it, by loan or otherwise. We do not know very much about its operations, and if a Public Accounts Committee were created it would have access to the figures and would bring down a report on the trust's activities. Railway expenditure involves millions of pounds a year, but does not come before the Public Works Committee. Because of that weakness it would be wise to establish the proposed committee so that it might look at the expenditure of our Railways Department, for, although that department has done a magnificent job, it is our duty, as representatives of the people, to ensure that as few mistakes as possible are made. Today public finances are buoyant, but we do not know whether we may soon suffer a depression.

Mr. Frank Walsh—It happened once, and it could happen again!

Mr. TAPPING—Yes, particularly in view of the parlous position overseas of our primary products such as wheat and barley. The proposed committee would seek to ensure that we got twenty shillings' worth of value for every pound spent. I appeal to members to treat this matter as one of national character and not to think, merely because it emanated from this side, that it savours of politics. I support the motion.

Mr. JOHN CLARK (Gawler)—I too, support the motion. In his speech on it, the Premier appeared to be uncertain of what was sought by the motion, but this surprised me, because the Leader of the Opposition, in his remarks, put the matter plainly and accurately. The motion clearly sets out the objective sought by the Leader, and, although it has been on the Notice Paper for some weeks, some members who have already spoken in this debate do not seem to understand its meaning. Indeed, it might be better in future if motions moved by the Leader of the Opposition were printed in larger print. Briefly, the motion seeks the establishment of a committee representing all sections of the House to ensure that the taxpayers get full value for their money, which is appropriated for expenditure in various ways. There is nothing difficult about that: it is a simple matter and not new, for the Parliament at Westminster has had a similar committee for about 100 years, and it appears to work satisfactorily.

In supporting this motion I, like the Leader, do not reflect on the Under Treasurer, the Auditor General, or any of their officers: I entirely agree with the Premier's high praise of those gentlemen, although I believe the fullsome terms of that praise may have proved embarrassing to them. It must be realized, however, that the proposed committee would be interested in the value obtained for expenditure rather than in the accuracy of accounts. In these days Parliament votes huge sums, very often without complete details of the way in which the money will be spent; in other

cases details are not in a readily understandable form. Mr. Brookman has made it a practice in recent debates to follow the member for Hindmarsh, apparently thinking that his style of speaking is most suitable in refuting my colleague's arguments.

Mr. Brookman—That is purely coincidental.

Mr. JOHN CLARK—I am happy to hear that, for I was about to say that, if my supposition were correct, the honourable member was making a grave error. In his speech on the motion Mr. Brookman made one or two statements with which I must disagree. He said:—

Every member can get a great deal of information through the present available channels.

Indeed, he asked members to prove that they were using the information already supplied to them by way of Parliamentary papers and Auditor General's reports, saying that they must do so before claiming they were not getting enough information; but that is a reflection on members. Although, following my interjection, Mr. Brookman was kind enough to exempt me from his charge, I refuse to claim that exemption, for I believe it is impossible for any member, however conscientious, to read and absorb all these reports and papers. Although members on both sides are conscientious in their approach to their tasks, these documents contain a mass of information from which it is often difficult to understand the main points; the purpose of the proposed committee would be to supply those points. When Mr. Brookman spoke about our Parliamentary committees, I took his remark as a slur on the members of those committees. I believe that such committees are a very necessary part of the democratic working of this or any other Parliament in the British Commonwealth of Nations, and that for a member to to appointed to one is not only usually followed by hard work, but is an honour. The Committee advocated by this side would be more important than any of the Committees now in existence, including the Public Works Standing Committee, and that of itself is a reason for the formation of this Committee. As has been said before, members are custodians of the public money and a Public Accounts Committee would give members generally more details of the expenditure of that money. Mr. Tapping mentioned the Housing Trust, which I am by no means decrying for it is doing a grand job, and the Electricity Trust to which the same applies, and the railways, about all of which details would be very handy to members, not only for their own good but for the ultimate good of the State. As the member for Goodwood said last week, it is almost impossible to obtain some details that members urgently need—indeed must have so that they can carry out their duties as representatives of their districts and members of this House which seeks to make laws for the whole community. The motion simply aims at assisting Parliament in further making sure that public moneys are spent in the best possible way.

If members take the trouble to look up debates over past years—and it is a very illuminating and interesting pastime if they have time to do it—they will find that this motion is by no means a new one. Similar motions have been introduced on several occasions, both in this Chamber and in another place, and the strange and peculiar thing about it is that the very arguments produced now in favour of such a Committee were put forward in years gone by. The only surprising thing is that in most cases they were put forward by members who owe allegiance to the Liberal Party. Indeed, in 1933 the present Treasurer, as a member of the Butler Government, was one who was pleased to support legislation to bring a Committee such as now suggested into being. I admit that when Mr. Frank Walsh twitted the Treasurer with this he was alive to the situation and came back with the interjection, "We live and learn." I suggest that the Treasurer has lived but unfortunately in this matter, has unlearnt. I cannot understand it, unless the fact that he is now the Treasurer may have changed his opinion. A committee such as this would not be a hindrance, but would be of enourmous assistance to the Treasurer and his Ministers. Surely it would mean that they would be saved from answering innumerable questions. Of course it is possible that the Treasurer, even after his long term of office, still gets a certain thrill from the long and involved answers at which he is so expert; perhaps he enjoys them, although it is certain no one else does, and I submit that this Committee would be of great help to members in general and the Minister themselves. I believe that the growing development of this State—if it is developing as we are so often told it is—makes even more necessary an additional safeguard such as this Committee, and I assert that every member in this Chamber should be prepared to support the motion, as I do.

Mr. JENNINGS (Prospect)—I have pleasure in supporting this motion. As the Leader of

the Opposition pointed out when moving it, the proposal is to set up a Parliamentary Public Accounts Committee, although the word "Parliamentary" is not included in the motion because he envisaged that it might be necessary to appoint a secretary from some other department in a full time capacity. However, to all intents and purposes it would be a Parliamentary Committee, and it is perfectly obvious that Parliamentary Committees are renowned for the good work they do. This applies to the Committees now functioning, and there is no reason why it should not apply to the proposed Committee. Looking at it from the point of view of the private member, he could give evidence before the Committee when he felt is necessary. In my capacity as an ordinary citizen I frequently see what I consider to be a flagrant waste of Government money, and I believe that in my other capacity as a member of Parliament I should be able to report it to the right people, who could make an investigation to substantiate or otherwise my own views on the matter. At the moment there is no way that a private member can draw the attention of Parliament to what he considers to be wasteful expenditure without committing himself to something which later he may not be able to substantiate, and thus putting himself in a most invidious position. As the member for Gawler, Mr. Clark, said, these Committees, which have been functioning in other Parliaments for so long, have not been an embarrassment to the Government, but of great assistance to them, and if a Government conducts its finances fairly and honestly, and none of us would care to make the charge that this Government does not, is it not reasonable to believe that a Committee of this type in South Australia would also be of great assistance to the Government? If the Government were attacked because of an alleged waste in the expenditure of money it would be fortified if that expenditure had run the gauntlet of a public accounts committee. When a similar motion was moved in the Council last year the Chief Secretary opposed it and made the same speech as the Treasurer did here.

Mr. John Clark—It was a better one.

Mr. JENNINGS—It may have been delivered in a better way but the Treasurer did not consider it necessary to bring the subject matter up-to-date. He said that the Grants Commission was charged with seeing that Commonwealth money was spent effectively. The commission does not concern itself with value being obtained for the expenditure of State money. I appreciated the need for such a committee before I perused the Loan Estimates, but after looking at them and trying to understand them, I am satisfied that there is a crying need for a public accounts committee. I defy anyone to make sense out of the Loan Estimates. Included in the estimates for the Architect-in-Chief's Department are amounts for the erection of new primary schools at Enfield, Hampstead, Morphettville Park, Mount Gambier, Northfield, Renmark, and Nairne. In last year's Loan Estimates the same schools were mentioned, as they were in the previous year.

Mr. O'Halloran—Some of those schools have been built and are in use.

Mr. JENNINGS—That caused me to investigate the position. I know that some of the schools which are to be financed out of moneys voted this year, according to the Loan Estimates, have been constructed and in operation for years. If this is not financial juggling of the worst type I do not know what it is.

Mr. O'Halloran—When we vote money for a project we do not know what happens to the money.

Mr. JENNINGS—That is so. Apparently money is spent in other ways and we know nothing about it. Then in the following year we are asked to vote money for projects for which we had voted moneys previously. Because of the large sums of money voted for the Municipal Tramways Trust, the Electricity Trust and the Housing Trust, which are carrying on essential Governmental works, but which are not responsible to a Minister and in turn to Parliament, it is all the more reason why we should have a public accounts committee. One is needed much more in South Australia because in the other States Governmental works are carried out under a Minister who can be questioned in Parliament about them. I ask leave to continue my remarks.

Leave granted and debate adjourned.

ADJOURNMENT.

At 5.32 p.m. the House adjourned until Thursday, September 2, at 2 p.m.