

HOUSE OF ASSEMBLY.

Tuesday, September 28, 1954.

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

QUESTIONS.

COMMONWEALTH-STATE RAIL STANDARDIZATION AGREEMENT.

Mr. O'HALLORAN—An article in the *Advertiser* of September 24, under the heading "Rail Move" states:—

Canberra, September 23.—The Prime Minister told the House of Representatives today that he would consider a proposal to set up an all-party joint committee of both Houses to advise the Government on rail standardization in Australia. Mr. Menzies added that he did not guarantee such consideration would be favourable.

Has the Prime Minister's statement been brought under the Premier's notice, and will it have any impact on the agreement signed by the late Mr. Chifley (when Prime Minister) and the Premier for the standardization of railway gauges in South Australia, which was ratified by this Parliament in 1949?

The Hon. T. PLAYFORD—The agreement was ratified not only by this Parliament but also by the Federal Parliament, so that any committee established now could not, in my opinion, take any action that would be prejudicial to it. I presume that the deliberations of the committee would be confined to States not having any agreement with the Commonwealth, because it would not be necessary to consider something in regard to South Australia that has already been resolved. I do not think the Prime Minister's statement refers to this State at all.

FROST RELIEF FOR BAROSSA VALLEY GROWERS.

Mr. TEUSNER—The heavy frost in the Barossa Valley on Saturday morning was so devastating in certain areas, particularly in what is known as the floor of the valley, that many horticulturists and viticulturists have suffered the loss of their entire apricot and vine crops. When frost warnings are given it is customary to take steps to mitigate damage by burning oil, but the temperature sank to 25 degrees or 26 degrees and even that method was not efficacious. I understand that in those localities where oil was burned the damage to apricots and peaches was to the extent of 80 per cent of the crops, and to vines about 50 per cent, whereas where oil was not burned there was almost a total loss

of apricots and peaches, and the same applied to many vineyards. Considerable hardship will be suffered by a large section of growers, particularly those who have become horticulturists or viticulturists only in recent years. I have been asked to bring this matter under the notice of the Premier, and I ask him the following questions:—

1. Will he confer with the Minister of Agriculture and arrange for a competent officer of the Department of Agriculture to visit the frost-stricken areas at an early date with a view to making an assessment of the position and furnishing a report thereof to the Premier and the Minister?

2. In view of the very serious losses suffered by horticulturists and viticulturists as a result of the devastating frost will the Government give earnest consideration to the granting of frost relief to those affected, and particularly to those who are in necessitous circumstances?

3. In order to encourage efficacious frost combating by the oil burning method, will the Government give serious consideration to the subsidizing in future of fuel oil used by horticulturists and viticulturists for frost combating purposes?

4. In view of the large amount of income tax and excise derived annually by the Commonwealth from the horticultural and viticultural industries, will the Premier make representations to the Prime Minister to make available moneys for frost relief and the subsidizing of fuel oil as suggested?

The Hon. T. PLAYFORD—I was very concerned at the reports about the damage caused by frost in the Barossa Valley, and the honourable member has now given further information. These frost visitations come from time to time, and they cause extreme difficulties. I express my concern to the growers for the losses occasioned. I think that the first step to be taken is to get a report, as requested by the honourable member, and I am sure that the Minister of Agriculture will get, as far as possible, an assessment of the damage done. With regard to relief, I have already received some communications and I will undoubtedly refer the honourable member's questions and those communications to the Federal authority to see whether it is prepared to co-operate. I will advise the honourable member of the outcome at a later stage. I point out to members that the amount of money available to the State today does not enable the Government, unfortunately, to consider making up losses which arise from time to time as the

result of these weather visitations. The amount available to us under the Grants Commission system does not enable the State to do more than effectively maintain our departments in accordance with the amounts that are spent in other States, because our grants are determined as a result of comparisons between our finances and those of the eastern States. I will have the whole matter investigated and advise the honourable member in due course.

HOMES ACT ADVANCES.

Mr. DUNNAGE—Can the Treasurer say whether the Government has considered amending the Homes Act to increase the sum that can be advanced under it from £1,750 to something more like the £2,750 which may be advanced under similar Commonwealth legislation? The Homes Act sets out who is responsible for lending the money, and, although I do not wish to embarrass the Savings Bank, which, I understand, is the main institution lending money under the Act, I consider £1,750 far too low today.

The Hon. T. PLAYFORD—This matter has been considered from time to time. The Act has not become ineffective and the number of houses being purchased under it has not decreased; in fact, if anything, it has increased. I said a few days ago that the Government is negotiating with the Commonwealth Government for an extension of the Commonwealth-State Housing Agreement, and, if that proposal is agreed to, additional money will be made available under that scheme for new houses erected by the Housing Trust. The amount will be higher and will represent a larger proportion of the total purchase price; but until that agreement has been finalized it is not possible to debate it here.

TRAMWAYS TRUST POLICY.

Mr. FRED WALSH—Can the Treasurer indicate the policy of the Tramways Trust on the taking over of bus routes which run into and out of the city proper and are in direct competition with the trust's services?

The Hon. T. PLAYFORD—Since last week's debate on Tramway Trust policy I have had no discussions at length with the trust, but I have discussed the whole position with the Treasury representative on the trust, and he is obtaining for me some additional information on the matter. I have no knowledge of the matter mentioned by the honourable member, but I will obtain a report for him in due course.

POTATO BOARD.

Mr. BROOKMAN—This morning's *Advertiser* contained a report of the following statement by Mr. J. J. McCullagh, secretary of the Potato Board:—

Organized channels were handling only about 100 tons of potatoes a week, against an estimated market absorption of from 800 to 1,000 tons a week.

Mr. McCullagh said that, as a result of this, the board had freed old potatoes from both quota and price control. This statement follows a recent ballot in which growers, by a small majority, voted for the continuance of the Potato Board. I suggest that, had this statement been made before the vote was taken, the result of the ballot might have been different. It appears that the board is unable, in times of glut, to prevent potatoes being sold outside its control, and, in times of shortage, to prevent their sale to other States. Can the Minister of Agriculture indicate the future prospects of the board's operating satisfactorily?

The Hon. A. W. CHRISTIAN—The board has had great difficulty in controlling the situation. If we were willing to enforce a very strict policing of the Act we could, of course, control that situation; but I doubt very much whether this House would agree and whether it would be desirable to enforce the kind of policing necessary to ensure that the Act was not contravened in any way. The growers have voted in favour of the board's continuance, and, as there is no limitation on the currency of the legislation, we are in duty bound to continue it unless this House is prepared to annul the legislation. Unless we are prepared to rigidly enforce the provisions of the legislation there is bound to be a certain breaking away and black marketing of potatoes, as indicated by the honourable member.

Mr. FLETCHER—It has been reported to me that a petition is being circulated among resellers with a view to either disbanding the Potato Board or doing away with the present legislation. Can the Minister say whether there is any truth in that report or whether he has heard anything to that effect?

The Hon. A. W. CHRISTIAN—I am not aware of any such petition. In any case, the legislation provides that no further petition from growers can be presented until the expiry of three years from the time of the last petition. Any new petition could only be concerned with the annulment of the legislation and not with the discontinuance or otherwise of the board.

FALCON GOLD MINES (NO LIABILITY) COMPANY.

Mr. JENNINGS—The question concerns the activities of a company, registered in South Australia as Falcon Gold Mines No Liability, and which operated principally in the Northern Territory. I have information supplied to me by shareholders of this company living in my electorate, which indicates that fraud almost unbelievable was perpetrated by certain people connected with the company and which involved many South Australian shareholders in huge losses. I cannot give much detail now, but hope to have an opportunity to do so later on, in the Budget debate. However, I ask the Premier if he will order a full investigation by the Registrar of Companies, so that the truth or otherwise of the many allegations that have been made in the press and elsewhere about the conduct of this company can be established and so that investors in future might be protected? I understand the Premier has some knowledge of the matter, but if not, I am quite prepared to place all the information I have at his disposal.

The Hon. T. PLAYFORD—If this is the company of which I have knowledge, certain agreements were reached and ratified and, from the legal point of view, I believe no action could be taken. Previously, a similar question in regard to another company that had leases in Western Australia was examined by the Auditor-General. That examination took State officers some eight or 10 months, and finally, although the report was most adverse, it was not possible to take action in the matter because of a technicality. I believe the same position obtains in regard to this company, if it is the one I believe it to be. The public's best safeguard in this matter is to look very closely into the company in which capital is to be invested, and, when a person sees that it is a gold mining company and, further, a no-liability company, he should be very careful that it is the type of speculation into which he desires to enter, otherwise, he may find he is buying a gold brick instead of a gold mine. However, if the honourable member will supply me with particulars I will have them examined by the Crown Solicitor to see whether the matter falls within the scope of State legislation and whether any action can be taken.

FISHING NET IMPORTATIONS.

Mr. WILLIAM JENKINS—It was recently reported in the *Sunday Advertiser* that import restrictions covering a wide range of goods

will be imposed by Federal Cabinet if recommendations before it are approved. Will the Premier request the Minister for Commerce not to restrict the import of fishing nets as they are not a luxury and are not manufactured in this country, because any restriction would severely affect the fishing industry?

The Hon. T. PLAYFORD—I will bring the honourable member's representations before the notice of the Minister.

BOWMANS TRAIN DELAY.

Mr. McALEES—My question relates to the train from Port Pirie with which the Moonta express connects at Bowmans. This morning there was a delay of half an hour before the arrival of the train. From inquiries I ascertained that the train was delayed while a number of vans laden with peas were connected. I believe that passengers should be considered before peas. Three members of Parliament travel by that train and were affected by the delay. Will the Minister representing the Minister of Railways ascertain whether any alteration can be made to the time of arrival at Bowmans of the Port Pirie train to obviate unnecessary delays?

The Hon. M. McINTOSH—It was explained the other day that the highest priority was given to the transport of perishable goods in the interests of the district concerned. Those goods include peas. Under ordinary circumstances the carrying of such goods would not impede the speed of trains but I will ascertain what caused the delay on the occasion mentioned.

SCHOOL RESIDENCE RENTALS.

Mr. JOHN CLARK—I understand that increases in the rents of departmental-owned school residences will operate from October 2. On the face of it, it would seem that news of such increases might be detrimental to the recruiting scheme at present being instituted to obtain more teachers. Can the Minister inform the House of the reasons for increases in rents and also when the last increases were made? Can he give details of the proposed increases indicating the relation between the new schedule of rents and the old, including, if possible, percentage increases?

The Hon. B. PATTINSON—Some of the subject matter referred to in the question involves Government policy concerning the rentals of Government-owned residences generally. I understand that since Cabinet came to certain decisions on these matters the

Premier has received a deputation from representatives of the Trades and Labor Council, Public Service Association and Teachers' Institute and that he has been in recent correspondence with them. Under the circumstances, I would be obliged if the honourable member would direct this question to me later in the week.

EASING OF WINNINGS TAX.

Mr. STOTT—I have been approached by a number of people concerning the tax imposed on betting returns, particularly in respect of the tax on the amount invested. For instance, if a man places £10 on a horse each way at 4 to 1 and the horse runs second or third, the punter would normally receive his stake back. However, because of the tax he loses 5s. A prominent owner told me this morning that he lost £175 at the races on Saturday but that on top of that, because of some winning bets, he had to pay £15 in tax. As other States are reconsidering provisions relating to winnings tax will the Premier place before Cabinet the question of removing that portion of the tax which applies to the stake invested by a punter?

The Hon. T. PLAYFORD—A reply to a question in the Legislative Council details the relevant figures of revenue secured by the State from racing, and also the amount the Government pays to the racing clubs from that revenue. The position is that the State today cannot forfeit any of the revenue it receives. It will be faced this year with a heavy deficit and it cannot afford further reductions in the grant which may result from a reduction in the betting tax in South Australia. I have publicly stated that the Government is quite prepared to do as the honourable member suggests if it is relieved of paying over large amounts to the racing clubs.

Mr. Davis—Why not cut them out?

The Hon. T. PLAYFORD—They ensure good stake money and a higher standard of racing. I point out that win, lose, or draw, every investment on the totalizator is subject to a collection of 12½ per cent, whereas the winning bets tax on money handled by the bookmakers is about 3½ per cent, which is 9 per cent lower than the totalizator tax. The Government is most concerned. It gets all the criticism for collecting taxation going to the racing clubs. I personally can see no future in collecting money for other people. The Government has already indicated to the racing clubs that if they want the system suggested by the honourable member all they have to do

is ask for it and urgent legislation will be brought down, and be placed first on the Notice Paper for the following sitting day.

PORT PIRIE STREET RAILWAY.

Mr. DAVIS—Has the Minister representing the Minister of Railways the information he promised to get about the estimated cost of removing the railway from Ellen Street, Port Pirie, to the back of the institute, the town hall and the Barrier Hotel?

The Hon. M. McINTOSH—I have had estimates from the Harbors Board but I have not received any from my colleague. As I have said, the estimated cost of doing the work is very high. Some exception has been taken to being asked for estimates regarding work that is not possible of execution. As the Premier said about another question, this is a matter that has no future.

TRAMWAYS TRUST.

Mr. MACGILLIVRAY—The Treasurer will recall that last week there was a move to delete from the Loan Estimates the line granting £500,000 to the Tramways Trust. In effect, he said that if there were any substantial support for the move not only would the Government ratify it, but he would see that the grant to the trust proposed for inclusion in the Budget would be taken out. Seeing that 100 per cent of Her Majesty's official Opposition and 25 per cent of the Independent members of this House supported the move, will he give an assurance that he will implement the promise he made in the debate?

The Hon. T. PLAYFORD—The whole point is that only 25 per cent of the members of the Independent Party supported the move. As the Independent Party is an important section of this House that does not in my opinion constitute a complete movement against the Tramways Trust. However, I have discussed the matter with the Treasury representative on the trust and have asked him for information as to the measures the trust could take to impose a lighter burden on the State Budget, which I understand is the purpose of the honourable member's question. There are two things the trust can do to that end. The first is that the fares charged by the trust could be increased, but frankly I doubt whether the ultimate result of that would be an increase in revenue because it would tend to create a further diversion from the trams, and impose a burden on the section of the community that today has its Arbitration Court awards pegged. I do not think that is a practical solution. The second way is for the Tramways Trust to hand

over a large volume of its work to private enterprise, but I am assured that the result would be precisely the same as the first way. Private enterprise would charge additional amounts. The matter is being considered and in due course I will give honourable members the Government's views on it. I feel that under present circumstances it would be detrimental to disorganize the tramways system. With all its deficiencies the trust is working on a lower deficit than the average deficit of similar undertakings in the three non-claimant States. In other words, our revenue is not being adversely affected, nor are our grants. The amount we grant to the trust is repaid to us by the Grants Commission and I therefore feel strongly that no action should be taken to disrupt the tramways system and the great benefit given to those who use it, who are not the most favoured sections of the community.

FEED PROSPECTS.

Mr. O'HALLORAN—In common with most country members who have been in country districts in recent days I am concerned about the impact of the long dry spell on the feed position generally and crop prospects. Can the Minister of Agriculture say if his department has made a survey of the hay potential which could be cut in order to tide us over a lean time next year, is there a possibility of adequate feed being available for use later, do any of the hay reserves put down some time ago by the former Minister of Agriculture still exist, and, if not, is it intended in view of the possible danger that will accrue this season to do something along the same lines to meet the emergency?

The Hon. A. W. CHRISTIAN—No specific survey has been made of the possible hay that could be cut, other than from reports of the agricultural advisers throughout the State. From them we have a fairly good picture of the condition of crops and the hay now being cut in the various districts. I think we have about 18,000,000 bushels of wheat in storage and from my knowledge I believe many farmers have fairly adequate reserves of oats.

Mr. O'Halloran—That is subject to an artificial price.

The Hon. A. W. CHRISTIAN—I know, but in regard to oats there is no such provision. From my knowledge I believe many farmers have made fairly good provision in the storage of grain and other fodders. They are being exhorted by departmental officers to make better provision this year to meet a

time when there may be a shortage. Regarding stock on hand, I know that at Cummins we have most of the hay cut following the 1944-45 drought. Its condition is not good. I have not inspected it personally, but obviously it has deteriorated, though I am told by some who have seen it that a good deal is useful fodder. I do not know of any other stocks held by the Government.

MOUNT COMPASS-VICTOR HARBOUR ROAD.

Mr. WILLIAM JENKINS—Some weeks ago the Minister of Highways visited the Victor Harbour and Encounter Bay areas at the invitation of the councils. The Mount Compass-Victor Harbour Road was discussed, and the Minister said that he would consider cutting off some of the worst bends to give a clearer view of oncoming traffic, until the road could eventually be reconstructed. Will the Minister of Works ascertain whether any decision has been arrived at by the Minister and, if so, when is work likely to commence?

The Hon. M. McINTOSH—I will take up the question with my colleague and bring down his reply as early as possible.

ROAD CARTAGE OF CEMENT.

Mr. JOHN CLARK—Has the Minister of Works a reply to the question I asked last week about the cartage of cement from Angaston?

The Hon. M. McINTOSH—It would seem from the information I have here that there is some misapprehension or that the honourable member has been misinformed, for it has been reported to me that practically the whole of the cement manufactured at Angaston is sent by rail, not by road. The Railways Commissioner reports that the present position is that out of 3,000 tons of clinker produced each week at Angaston, 1,200 tons is ground there and the balance is forwarded by rail to Marino for grinding. Of the 1,200 tons of cement available each week at Angaston about 300 tons are delivered direct to purchasers at Angaston, 600 tons are forwarded by rail to fulfil orders from users outside the metropolitan area, and the balance of 300 tons is sent to the Rosewater store by rail, for distribution to purchasers. The balance of the metropolitan orders is made out of the 1,800 tons ground weekly at Marino. The Commissioner has been informed that the price of cement delivered *ex* Angaston works is the same as that delivered *ex* Rosewater depot.

It would therefore be uneconomical for users in the metropolitan area to go to Angaston, and inquiries show that this is not being done.

HINDMARSH BUS SERVICES.

Mr. HUTCHENS—Has the Minister of Works a reply to the question I asked last week about the possibility of running alternate buses on the Findon service down Manton Street and along the Port Road to Adelaide?

The Hon. M. McINTOSH—The general manager of the Tramways Trust advises as follows:—

The existing 15-minute bus service along the Findon route *via* Grange road, John Street, Taylor's Road, Livingstone Street, Dove Street and Smith Street is necessary to cater for the large residential area served. Passengers from Findon desiring to visit the Hindmarsh shopping area can alight at the intersection of John and Manton Street, which is 20 chains from the Hindmarsh Town Hall, at the corner of Port Road and Milner Street, which is approximately the centre of this shopping area. To route alternate buses down Manton Street and along the Port Road would leave insufficient buses to cater for residents on the remainder of the route into the city. This would entail the use of more buses, and therefore increase cost of operation.

AMENDMENT OF LAND AGENTS ACT.

Mr. STOTT—Is the Government prepared to amend the Land Agents Act this session so as to clearly distinguish between those engaged in building operations and those engaged purely as land and estate agents? It is iniquitous that land and estate agents, registered as such, may engage in erecting buildings.

The Hon. T. PLAYFORD—Last week Mr. Macgillivray asked a question about the Land Agents Act, and I have a report on the matter from the Chairman of the Land Agents Board. It is long, but in fairness to the board I think I should read it in full. It states:—

I have discussed the attached cutting from *Hansard* with my colleagues on the Land Agents Board. The reply of the Honourable the Premier to Mr. Macgillivray, M.P., suggests that the Lands Agents Board has not been diligent in the discharge of its duties in that it has not adequately policed the Land Agents Act. I submit the following points for your consideration:—

1. It has been ascertained that Proctor is being charged for defalcations arising out of his activities as a building contractor. The charge is laid under the Criminal Law Consolidation Act and no charge has yet been laid under the Land Agents Act.

2. The Land Agents Board is not entitled or called upon to take any action regarding the activities of a land agent unless and until it is informed or has reason to suspect that any land agent or land salesman has, in the course

of his business or work as such agent or salesman, been guilty of any crime, neglect of duty towards a client, breach of trust, breach or non-observance of any provision of the Land Agents Act negligence dishonesty or other conduct indicating that he is not a fit and proper person to act as land agent or salesman (*see* section 29a, Land Agents Act). No complaint concerning the activities of Mr. Proctor was received by the board prior to the press statement of court proceedings against him, and a special meeting of the board was summoned immediately after the press statement, as a result of which the Crown Solicitor was requested to take any action necessary on behalf of the board to prevent any further manipulation of the trust funds of Frederick Proctor Ltd., and to seek the cancellation of his licence. I desire to point out that even with the publicity given to the arrest of Proctor, the Land Agents Board has not yet received any report of wrongful acts committed by him as a land agent. No instance has yet come before the board of any defalcation in respect of Proctor's land agency transactions. In fact, Proctor's trust account was audited and found to be in order at December 31st last.

3. The board considers that it has not been negligent in the discharge of its duties and is no more blameworthy than would be the Commissioner of Police in the event of a serious crime occurring in the State. It is pointed out, however, that no legislation or amendment to the Land Agents Act would necessarily prevent dishonesty and misappropriation of trust funds. The board has always taken prompt action to deal with any complaints received concerning land agents.

4. In answer to the specific questions asked by Mr. Macgillivray, M.P., the board's attitude is as follows:—

(1) Suggestion that the legislation gives a false sense of security: This is partly true, because members of the public may consider that as a land agent has been licensed by the Government he has some special qualifications and has been approved by the licensing authority (Local Courts). In fact, the only limitations on registration are financial stability and previous good character. Neither the Court nor the Land Agents Board has any power to object to a licence being granted except on these grounds. However the existence of the Land Agents Board has undoubtedly acted as a deterrent to unscrupulous land agents and the incidence of complaints has fallen considerably since it was created. As a result of the board's activities, a number of agents have been convicted and several licences have been cancelled.

(2) Will the Government make the Act more watertight? The board has made a number of recommendations concerning possible amendments to the Act and regulations, and it is understood that these are at present under consideration by the Parliamentary Draftsman. In addition, I personally interviewed the Parliamentary Draftsman some time ago with a view to tightening up some provisions of the Act. It is pointed out that in this State a land agent can be a builder, auctioneer, business agent, or engaged

in many other types of business which are not controlled by a licensing authority, and so handle substantial public funds. The board is limited by the present Act to inquiries only into the land agency activities. It is also pointed out that a land agent in this State can buy and sell land, prepare contracts, transfer documents, arrange settlements, and handle clients' moneys without the intervention of any third person. In every other State in the Commonwealth, land transfers can only be carried out by solicitors or approved conveyancers who have strict ethical principles to comply with, and in some States the land agents are not even permitted to prepare contracts for the sale of land. A similar procedure in this State would afford a considerable measure of protection to members of the public dealing in property.

My colleagues and I submit that the manner in which the honourable the Premier's remarks were published in the *Advertiser* casts a definite reflection on the board, and the statement has been so considered by the public. We feel that a definite injustice has been done to the board which should be corrected as soon as possible.

SINGLE UNIT FARM POLICY.

Mr. MACGILLIVRAY—In 1953 one of my constituents—a returned soldier from World War I who also served in World War II—offered his property to an approved applicant under the soldier settlement scheme, but the department turned it down because the price asked was too high. This year the settler offered it to another qualified ex-serviceman—a married man with two children—and I have been informed that the property has been turned down without any examination or any reason given by the department. On this occasion the seller said he was willing to accept any offer by the department for the property. Can the Minister of Irrigation say whether the Government has altered the policy of buying single unit farms, and, if not, why this property should be turned down without examination?

The Hon. C. S. HINCKS—The department is still interested in single unit farms. The honourable member mentioned this property to me, and I have had inquiries made about its sale. It is known very well to the department and has not been a successful property. Offers of £7,000, £8,000, and £8,700 have been made by the owner, who said he was prepared to accept a much lower offer. The department discussed the matter with him and suggested £6,200 as a basis for negotiation with the Commonwealth Government. He said he was not prepared to negotiate on such a low price; therefore negotiations on that occasion broke down. Further, when the State Land Board

again approached the Federal Government, it refused to have anything to do with the block at any of the prices mentioned.

SOLDIER SETTLEMENT VALUATIONS.

Mr. STOTT—As the early settlers on the soldier settlement schemes are anxious to know the valuations placed by the department on their properties, can the Minister of Lands say whether his department is in a position to give valuations on properties on which 1947-1948 plantings were made, so that the settlers may make their future commitments?

The Hon. C. S. HINCKS—For some time negotiations have been proceeding with the Federal Government, and I understand that, after the Secretary for Irrigation returns from an interstate trip on which he leaves tomorrow, this question will be discussed with the Federal authorities. I do not know whether it would be correct to say that the settlers are concerned at the moment, because, in view of the depressed fruit prices, now, rather than earlier, would seem a good time to make the valuations.

PIG MEAT PRICES.

Mr. O'HALLORAN—Has the Treasurer a reply to my recent question about the prices of processed pig meats?

The Hon. T. PLAYFORD—I have now received a further report from the Prices Commissioner concerning the pig meats position. The Commissioner has advised that since his previous report was submitted, an investigation of costs of bacon and ham has been conducted and a constant watch maintained on market prices of pigs and other factors relating to the industry. The Prices Department has held several discussion with the bacon curers, and, arising from these discussions, wholesale prices of middle rashers of bacon and cooked pressed leg ham were each reduced by 2d. per lb. on Monday, September 27. The retail price of each item is being reduced by 2½d. per lb. Officers of the department will, as previously, continue to watch the whole position very closely.

BERRI COURTHOUSE.

Mr. MACGILLIVRAY (on notice)—When will the erection begin of a courthouse at Berri as provided for in last year's Estimates?

The Hon. M. McINTOSH—Public tenders for the erection of this building were called on September 23. The closing date is October 13.

CATTLE COMPENSATION ACT AMENDMENT BILL.

The Hon. A. W. CHRISTIAN (Minister of Agriculture) moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to amend the Cattle Compensation Act, 1931-1951.

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

METROPOLITAN TAXICAB CONTROL BILL.

Adjourned debate on second reading.

(Continued from August 12. Page 371.)

Mr. O'HALLORAN (Leader of the Opposition)—In introducing the Bill the Premier stated that it gave effect to the recommendations of the committee appointed by Cabinet in 1952 to investigate the metropolitan taxicab problem. As a result of a perusal of the report of that committee I am inclined to agree with the Premier. I hasten, however, to point out that the committee was very seriously circumscribed in its terms of reference. It would appear that the Government desired that an inquiry should be held and a report furnished which would not unduly disturb the rights and privileges of the Adelaide City Council so far as the control of the licensing of taxicabs within its area was concerned. It is wise at this juncture to consider some of the references made by the committee in its report. It comprised His Honour Sir Kingsley Paine, the Commissioner of Police (Mr. Green), Sir Arthur Rymill (former Lord Mayor of Adelaide), and Mr. C. R. Sutton (chairman of the Municipal Association). In the first chapter of the report, headed "Terms of Reference," the committee stated:—

As set out in a letter from the Under Secretary dated 9th December, 1952, and addressed to the several members of the committee, the reference was:—To report on what steps should be taken to co-ordinate the licensing of taxicabs by local governing authorities in the metropolitan area.

It will be seen that the terms of reference restricted the committee's inquiry to what steps should be taken to co-ordinate the licensing of taxicabs under local government control. The report continued:—

The committee was informed by the Honourable the Premier that should the two representatives of the metropolitan councils on the committee agree that any person other than a representative of those councils should be

included in the personnel of the licensing authority recommended by the committee, the Government would not object to the terms of the reference being varied to that extent. In view of the conclusions reached by the committee, neither of the council representatives desired to vary the terms of the reference.

It is only natural that, as the council representatives were interested in the form of control being retained in some shape or form within the framework of the local governing authorities, they would not voluntarily surrender their rights and, consequently, no suggestion was made that the terms of reference should be varied in this respect. In paragraph 3 the committee stated:—

The committee has reached the results set out in this report in the light of the restriction mentioned in the above reference, that the personnel of the licensing authority be confined to representatives of metropolitan councils. The committee, however, desires to express no opinion as to what conclusions it might have reached if no such restriction had been imposed by the reference, in as much as the matter has not been considered in the light of a wider field.

Because of the terms of reference the inquiry was restricted and the committee was not able to explore a wider field to ascertain whether a more efficient and better system of controlling the licensing of taxicabs in the metropolitan area than one subject to local government authority could be adopted. I attach much importance to this report, which has great relationship to the question we are considering. Paragraph 27 stated:—

The committee has finally considered, within the restricted terms of its reference, two proposals for the creation of one central authority to be placed in charge of the licensing and control of taxicabs within the metropolitan area. They are that (1) the Adelaide City Council should be the central authority, (2) the central authority should consist of a body composed of an equal number of representatives from (i) the Adelaide City Council, and (ii) the other metropolitan councils, with an independent chairman. The second proposal would involve setting up a new and separate body, with an administrative staff provided with the necessary accommodation, plant, etc. It is unlikely that any of the officers of the various councils concerned who have had previous experience in the administration of such a scheme would be available for the new body, as that would mean their giving up established positions and rights accruing thereunder. In effect, such a proposal would entail the creation of an entire new department. In addition to the initial lack of experience the expense entailed would be heavy.

I agree with that particular contention. Restricted as the committee was to some form of local government control, it was obvious that it was better to recommend that the

licensing authority should be the Adelaide City Council, which had a staff and also considerable experience in this respect, than that a new body representative of the various councils in the metropolitan area should be created. In this respect it is interesting to note that of the 21 bodies which had the right to pass by-laws for the licensing and control of taxicabs in their respective areas, only 11 had made such by-laws, revealing conclusively that the other 10 were not concerned and, consequently, would probably not be interested in the constitution of a separate body. I mention these things early because they are relevant to my attitude on the Bill. Every member is satisfied that there should be one authority to control the licensing of taxicabs in the metropolitan area. It is essential for the protection of the public, of the licensees and for the observance of the traffic rules set out from time to time in the Road Traffic Act and by councils under their powers to make by-laws. It is necessary to have a body to effectively police controls and to see that the field of public service is reserved to those licensees who are prepared to conform to the rules. It is necessary to effectively police piracy. Following on the interviews I have had with taxicab drivers and others in a position to give information there has been much piracy in the past, and if we have only one authority responsible for licensing there will be better protection for the public. I do not suppose the average member of the public knows that when he gets into a hire vehicle with a cardboard sign fixed to it temporarily he can make no claim for damages should the vehicle be involved in an accident. I can only give a layman's view of the matter, but if a person insures a vehicle for private use and then carries people for fee or reward the insurance policy becomes void. Licensed taxi drivers have to pay substantial insurance premiums to protect themselves against claims for damages.

These portions of the Bill can be agreed to, but I am not happy about the proposed method of control. The Adelaide City Council has controlled most of the taxi licences in previous years. It has issued licences to people who own taxis but do not intend to run them, preferring to sublet the licences to people who are prepared to run the taxis. Some taxicab proprietors have gone out of business, but have retained their licences and sublet them for as much as £8 a week. These proprietors do provide a telephone service to the owner-drivers who are prepared to pay for

it, but who object to paying a royalty on a licence. Such things have been permitted under city council control. We have read in the press of court cases where city council inspectors have not appeared in any favourable light, yet nothing has been done by the council to dismiss them or to see that what was disclosed in the court does not occur again. It is not proper for a metropolitan council to have the exclusive right to licence taxicabs which will operate throughout the metropolitan area, and which will have to conform to rules set down by other councils. That is the weakness in the Bill and in Committee I shall endeavour to correct it. I understand that the Metropolitan Commissioner of Police is the authority for licensing taxicabs in London, and no one can point to a more efficient taxi service. The taxicabs there all appear to be of the ancient vintage, but they are most reliable. They chug along at the same pace and get the passenger to his destination. Despite the tremendous traffic jams few of them, after their long and meritorious service, show any scars of battle. It has been suggested that our Police Department might be the controlling authority under the Bill, but I do not press for it now. The Transport Control Board, which controls traffic outside the metropolitan area, has a trained staff and I see no reason why it should not be the licensing and controlling authority.

Mr. Macgillivray—It is public enemy No. 1.

Mr. O'HALLORAN—With his prejudice against any form of control, except that for which he is responsible and can arrange to his own liking, it is natural for such an interjection to come from the honourable member, but by and large the board has done an excellent job in administering the law. At the proper time I intend to submit an amendment making the board the licensing authority.

Mr. Quirke—It is ruined before it starts.

Mr. O'HALLORAN—It may be, but if ruined by prejudice rather than argument I shall come out of the fight with honour and respect. The body proposed to be set up under other legislation for metropolitan transport control could be an appellate body for any tribunal set up under this measure. It would remove some of the objections by people who do not think that one metropolitan council should be the licensing authority for the whole metropolitan area. Under subclause (2) of clause 24 it would be difficult for anyone charged by an inspector with contravening the law to prove his innocence. The Premier has apparently come to the conclusion that the provision violates to some extent the principles of British

justice and he proposes that it shall be *prima facie* evidence that an offence has been committed. I cannot see much need for the clause, but it is a matter to be discussed in Committee. I support the broad general principles of the Bill because they are good, but in committee I shall move as I have mentioned.

Mr. BROOKMAN (Alexandra)—I support the Bill. I read the report of the committee which inquired into the matter. I could not find the minutes of evidence, and on inquiry I was told they were not available. Apparently we are not permitted to see those minutes, but I cannot see any special need for secrecy. I think minutes of evidence should be made available to members on application, except where secrecy is necessary. It would have been most informative to read the opinions of the many witnesses who gave evidence. The committee made out a case for centralizing the control of taxicabs in the metropolitan area. At present control is vested in 21 municipalities, who have the power to make by-laws in this matter. Eleven have already done so, but apparently the other 10 have not. We have been told that one of the faults in the present system is pirating by unlicensed taxi drivers who display taxi labels. They ply for hire, but are not easily apprehended. Another fault is called cruising, which is driving slowly along the road looking for business. That does not strike me as being a major fault, but I suppose trouble could arise from it. I believe there is a good case for bringing taxis under the control of one central authority. The committee recommended that the Adelaide City Council be the authority, and the Bill provides for this, which I approve. There would be no sense in setting up a new administration, for it would have to start from scratch and would probably be more costly than control by the City Council. Most taxi business is done in the Adelaide City Council's area.

Why are taxi fares so high in Adelaide? I think the fare in Sydney is 1s. flagfall and 1s. a mile. In Adelaide it is 2s. 3d. flagfall and 1s. a mile. The committee's report gives figures showing the number of taxis in relation to population, and the figures for Adelaide and Sydney are much the same. Therefore I cannot see why there should be such a big difference in the charge for flagfall. I am decidedly opposed to the Commissioner of Police having any control over taxi licences. The Police Department's primary concern is the maintenance of law and order, and it should not be given all sorts of administrative

jobs that have little relation to law and order. As the Adelaide City Council has had more experience than any other body in licensing taxicabs I thoroughly agree with its being made the central authority. I support the second reading.

Mr. LAWN (Adelaide)—I oppose the Bill. Firstly, I draw attention, as the Leader of the Opposition did, to the committee's terms of reference. The Government did not appoint the committee with the object of ascertaining the best type of central authority for licensing taxis. If it had we should have received a totally different report. Several times the committee referred to its restricted terms of reference and even said, in effect, that its recommendations would have been different but for those terms of reference. We must remember that taxicabs run in competition with the railways, and with the Tramways Trust in particular, yet we vote large sums for the tramways. Parliament should place the control of taxis under a Government authority. I cannot see why some form of licensing or registration similar to that for private motor car owners could not be possible for taxicabs. Then the value of the licences would not be so inflated. A licence today is valued at about £1,000, yet the taxi drivers have to pay about £8 a week to the taxi companies for the use of the licence and the telephone lines connected to the companies. Petrol, oil and running expenses have to be borne by the drivers. Last year several drivers told me of the money they have to pay over and above the value of the motor car to obtain a licence. That is bad in principle, yet Parliament gives its imprimatur to it. One man had to pay about £1,600 for a licence and motor car, though the car was worth no more than £600. There would be no trafficking in licences if they were controlled by the Government. If a driver decided not to renew his licence and the Government decided to issue it to another person it would be issued on the actual charge determined by the Government.

Much criticism has been levelled at the Adelaide City Council over the licensing of taxis, yet that is the body named in the Bill as the controlling authority. Late last year there were many statements and articles in the press about arguments within the City Council over granting new licences. When it issued new licences last year they were all given to the wealthy companies that already had a large number, whereas individual ex-servicemen were totally disregarded, yet they fought for this country and made it possible for the council to issue taxi

licences. I believe it has been the council's policy for some years not to issue licences to individual ex-servicemen. The allegations made by certain councillors on this matter were not denied. Apparently preference to ex-servicemen does not mean a thing to the city council. If the Bill is passed the council will become the authority to grant or refuse taxi licences. Clause 10 of the Bill states:—

The granting or refusal of a licence to any person and the granting or refusal of the renewal of any licence shall be at the discretion of the Adelaide City Council.

Under the present system squabbles frequently occur within the city council about the issue and cancellation of taxi licences, and the following is a report from the *Advertiser* of one of these squabbles:—

City Council Stir Over Taxi-Driver.—At one of the liveliest meetings for years, the Adelaide City Council yesterday appointed a special committee to investigate statements about a taxi driver contained in a report submitted to the town clerk (Mr. W. C. D. Veale) by the city inspector (Mr. R. Hughes). This step followed the claim made by Councillor A. A. Edwards at the last meeting that Mr. Russell Rose, a taxi driver had been made the victim of an adverse report by the city inspector. The committee appointed to investigate the charges comprises the Lord Mayor, Aldermen A. M. Moulden and Sir Arthur Barrett, and Councillors A. C. Rymill and F. C. Lloyd. The Acting Lord Mayor (Mr. R. Walker) clashed with Councillor Edwards early, when the latter rose and walked to the town clerk's table. Alderman Walker asked him to resume his seat, but Councillor Edwards replied, "There is no need to be insulting." Composition of the committee was contained in a motion submitted by Councillor A. E. W. Short. Alderman Sir Arthur Barrett said it would be wise to appoint an outside authority to deal with the case, to avoid any suggestion of partiality by virtue of members' association with council employees.

Mr. Rose is one of my constituents; he has lived in the city for many years and has a good record. The charge against him was that he had been dismissed by the Black and White Taxi Service for being under the influence of liquor while on duty. Subsequently, Mr. L. J. Clarke, manager of the Black and White Taxi Service sent the following letter to a city councillor:—

In reply to yours of even date, I desire to confirm the fact that, although I know that Rose has been driving a Black and White taxicab, he has never been employed by me. I have never told any person that Mr. Rose was dismissed from my employment because of his habit of drinking while in charge of the cab.

So Mr. Rose was not dismissed by the Black and White Taxi Service for being under the influence of liquor while on duty: he was

never employed by that company. Despite that fact, however, his claim for a licence was totally disregarded and he had no right of appeal.

Mr. Macgillivray—Where did the city council get its information?

Mr. LAWN—As I am not a member of the council, I cannot answer that question, but, if only half the allegations made within the city council are correct, the answer would imply graft, for over the years several allegations of graft have been made with regard to the issue of licences. I do not know how true they are; city council debates are not privileged, and I do not want to take advantage of Parliamentary privilege in discussing them here. I do know, however, that although statements made within the Adelaide City Council are not made under privilege, no action has been taken regarding them. Another of my constituents, whose name I will make available to members if they require it and whose father is now a member of the council, had a taxicab licence and was working for a company. One day he decided to go to a country race meeting, but found he had left his watch at the company office. On attempting to use one of the company's telephones in the city to ask the girl on the switchboard to look after his watch until he returned, he was told by a city inspector to keep away from the telephone. He explained the purpose of his call, but the inspector persisted in telling him to keep away. He even went so far as to push the lad, who, had he not remained cool, might have become engaged in a brawl and been reported for misbehaviour, which would have resulted in some action by the council and serious consequences in the economic life of his family.

Until recently there was no right of appeal from a decision of city council inspectors regarding taxi licences, but now an appeal body has been appointed by the council. The right of appeal, however, is merely to a body comprising members of the council, and it is not good legislation to make the council the licensing authority with no right of appeal to an outside body. In discussing Councillor Short's motion Sir Arthur Barrett suggested the appointment of an impartial appeals tribunal. Last year certain city council inspectors charged a taxi driver with plying for hire, and the case came before Mr. Wilson, S.M., who dismissed the charge. In his judgment Mr. Wilson said:—

On a Saturday night a taxi man was driving his cab in King William Street when he was hailed by one of four men, and he drove

them to Wayville showgrounds. The four men were city council inspectors. One of them, on oath, said that the taxi man "leaned out of the near-side window and said, 'Do you fellows want a taxi to go to the trots?'"

After hearing three inspectors, Mr. D—, Mr. H—, and Mr. W—, the S.M. dismissed the case with costs against the council and said:—

The defendant was entirely satisfactory. Inspector H— on the other hand was afflicted by nervousness to such an extent that his trembling in the witness box was quite visible to me on the bench. It would be unsafe to infer necessarily that a witness is lying simply because he evinces nervousness. On the other hand I cannot shut my eyes to the fact that this was a witness well used to giving evidence, and extreme nervousness in such a witness may be easier to understand if he is not telling the truth than if he is . . . If H— is telling the truth I find it hard to believe that not one of his three companions, all trained in detecting offences, is able to support him on this vital point.

In discussing Inspector D— who supported H—, the S.M. said:—

I do not regard his evidence on the point as of much value; as an inspector seeking evidence he seems to have been pathetically unaware of what was going on about him at the time. The special magistrate, in further comment, said that the defendant was entitled to pick up the passengers. He added:—

Upon the whole of the evidence I am far from satisfied that the defendant stopped his vehicle without being hailed by H—.

I commend to members the reading of that judgment in full. The Government has suggested that the Adelaide City council should be the licensing authority, but I would not like to be a taxi driver charged before a court on the evidence of inspectors of the type referred to in that judgment. One of them has since been relieved of his duties in controlling taxicabs, although he is still employed by the council on other work. There is, however, nothing to prevent the council from reinstating him to his original duties. Last week the council called for four additional inspectors, apparently in anticipation of this legislation being enacted.

If members read the *Advertiser* press reports of meetings of the Adelaide City Council they will be astounded at the number of reports relating to arguments in the council about the licensing or cancellation of taxicab drivers. From press reports it is obvious that complaints are not being made by one or two councillors only. Councillor Edwards is reported as having made complaints, Councillor Short moved that a committee be established, Sir Arthur Barrett suggested that some outside

body should be the investigating committee and Councillor Philcox moved that the council appoint its own appellate body. It does not seem to me that the council is too happy about its own control. The ex-Lord Mayor believed that this would be a good revenue-producing avenue for the council, because shortly before his retirement he told the council that if this measure were approved by Parliament the fees for the licensing of cabs would pay for the work involved by the council. As a matter of fact, I think the Premier said that in this House in answer to a question. It is obvious that the council is looking forward to obtaining revenue from this source. I suggest it is wrong for the House to appoint any particular council as the licensing authority on taxicabs, particularly as taxis are in keen competition with the Tramways Trust. On a previous occasion, when referring to the trust, I pointed out that if a family wanted to go to a trotting meeting at Wayville it was almost as cheap to travel by taxi as it was to travel by tram-car. I particularly referred, however, to minimum fare trams. I see no reason why revenue which would accrue to the council if this measure were passed should not revert to the Government in the same manner as motor registration fees do. Clause 17 provides:—

Any fine imposed with respect to the commission of any offence against this Act shall be paid to the Adelaide City Council: Provided that nothing in this subsection shall affect the operation of section 65 of the Police Offences Act, 1953.

In addition to receiving a licence fee the council will benefit from any fines imposed. That is wrong; any fees or fines should revert to the Government. I hope that members will, upon reflection, realize that this is not a good measure. This session the Government has introduced two measures which indicate to me that it is slipping. I have in mind the Town Planning Bill which, since the Leader of the Opposition has spoken, apparently will not be continued with. This Bill is another example of the Government making a bad mistake. It determined the terms of reference under which the committee operated and it must accept the responsibility for them. I do not know whether the committee would have presented a different report had it known of Mr. Wilson's judgment. Only 11 councils licence taxicabs and I assume it would be safe to suggest that the majority of them would not have desired to be the sole authority for the licensing of cabs and it was not hard to estimate, in view of the terms of reference, what

the committee's report would be. I hope that on reflection the Government will withdraw this Bill.

Mr. Riches—Do you know of any cases of licences being farmed out?

Mr. LAWN—I have heard of them, but have no personal knowledge of such occurrences.

Mr. HUTCHENS (Hindmarsh)—Had it not been for the concern being expressed in my district I would possibly have let the case rest on the remarks of the Leader of the Opposition. Like others, I have every confidence in the personnel of the committee that made the recommendation resulting in this Bill; no member would have the audacity to suggest that they were not men of the highest calibre. The committee consisted of Sir Kingsley Paine as chairman, Mr. Ivor Green (the Commissioner of Police), the Hon. Baden Pattinson (the present Minister of Education), Sir Arthur Rymill (the then Lord Mayor of Adelaide), and Mr. Charles Sutton (President of the Municipal Association). I mention those names as a prelude to a point I wish to make later, but Mr. O'Halloran made it very clear that the committee was limited by its terms of reference. I am prepared to support the second reading, but the facts are that there are 21 municipal councils in the metropolitan area, 11 of which have made by-laws to control taxis. Consequently, taxi drivers must comply with 11 sets of by-laws and this creates a good deal of difficulty for them. The report was tabled on October 6, 1953, and its chief point seems to be the recommendation that there should be one licensing authority in the metropolitan area, and I feel that this is reasonably desirable. I have already said that one of the members of the committee was no less a person than the then Lord Mayor of Adelaide and I am confident that he would be keenly interested in the welfare of the City of Adelaide and that it would not need a great deal of evidence to convince him that the City Council should be the licensing body. With its limited reference and the fact that the Lord Mayor was a member of the committee we could expect no other recommendation. Under the present local government set-up the interests of the various licensing bodies are wide and varied.

Mr. Jennings—Too wide and too varied.

Mr. HUTCHENS—I agree with that in general terms. Each of the local government areas would have licensed taxis to serve them if advantage could be gained so that is one definite reason which justifies the claims made

by the Leader of the Opposition and Mr. Lawn. The western suburbs are perturbed that the Adelaide City Council is to be the only licensing body. The Bill prescribes the metropolitan area as a radius of 10 miles from the G.P.O. and a radius of 10 miles from the Port Adelaide post office. The latter is far removed from the interests of the Adelaide City Council and I believe that there are many reasons why it should not be the sole licensing authority. Mr. O'Halloran made a suggestion—and I believe will do something about it in the Committee stages—namely, to give this authority to the Transport Control Board which is well equipped for the task. If this suggestion is not acceptable I feel that for many reasons, some of them advanced by Mr. Lawn, there should be an appellate body and that it might well be the proposed Transport Advisory Council. It seems to me that the Government has erred in proposing the Adelaide City Council as the sole licensing authority with the right to collect revenue from fines, for I am confident that no-one would wish to undertake this work unless there were revenue advantages accruing to it.

This is a matter in which the Government should accept some responsibility and take the opportunity to collect some additional revenue. It has made a great error in proposing the Adelaide City Council as the sole licensing authority. However, I am prepared to vote for the second reading for I believe that the Bill has a number of advantages and that, with the amendments suggested, would be a fine thing. Clause 10 lays down clearly that licences will be issued only to owners of taxis. I think all members have had reports and complaints that organizations have bought parcels of licences and have hired them out at exorbitant fees to taxi owners. One driver told me that he was unable to obtain a licence, but that it was possible for him to rent one from a certain company at a cost of about £8 a week. This company is not involved in one penny above the payment of the licence fees and provides no service to the community but yet is able to make this large profit. It is necessary to stop this kind of thing in a city which is known for its fairness and justice.

Mr. Riches—Have you evidence of that?

Mr. HUTCHENS—My informants are prepared to come along and substantiate it. One company, which I will not name, has paid a dividend for the first time although it owns fewer cabs than ever before, if it has any. It allows other people with cabs to trade under the company's name, using its licences for which

they have to pay exorbitant prices, and this company is paying a dividend without giving any service to the community. It is time that this sort of thing was controlled. A number of returned servicemen who gave up the best part of their lives in the defence of the country and, in some cases, lost limbs are being exploited in this way. Another practice that is growing up is the use of private cars as taxis during weekends. I believe that passengers in these cars are not covered by insurance.

Mr. Quirke—Would this Bill prevent their getting licences?

Mr. HUTCHENS—Yes.

Mr. Quirke—Who issues those licences today?

Mr. HUTCHENS—The Adelaide City Council, but this Bill prevents the issuing of a licence to other than owners of cabs. I am pleased to note that section 307 of the Local Government Act will continue to operate. This gives power to councils to issue licences for taxi stands to drivers of their own choice, and to lay down certain conditions under which they may occupy those stands. I believe that in the main the legislation is good and I am hopeful that it will be improved in the Committee stages. I support the second reading.

Mr. JENNINGS (Prospect)—I intend to support the second reading only because that will give us an opportunity to support the amendments indicated by the Leader of the Opposition. I do not think that anyone denies that the licensing of taxis in the metropolitan area should be under the control of one authority. It has already been demonstrated by members on this side that we are determined that that authority shall not be the Adelaide City Council. We do not know the views of members opposite because they have not spoken. Presumably it is another case of the master speaking and everyone else falling into line. I think it will be generally agreed that the licensing of taxis in the metropolitan area is not a job for the various councils. A taxicab trip does not end at the border of a council area. The Premier said that a taxi driver could be bound by by-laws of 21 separate authorities in the metropolitan area. This provides a clear case for a central authority. One of the councils in the metropolitan area has used its licensing authority to raise revenue and has paid no attention to whether licencees could make a living. We are agreed that there should be one licensing authority in the metropolitan area. Apparently the Government is determined that it should be the Adelaide City Council, but I cannot see

why an authority whose responsibility is restricted to the confines of the city should have the responsibility of controlling taxis throughout the metropolitan area. What has a taxi business in Port Adelaide, Enfield, Prospect, or any other council area to do with the city council?

Mr. Macgillivray—You must give control to someone.

Mr. JENNINGS—Yes, but I think the city council is the last body to have control. It is responsible to only a few ratepayers in the city of Adelaide, so why should it have the right to licence taxis serving all the metropolitan area? On principle, there is no case for its being the authority, but if the licensing done so far by it had been efficient the Government would have an excuse for making it the authority. Even so, it would still be wrong in principle. Mr. Lawn pointed out that the city council has not been a satisfactory licensing authority yet it is intended to allow it to issue licences for the whole metropolitan area. I have considerable information on this matter, which has been given to me by taxi drivers and others interested in the business. I have no doubt that the information is true, but if any member likes to challenge it he can do so. We all know how difficult it is to decide a matter on the report of a committee without having before us evidence tendered to it. As the Leader of the Opposition pointed out, the findings of the committee were no doubt influenced by its very circumscribed terms of reference. Let us see what the city council has done while it has been the licensing authority. I understand the Yellow Cab Company has 43 licences but does not own one cab. It hires out each licence for £8 a week, and it ties the hirer to purchasing all spare parts, petrol and oil from the company. A friend of mine told me recently that as a taxi driver he had paid out £2,000 for the hire of a licence. If he did not suit the people from whom he hired the licence he could be kicked out of the business without there being any regard to the £2,000 paid out by him. He also had to supply his own motor car.

Mr. Davis—It is a racket.

Mr. JENNINGS—It is a rotten racket, yet under the Bill it is proposed to perpetuate this sort of thing.

Mr. John Clark—What service does the company give for the £8 a week?

Mr. JENNINGS—As far as I know, only a telephone service. Another firm, Seafarers Ltd., is controlled, I understand, by Mr.

Romilly Harry, a prominent solicitor of 44 Grenfell Street, which is the address of Seafarers Ltd. It has five licences and they are hired out with motor cars for I am told an average of £20 a week. In this case no telephone service or stand is provided. The hirer of the car and the licence has to earn £20 for the firm, and then he retains the balance of his earnings. How did this prominent solicitor get five licences, whilst family men, and particularly returned soldiers suffering from war injuries and cannot engage in other activities, are still awaiting licences? I also understand from information received that in the last issue of licences one was issued to a fifth year medical student, who is now a doctor at Broken Hill. He hired the licence and then after three months, and no-one could see how he could use it himself, sold it for I am told £600. That sort of thing encourages trafficking in licences. When licences are issued to people who cannot use them themselves, and regard them as negotiable instruments, whilst others anxious to get them cannot do so, virtually a black market is created in taxi licences. This sort of thing has gone on under the Adelaide City Council control. We have been told that that council is in a wonderful position to continue as the licensing authority because of its experience in the matter, but it seems to me that it has had too much experience to continue as the authority. Some of the experiences related here today make it patent that the council is not fit to continue as the authority.

I have been told that in 15 years not once has a taxi driver had a driving or locality test before given a licence. Once again I invite contradiction of that, but I am assured by those able to tell that not once has a driver had to undergo a severe driving test. I suppose every metropolitan member has been approached by taxi drivers about this legislation; numerous approaches have been made to me and I have not on any occasion heard any confidence expressed in the Adelaide City Council. We all know that people concerned directly with an authority, whatever it is, are inclined to have a grudge, but it is significant that there is obviously such grave dissatisfaction with the council as a licensing authority. For that reason the amendment indicated by the Leader of the Opposition should be carried, and the Transport Control Board, in the absence of a better body, should become the sole taxi licensing authority for the metropolitan area, and there should be the right of appeal to the proposed Metropolitan Transport Advisory Council. I support the second reading because

it will give us an opportunity to amend, and unless the Bill is amended along the lines suggested by the Leader of the Opposition it will perpetuate the unsavoury position that exists today. When the time comes I will support as strongly as I can amendments that will make the Transport Control Board the licensing authority instead of the Adelaide City Council.

Mr. DUNNAGE (Unley)—I commend the Government for bringing in a Bill of this type. Like other metropolitan members, I am concerned about the fact that licensing will be controlled by the Adelaide City Council. When introducing the Bill the Premier said:—

The Bill gives effect to the recommendations of the committee appointed by the Government in December, 1952, to inquire into the licensing of taxicabs in the metropolitan area.

Later he said:—

There are 21 municipal councils in the metropolitan area, including the Garden Suburb Commissioner, and the present position is that, of these, 11 have made by-laws relating to taxis.

As Mr. Jennings pointed out, under this Bill the Adelaide City Council, which has a limited area, will have control of the licensing of taxicabs for the whole metropolitan area, and that is wrong. I am sure that the Unley council will still be opposed to this control, as it has been for many years, because the Adelaide council area is such a circumscribed one and Unley has a greater field of activity. I am concerned about the fate of organizations running taxicabs that are not registered in the city areas.

Mr. Lawn—What have you to say about the suggestion for the Transport Board to issue licences?

Mr. DUNNAGE—I am prepared to support the Leader of the Opposition provided there is some other body to appeal to if the Transport Board's decision is not satisfactory. What the Leader has put forward would be a satisfactory arrangement. The Transport Control Board should have control because it has State-wide application and should be in a better position to exercise control. The Unley Council has nothing against taxicabs or their proprietors. What I have heard about the Prospect district is quite new to me; I did not know these things were going on. We have no complaints in our district because we have been catered for satisfactorily by a number of taxicab organizations, such as the Suburban and St. Georges Companies, as well as city cabs that come to the district. We have big problems connected with trotting and the Royal Show, where a large number of cabs operate,

and we have had to go to the expense of employing inspectors to organize the business. Considering that of the 21 councils 11 have separate laws controlling taxicabs, it would be to the benefit of proprietors to have one central body. From what we hear of things that happen in Port Adelaide, Glenelg and other districts, we realize that conditions vary. Under this measure the Adelaide City Council will have control of taxicabs as far afield as Mount Gambier, and this is wrong.

I am concerned about taxicabs cruising in the city streets. This practice is one of the causes of our present traffic congestion. I have repeatedly noticed taxicabs cruising along, not looking for business, but waiting for a cab to leave a stand so that they can go there. There is a continued congestion at the hotel opposite Parliament House because of cabs going around the block waiting to take their positions at the King William Street stand. The congestion that this cruising causes occurs also in the suburbs, but not to such an extent.

Before being granted a taxicab licence applicants' qualifications should be examined because we all know of incidents that should be inquired into. People who do these things should not be allowed to carry on as taxicab proprietors. The Adelaide City Council has had control for a long time, during which trafficking in licences has occurred. If it obtains greater control more and more of this will continue, and that it not in the best interests of the taxi industry or the people who patronize it. This trafficking is becoming such a problem that unless something is done about it licences will be in the hands of a few individuals in the city who are prepared to pay high prices for them and who, if the honourable member for Prospect is correct, get £8 a week for them. Surely the Adelaide City Council should not be permitted to retain control if it permits these things to continue. I support the second reading and if what I think will happen does happen, I will support the Transport Advisory Committee as an appellate body.

Mr. FRED WALSH (Thebarton)—Under this Bill the full authority for the licensing of taxicabs and general control of the business is to be given to the city council. This appears to me to be another example of buck passing by the Government by transferring its responsibilities to boards and councils, and if something is not done about it ultimately all the business of the Government will be handed over to such bodies. Reference was made by the members for Adelaide and Prospect to

preference for returned servicemen. That has largely been the proclaimed policy of the Adelaide City Council ever since World War I, and I believe was closely carried out by the council in the years immediately following the first world war. However, like many other promises made during the last war to men serving in the forces, it has been forgotten, but possibly will be resurrected if we are unfortunate enough to be involved in another war. While I do not hold any strong desire for preference to be granted entirely to returned men, as other aspects have to be considered, I do not like people who continue to proclaim such a policy not giving effect to it. The Adelaide City Council has shown itself to be completely incompetent to carry out the responsibility with which it will be charged under this Bill. It has lacked an appreciation of the modern trend in public transport and traffic control generally, as instanced in the city area. I doubt whether many cities have wider streets than those in Adelaide, and yet we have congestion there almost every day particularly at certain times, despite the fact that in addition to traffic lights police assist to control traffic. The council does not attempt to correct the position.

I appreciate that trams are a cause of some of the congestion, but when the Adelaide City Council introduces a regulation providing for U turns in a busy thoroughfare like King William Street there is something wrong with its outlook on traffic control. It will be found that those who use this turn most are taxi drivers, many having no proper appreciation of the rights of other road users. Some, it is true, do go out of their way to be courteous and assist others, but generally they show utter disregard for the traffic laws in Adelaide. I often wonder whether they are licensed to do this, because they speed past traffic, not concerned with cutting in, and yet police who watch them take no action to correct them. This should not be permitted. I consider that the righthand turn in King William Street should be abolished from North Terrace to Franklin Street during peak periods. This would result in freeing the flow of traffic.

Mr. Dunks—Would it mean that if a person travelling South wanted to turn into Hindley Street he would have to go to Victoria Square first?

Mr. FRED WALSH—If the honourable member intended to go down Rundle or Hindley Street he would set his route accordingly.

Mr. O'Halloran—He could use some of the alternative routes.

Mr. FRED WALSH—Yes. That would result in diverting traffic to Morphett, Hutt and Pulteney Streets. I am mainly concerned with the Rundle, Grenfell and Pirie Street intersections with King William Street. I believe there would be an easing of the flow of traffic if my suggestion were carried out. I hope something will be done in this respect before action is taken in regard to lefthand turns. It is the accumulation of traffic at intersections that causes the trouble. I agree that the time is long overdue for a change in the control of taxis. To leave the position as at present is imposing an extreme responsibility on councils. No-one on this side of the House has suggested that councils should be responsible for this function, and I do not believe they are competent to undertake it. Until such time as we have a Greater Adelaide composed of all the metropolitan councils under the one authority, we shall have difficulties from time to time.

Mr. O'Halloran—That would be a solution of the problem.

Mr. FRED WALSH—Yes. Unless the Government is prepared to bring in legislation amending the Local Government Act to that extent, there should be a revision of metropolitan boundaries. There are 21 councils in the metropolitan area, some of which have compact boundaries, but others have unwieldy areas. Some have an area from which they get a good rate revenue, whereas others receive a very poor return from rates. I have in mind the West Torrens Council, which finds it almost impossible to meet its commitments to ratepayers in providing roads, footpaths and lighting.

The SPEAKER—I think the honourable member is getting away from the Bill.

Mr. FRED WALSH—Practically every municipal council sets aside certain areas for taxicabs. This is so in my district, but rarely does one find a taxicab there. Invariably if the stand is rung there is no reply, and one has to get in touch with the city headquarters of the bigger companies. That goes to show that although a council may make provision for its local residents, an adequate service is not provided. Clause 18 of the Bill relates to the powers of officers and inspectors of the Adelaide City Council concerning the control of taxicabs. I do not appreciate the manner in which some of the city inspectors carry out their duties. In my opinion the policing of

all laws and regulations should be the responsibility of our police force, which is trained and competent to do this work. I liken city inspectors to people who acted as air raid wardens and made themselves busybodies and generally public nuisance No. 1, poking their noses into other people's business just to show their authority. I should like to know whether the framers of the Bill took into consideration the policing of its provisions in areas outside the city of Adelaide. Surely these inspectors will not be permitted to go into other council areas with the authority of the city council and do police work. The whole matter depends on the co-operation of many people. For instance, the Commissioner of Police will be required to give information and advice to the city council on the suitability and character of people applying for taxicab and drivers' licences. Should he be permitted to give such information, especially as it may be of a secret character. It seems wrong that a Government department under the control of a Minister should be enabled to give this information to an outside body. Members on this side have stated that the licensing authority should be the Transport Control Board, and I entirely agree. We must remember that the cost of administration will considerably exceed the city council's revenue from licence fees. That is not fair to the ratepayers of the City of Adelaide.

Mr. DAVIS (Port Pirie)—I oppose the Bill in its present form and support the second reading only to give the Leader of the Opposition an opportunity to move certain amendments. It astounds me that the city council should be named as the body authorized to issue taxi licences. I was surprised to hear from members on this side of the House there is trafficking in licences. Is it right that a person can obtain a licence and then transfer it to someone else for an exorbitant sum? Licences should only be issued to people engaged in taxi driving as their sole means of livelihood, as is done in Port Pirie. I hope the Government will consider that point. I will not support the Bill if the Adelaide City Council is to be the sole licensing authority. I doubt whether its inspectors would be able to police licensing satisfactorily. I understand there are 60 city council by-laws. An inspector would be fully employed in looking after dogs, let alone taxicabs. With all the supervision over dogs they are still a menace. I suppose if a person were refused a licence on the information provided by the Commissioner of Police he would have the right to

place his objections before the council but surely he should have the right to appeal against any adverse decision of the council.

Bill read a second time.

In Committee.

Clause 1—"Short title."

Mr. HUTCHENS—I move—

To delete "Metropolitan."

When one searches for an Act he naturally assumes it will be indexed under the first word of the subject matter. In this case he would look under "Taxicab." Therefore, it would be better to delete "Metropolitan."

The Hon. T. PLAYFORD (Premier and Treasurer)—If "Metropolitan" were struck out the legislation would apply to the whole State. "Metropolitan" shows clearly that it deals with a certain area. To delete it would mean that taxicabs in Port Augusta, Whyalla and Port Pirie would be subject to the control provided in the legislation.

Mr. HUTCHENS—In view of the Premier's explanation I ask leave to withdraw my amendment.

Leave granted; clause passed.

Clause 2 passed.

Clause 3—"Interpretation."

Mr. O'HALLORAN—I move—

To delete the definition of "Adelaide City Council" and to insert the following:—"The Board" means the Transport Control Board appointed under the Road and Railway Transport Act, 1930-1939.

If this amendment is carried others will be necessary. If it is not carried I do not propose to pursue other consequential amendments. I am now asking the Committee to determine the principle of control. I object to the Adelaide City Council—one council out of 21 in the metropolitan area—being the sole licensing authority. The city council has had a large measure of control over the licensing of taxis. Most of the taxi business in the metropolitan area is done in running in and out of the city. Therefore, the holder of a licence granted by the city council is the one who transports those people to their destination. This afternoon we have heard of the evils that have arisen during the years in which the city council has controlled the issue of licences; the authority that has permitted the growth of those evils should be suspect. The Transport Control Board is constituted by Act of Parliament, and, despite criticism of it by people who support an open go on the roads, it has fairly controlled transport outside the metropolitan area. The licensing of taxicabs in the metropolitan area should

be carried out by that board, which is the only public authority competent to handle it. If there were some other authority, for instance the proposed Metropolitan Transport Advisory Council, I might have felt inclined to suggest it, but that body has not been established yet, and the board is the only alternative to city council control.

Although the committee reported in favour of control by the city council, it was circumscribed by its reference: it had either to recommend that council or a body representative of all metropolitan councils. Realizing the difficulties of instituting a comprehensive system of controls by co-ordination between all councils, the committee had no alternative but to recommend that the city council be the controlling authority; but that does not make that council the most competent authority. When the committee was appointed and its terms of reference published, it appeared that some whitewashing of the city council had to be done; but Parliament should not be made subsidiary to the prestige of the council, because all the wealth, power and influence possessed by this great city is the result of the brains and muscle of producers all over the State, therefore I am not willing to give to a body representing little more than a square mile the right to determine who shall drive taxis and the conditions under which they shall work. The Transport Control Board, which is answerable to a Minister and the ultimate control of which is vested in Parliament, is the body most competent to control the operations of taxicabs.

The Hon. T. PLAYFORD—If the amendment were carried, so many radical changes would follow in the Bill that it would have to be withdrawn and another Bill introduced. What is the background of the Bill? It arises from an endless succession of deputations I have received over a long period and questions asked by members opposite regarding the control of taxis in the metropolitan area. Under the Local Government Act every council has the control over transport and traffic problems within its area, and, consequently, over the licensing of taxis and the allotment of taxi stands. The problem that this Bill seeks to solve does not exist in country towns because each town has its own authority, but there is a definite problem in the metropolitan area. The complaints made arise from the fact that the Adelaide City Council may license a taxi to ply for hire within the city, but under existing legislation it has no authority to license a taxi

operating elsewhere in the metropolitan area. Similarly, the Port Adelaide council has the power to license a taxi to ply for hire in Port Adelaide, but, if by any chance—and it frequently happens—a taxi is hired at Port Adelaide to take a passenger to Adelaide, Adelaide taxi drivers are immediately up in arms because it is alleged, the Port Adelaide driver is pirating customers in Adelaide streets.

The licence issued is circumscribed at present as the licensing authority has jurisdiction over only a part of the territory in which the taxi may ply. This state of affairs cannot be justified in a modern civilization; if we are to licence a taxi in the metropolitan area, commonsense demands that that taxi be able to pick up and put down passengers anywhere in the metropolitan area. True, limits were placed on the advisory committee's terms of reference, but only because deputations said there should be one authority in the metropolitan area, and it was never suggested that that authority should not be a local government authority. When the committee raised the question of going outside its terms of reference, I said that the Government had no objection if the councils which had agreed to the inquiry and nominated members desired it to do so.

Mr. O'Halloran—Those two council representatives had to object to the terms of reference.

The Hon. T. PLAYFORD—No; they only had to agree to go into other fields if the councils wanted to examine the matter further. The inquiry was set up with the consent of councils to deal with a problem arising from a lack of co-ordination between the licensing authorities. Indeed in some instances hostility existed between them. The terms of reference were agreed to before the committee was established. The committee comprised representatives of local councils as well as outside persons appointed by the Government. When the committee asked me whether it could investigate other matters I replied "Yes if the two council representatives agree." In point of fact neither of the council representatives considered it necessary as the matter was essentially a council function. Councils have always controlled traffic problems, including taxi parking areas, in their own districts. If that function is removed from their authority another problem arises. The Transport Control Board, which has no transport functions in the metropolitan area, will be establishing taxicab stands.

Mr. O'Halloran—No it will not.

The Hon. T. PLAYFORD—What would be the position if the board licensed a man and assigned him a stand and the local council ruled that there should not be that stand? Taxi stands are essential in the city and the public should know where they are. The board is not the authority to undertake this new work. If members examine the board's functions they will realize that, when established, it was definitely excluded from operating in the metropolitan area. Its functions were to co-ordinate road and rail transport. It was an authority to consider widespread co-ordination and not an individual problem. There is no more reason to bring the board into the metropolitan area to license taxicabs than there is to bring it into the metropolitan area to co-ordinate other forms of transport. It has been suggested that if the committee had had a greater ambit of inquiry it may have recommended something different. That is an argument that has not been substantiated in any part of its report. It is true that on three occasions it pointed out that the terms of reference did channelize the inquiry into this particular scope, but it also stated that I had intimated that if the council representatives were of opinion that the terms of reference should be extended I would arrange for that to be done. The council representatives were not opposed to the suggestion that the matter should be kept within the local government ambit. I feel that this is a job that can best be done by councils. As a matter of hard fact, I think the Transport Control Board has no more than six inspectors, but the city council has over 20.

Mr. O'Halloran—Judging by press reports it should not have some of them.

The Hon. T. PLAYFORD—That may be so, but I point out that any person who administers the law is criticized at some time or other.

Mr. O'Halloran—Not usually by magistrates.

The Hon. T. PLAYFORD—Magistrates are free to express their views. These matters are discussed in open council and that is the way to solve these problems. It may be that at times an inspector's report cannot be substantiated in open council, but in the general run there is nothing like a little daylight to show what is being done and to ensure that things are kept sweet and clean. I ask the House to reject the amendment because firstly, the Transport Control Board is not the appropriate authority for this work and secondly, it is fundamentally a function of councils to look after traffic problems in their own areas.

Mr. LAWN—I support the amendment. The onus was on the Leader of the Opposition to show why his amendment should be accepted and on the Premier to show why it should be rejected. The debate this afternoon has proved conclusively that so far as the Adelaide City Council is concerned everything is not sweet and clean. Unfortunately the Premier was not present to hear some of the comments. In asking the Committee to reject the amendment the Premier referred to the various authorities at present controlling taxicab licences and said that he received endless complaints about the problem. He said that it was easy to control the position at Port Pirie. He also referred to a man being granted a licence at Port Adelaide and then operating in the city and to subsequent complaints from Adelaide taxi drivers. He also referred to men licensed at St. Peters plying for hire in the city with resultant complaints. There is no conflict in that regard. If the registration of motor vehicles were left to councils there would be confusion, complaints and, no doubt, endless litigation. Motor vehicles come under the control of the Motor Vehicles Department and transport should come under the control of the Transport Control Board. In its report, the committee complained that it was hamstrung by the terms of reference, but the Premier said that he made it clear that if the council representatives agreed to the investigation of other fields the Government had no objection. It is obvious the council representatives would not want the terms of reference extended. Surely we should not support a Government which says to councils, "You tell us what you want and we will do it"?

Mr. O'Halloran—The Government should have had some regard for other members of the committee.

Mr. LAWN—This afternoon Mr. Jennings and I referred to the condemnation by a magistrate—a well respected officer of the State—of certain prosecutions launched by the city council. Apart from the Premier only two Government members spoke on this matter. One complained that the minutes of evidence of the committee were not available and the other indicated that he would support this amendment.

[Sitting suspended from 6 to 7.30 p.m.]

Mr. LAWN—Few Government members have spoken on this matter. The criticism

made today by Mr. Jennings and myself should be enough to ensure that it is not agreed to. We invited denials and criticism of our statements but none has been forthcoming so they stand until proved worthless. The Premier said that this was a matter to be decided in open council, but I do not agree with that. It should be dealt with by the Transport Control Board, and if necessary there could be an appeal tribunal, and then finally it could be aired in Parliament, a much better place than the city council. The Premier also said that if the Transport Control Board dealt with the licensing the city council should have the right to say where stands should be situated in the city. It could have been said about the legislation dealing with the Tramways Trust that if the trust wanted a certain stopping place for buses the city council could refuse it by saying it was needed for a taxi stand. There must be one central licensing authority and enough has been said to show that it should not be the city council. No valid objection has yet been raised against its being the Transport Control Board. If a valid objection is raised, and a better case is made in favour of some other body, Opposition members will be convinced. The amendment should not be opposed merely because of a prejudice against the board. If there should be another authority better able to handle the licences I will be glad to hear of it.

Mr. SHANNON—Although I see the force of the argument of the Leader of the Opposition, and I have some sympathy with his idea of broadening the control of taxicab licensing in the metropolitan area, I cannot agree that he has put forward a good solution of the problem. The Transport Control Board has a specific job to do. Its duty is largely to protect the railways from unnecessary and unfair competition by road transport. Its jurisdiction does not extend to the metropolitan area and if the amendment were accepted its franchise would have to be extended. I would not be happy to see it given the onerous task of issuing taxicab licences. It was constituted to deal with an entirely different problem. The issuing of taxicab licences is not an easy problem to solve. The fact that this Bill is before us shows that the present position is not satisfactory. The short title of the Bill gives a lead to the form of control desired. If it is control in the metropolitan area we should not have city council control. If the Bill is passed as framed the constituent councils in the metropolitan area will have to agree to city council decisions. Perhaps there could be a

body with the city council having the preponderance of voting strength, because it is concerned mostly with the licensing of taxicabs. This might bring about a set-up like we had with the old Municipal Tramways Trust, which was not very satisfactory, and the suggestion may not be the best solution of the problem. I favour the selection by the Governor of people to represent interests in the metropolitan area outside the city council area. If we had three members of the city council and two from other councils to decide the matter of licensing of taxicabs in the metropolitan area, we might be able to satisfy the people who now feel aggrieved that they have no voice in the matter. There have been some heartburnings about the city council having the sole control. In my electorate there is no-one vitally interested in taxicab licensing, but many of my friends have said that it would be wise to have a broader control. I have not been at all influenced by the correspondence I have received on this subject but I have by the views expressed by people really concerned, and my own approach to the problem. I would be much happier if there were a broader control. Although I cannot support the Leader's proposal, behind his move is a frame of mind similar to mine. He does not like control by one body, and I agree with him, but I do not think the Transport Control Board is a suitable body to control the issue of taxicab licences. I think it would be wise to have as the controlling body a board of three members from the city council and two from suburban councils, all to be selected by the Governor. I do not favour members being elected by councils because of the troubles we have had with the tramways trust, but if there is an open selection the Governor can choose people competent to handle the job. Something has to be done about the control of taxicabs; I would rather support the Bill than see nothing done, although it is capable of improvement, particularly in the control of licensing. The rest of the Bill covers the matter adequately and I will not suggest any amendments.

Mr. MACGILLIVRAY—The amendment foreshadows a very important change in the administrative body. I have not spoken before because I feel this matter is the responsibility of those representing metropolitan areas, and I would not have said anything had the Leader not proposed to have the Transport Control Board as the controlling body. Serious charges have been made against the city council by metropolitan members and I am surprised that neither the Premier nor any member of his

Party refuted them. If these charges of graft, of licences being almost sold in the open market, that the persons to whom they are given are not under any control by the authority issuing them, were untrue, surely someone on the Government benches would have risen in his righteous anger to refute them, but no attempt has been made to do so, so I am forced to the conclusion that the present control is not satisfactory. The Leader of the Opposition suggested that the Transport Control Board should control the issue of licences in the City of Adelaide and although I cannot understand why he advanced this idea I can realize why his Party supports the change. Most members of the Labor Party come from the metropolitan area, which has been deliberately excluded from the control of this Board. If the board had controlled transport within the metropolitan area there would be objections to it as grave as those against the City Council. I do not suggest any graft within the board, but only an over-enthusiastic interpretation of its powers. Any board, no matter how it is constituted, eventually uses the powers that Parliament vests in it in a way that Parliament did not intend them to be used—that is inherent in board control. Last year I mentioned the case of a man who drove down from the river to Woodside camp in his buckboard.

The CHAIRMAN—Order! I do not think we should intrude into this debate matters dealing with the Transport Control Board.

Mr. MACGILLIVRAY—I was giving reasons why the Board is not a proper body to control taxi licensing. This man drove down from the river to pick up his son from Woodside camp and take him home for the week-end. When he arrived he found there were several other trainees who lived at Waikerie, Loxton, Barmera, Berri, and Renmark all wishing to go home, so he offered them a lift. Much to his surprise, an inspector of the board approached him and said he was not allowed to take them home with him. The man explained he was not making any charge for the trip, but was told that that did not matter. He then told the inspector that no matter what the position was, he would rather buck the law than leave the boys there. A policeman later interviewed him and he was faced with a charge laid by the board and its over-enthusiastic officer. I approached the Premier, who had the position investigated, and as a result the prosecution did not take place. It is a sad state of affairs that in this country, which gives

at least lip service to the freedom of the democracies, a father is not permitted to take his son and his neighbours' children home from camp. I do not charge the board with any of the graft that has been alleged against the present control of taxis, but anyone who dared to challenge it could be faced with the utmost rigor of the law rather than it should lose face. If I had any say in the matter I would say the Transport Control Board should control taxis in the metropolitan area provided they left people in the country free. Whoever is going to control taxis should be above suspicion, and not appointed for the purpose of raising revenue and handing out licences in blocks of up to 43. Every individual should be considered as to whether he is a fit and proper person to have a licence and one company should not be handed a large block of licences to distribute. There is one above all others who is impartial and the proper person to control taxis and that is the Commissioner of Police. I consider that the City Council is not a fit and proper body to administer this legislation. It should be left to one man who obviously would have only one ambition, namely, to make the system work. He could investigate the character of all applicants. Under my proposal we would get a control which would work. I should be sorry to have the Transport Control Board in charge.

Mr. SHANNON—I move—

To amend the amendment of the Leader of the Opposition by striking out in the fourth line the words "Transport Control Board appointed under the Road and Railway Transport Act 1930-1939" and inserting after "the" in the same line "board of five members appointed by the Governor to administer this Act."

In the event of my amendment being carried it will be necessary to insert consequential amendments elsewhere. I suggest there should be a board of five consisting of three representatives of the Adelaide City Council and two of councils in the outer metropolitan area. A body should be selected for its known capacity to do the job and comprise members who would not be subject to any wire-pulling or undue influence because they happened to represent a certain body of ratepayers. For that reason I should like to see the board broadly based. We should have a wider field represented in the licensing of taxis than just the Adelaide City Council. I do not want members to think that I am criticizing the council and its administration, but under the Bill it would be going outside its city

limits and encroaching upon the preserves of adjacent metropolitan councils, and this would probably lead to a certain amount of heartburning.

Mr. STOTT—We have on the files a Bill setting up an advisory committee to advise the Tramways Trust and the Railways Commissioner on transport. The Bill before us authorizes the city council to control another form of transport—taxicabs. The Leader of the Opposition says that the Transport Control Board should be given that power, but in section 3 of the Road and Railway Transport Act we find:—

Notwithstanding any other provision of this Act, any person may, without a licence or permit, drive any vehicle or cause any vehicle to be driven for the purpose of carrying passengers or goods for hire on any route if no part of any journey is taken by such vehicle outside a radius of 10 miles from the General Post Office, Adelaide.

If Mr. O'Halloran's amendment is carried the Premier will have to draft an amendment to strike out that provision. I should like to know what effect Mr. O'Halloran's amendment has on clause 5 (a). Mr. Shannon proposes a controlling authority of five persons. Such an authority would be much better than either the city council or the Transport Control Board, though I would prefer Parliament to set up one authority under the control of a Minister to regulate all our transport services. It is wrong in principle for one council to collect licence fees and license taxicabs and drivers. Mr. Shannon's proposal is a step in the right direction. I would prefer the transport advisory board to be appointed under another Bill to control taxicabs, but it will have no administrative staff, for it will be advisory only. Parliament must realize that sooner or later it will have to appoint a Minister of Transport.

The Hon. T. PLAYFORD—The question of the licensing authority was considered at great length by the committee. The list of witnesses shows that nearly every council in the metropolitan area gave evidence; in fact, most of the witnesses were local government authorities. Amongst them were the inspector of the corporation of Unley, the mayors of Burnside and Walkerville, and the town clerks of Walkerville and Mitcham.

Mr. Geoffrey Clarke—What did they say?

The Hon. T. PLAYFORD—Local government had its own nominee on that committee—Mr. Sutton, who was president of the Local Government Association. The committee's recommendations were unanimous. Mr. Sutton

was a member of the committee, and he signed the report. The terms of reference could only have been altered with the approval of the councils. I said that if they wanted them widened I would be happy to do so, but they did not want them widened. It would be refreshing to hear what the committee said about a central authority:—

The committee has finally considered, within the restricted terms of its reference, two proposals for the creation of one central authority to be placed in charge of the licensing and control of taxicabs in the metropolitan area. They are that—

1. The Adelaide City Council should be the central authority.

2. The central authority should consist of a body composed of an equal number of representatives from (i) the Adelaide City Council, and (ii) the other metropolitan councils, with an independent chairman.

The second proposal would involve setting up a new and separate body, with an administrative staff provided with the necessary accommodation, plant, etc. It is unlikely that any of the officers of the various councils concerned who have had previous experience in the administration of such a scheme would be available for the new body, as that would mean their giving up established positions and rights accruing thereunder. In effect, such a proposal would entail the creation of an entire new department. In addition to the initial lack of experience the expense entailed would be heavy.

So it will be seen that all those things were directly considered by the committee. One or two references have been made in this debate to some remarks attributed to Mr. Wilson, S.M., in a police court judgment, and my impression from members' comments is that the magistrate made remarks derogatory to city council inspectors, saying either that they were corrupt or were not doing their job fairly and equitably. Because the Government office was closed at the time members made these comments, I have been unable, unfortunately, to obtain the appropriate document regarding those remarks. Further, Mr. Wilson is on leave, but I have been in touch with him to ascertain the circumstances involved in his remarks so that I would know whether he would support suggestions made by members. I consider that reflections made by a magistrate on the integrity of public officers would be very grave. Mr. Wilson, however, told me that on a number of occasions he has criticized witnesses from the Adelaide City Council as being poor witnesses; but he assures me that his remarks on this occasion were not intended, nor could they be fairly construed to mean that any city council inspectors were corrupt.

Mr. Macgillivray—I thought they were charged with inefficiency.

The Hon. T. PLAYFORD—If a magistrate said, in effect, that the city council's licensing of taxis was not being conducted properly, it would become a serious matter that should be investigated by the council or some other authority. I do not support Mr. O'Halloran's amendment, because it is not desirable. Local governments can and should undertake this responsibility and I am fortified in that opinion by my examination of the situation elsewhere. Three types of control operate in other places and, although the majority follow the lines of Mr. O'Halloran's amendment, a local government authority has controlled the issue of taxi licences in South Australia for a number of years and I see no reason to depart from that practice. This Bill seeks co-ordination, and, if passed, will give general satisfaction.

Mr. Macgillivray—What is wrong with the Police Commissioner?

The Hon. T. PLAYFORD—He is not the right person because his job is normally not administrative but rather to police the law. Further, he is, to a large degree, under the administration of the Chief Secretary.

Mr. Shannon—He issues a variety of licences.

The Hon. T. PLAYFORD—Yes, but in this case it is a question of selectivity rather than eligibility.

Mr. Shannon—What about secondhand dealers where character is involved?

The Hon. T. PLAYFORD—Any reputable person may be granted a secondhand dealer's licence, but is it suggested that every reputable applicant is to be licensed as a taxi driver? Character may be a major factor, but selectivity is also involved.

Mr. Macgillivray—In Brisbane and Perth the Police Commissioner controls the issue of taxi licences.

The Hon. T. PLAYFORD—That is not a wise set-up. For instance it would be unwise to set up the Auditor-General as the controller of a department because his job is to police the administration of the departments and not to become involved in them. It may well be that the Police Department will be called upon to investigate corrupt practices in the licensing of taxis, because there will always be a temptation to indulge in corrupt practices while taxi licences have some cash value. Possibly at the moment a current taxi licence is worth £500, and there is nothing shocking about that. Why should the

goodwill in a taxi business be any different from that in any other? One might as well say there should be no goodwill in the value of a hotel licence.

The Hon. B. Pattinson—It carries a goodwill.

The Hon. T. PLAYFORD—Yes and there is nothing wrong with that so long as it is genuine. I trust that members will support the provision of the Bill. Of the two proposed amendments I believe Mr. O'Halloran's is preferable to Mr. Shannon's, because it provides for control by an authority that already has an experienced administrative staff; but I do not think Mr. O'Halloran's amendment is an improvement on the Bill.

Mr. Shannon's amendment, on the other hand, suggests that an entirely new body with an inexperienced staff be set up to control this contentious matter.

Members interjecting.

The CHAIRMAN—Order! I ask honourable members to refrain from interjecting. They observed silence while Opposition members were speaking and it is only fair to the Treasurer to hear him in silence.

The Hon. T. PLAYFORD—I agree with members' statements that the administration of the issue of taxi licences by the Adelaide City Council has been criticized by other metropolitan councils; but, if an independent authority is set up and the rights of councils taken away, I am certain that there will be much more criticism of the suggested authority. I trust that members will vote against the amendment.

Mr. O'HALLORAN—The Bill provides that the Adelaide City Council shall be the licensing authority and I have moved to strike out that definition with a view to inserting another. At the moment, as I understand the Standing Orders, all that is before the Chair is my motion to strike out the definition of "Adelaide City Council." From their speeches I believe that members will vote to strike out the definition. We also have Mr. Shannon's amendment and Mr. Macgillivray's suggested amendment which, from the way it was received, has also commanded some support. What we must do now is to determine whether we will strike out the definition of "Adelaide City Council." If that is done, then we can pick out the best of the three propositions already forecast. I naturally think mine is best, but any one of them is better than the present definition. The Premier said that difficulty would arise because the Transport Control Board would be interfering with the prerogatives of councils in the

allocation of taxi stands. That matter is specifically determined in the Bill and the right to allocate stands for taxis is retained by councils, including the Adelaide City Council. When I interjected the Premier retreated and suggested that the Transport Control Board might interfere with the Adelaide City Council. That council will have exactly the same right to determine taxi stands as will the Port Adelaide, Unley, or any council in the metropolitan area. As for the argument that we would not be able to get agreement by councils if a body not answerable to them were set up, I refer members to what happened when a matter of much more vital importance to them was being discussed a few years ago, and I refer to the future of the Municipal Tramways Trust. Most councils then rushed with open arms to give away their responsibilities. The Adelaide City Council has a pecuniary interest in this proposal. From the licences issued it must obtain sufficient revenue to pay the staff necessary to undertake the scheme and it will no doubt ensure that the fees charged are sufficient to meet those costs.

The Premier referred to some of the remarks attributed to Mr. Wilson, S.M. There was no suggestion of graft in the quotations mentioned by Mr. Lawn. He merely referred to the inefficiency of certain inspectors and his remarks were borne out by the special magistrate. The magistrate said he had occasion to criticize inspectors of the Adelaide City Council because they were not good witnesses.

The Hon. T. Playford—He said they were poor witnesses.

Mr. O'HALLORAN—Yes. That is the set-up to which we are going to entrust the selection of applicants for licences and the issue of licences. They will be controlled by these persons whom the S.M. states are poor witnesses.

Mr. Macgillivray—They will police the licences too.

Mr. O'HALLORAN—Yes.

The Hon. T. Playford—The police are frequently accused of being poor witnesses.

Mr. O'HALLORAN—I have never read of a magistrate accusing the police of being poor witnesses. The case mentioned by Mr. Lawn was for an alleged breach of the licensing by-law of the Adelaide City Council and the magistrate doubted the evidence of an inspector who was one of the witnesses for the prosecution. I suggest that that is not a good argument in favour of retaining the present definition and I hope the definition will be

struck out and then the Committee can determine which of the three alternatives should be accepted.

Mr. BROOKMAN—The Leader of the Opposition has assumed that, apart from the Premier, no member supports the Adelaide City Council having control of the licensing of taxicabs. On the second reading I indicated my approval of that council having complete control. The committee which reported on this subject clearly recommended that. The Leader has tried to read into its report an inference that the committee was not in favour of that solution but that it was restricted by the terms of reference. I do not think that is a fair assumption. Paragraph 2, to which the Leader referred states:—

The committee was informed by the Hon. the Premier that should the two representatives of the metropolitan councils on the committee agree that any person other than a representative of those councils should be included in the personnel of the licensing authority recommended by the committee, the Government would not object to the terms of the reference being varied to that extent. In view of the conclusions reached by the committee, neither of the council representatives desired to vary the terms of the reference.

The committee did not ask for any widening of the terms of reference. If it had, surely there would have been something in the report to indicate that? The report has used a rather wide method of expression into which the Leader of the Opposition has read a wrong meaning. That is a flimsy basis on which to propose any amendment. The report clearly favours the Adelaide City Council having complete control of the licensing of taxicabs. The other foreshadowed amendment is almost entirely answered in the report. The committee criticizes the proposal that a central authority consisting of other people should be set up for the clear reason that it would not have an administrative staff already in operation as has the city council. For those reasons I feel that we should leave the Adelaide City Council to control this matter. I remind members that it is not a matter of great concern because it is only to control a few hundred taxicabs in the metropolitan area.

Mr. HEASLIP—I purposely did not speak on the second reading because as a country member taxicabs do not affect me as an individual, nor do they particularly affect the people I represent, but now we must decide whether the Adelaide City Council should be the controlling body. I have a great admiration for municipal bodies which

perform a wonderful service, but we should not give the Adelaide City Council the right to dictate to other councils. For that reason alone I am opposed to the present wording of the clause. The amendment proposes that we should give control of taxicab licences to the Transport Control Board. I am not altogether in favour of that, but I prefer that to the present provision. Members have referred to paragraph 2 of the report of the committee. Prior to the issue of the report the licensing of taxicabs was so chaotic that I can imagine that other metropolitan councils were quite prepared to give over their rights to one central organization.

As to the method of issuing licences, the committee reports that in Brisbane and Perth the Commissioner of Police has the right to issue licences; in Sydney, Melbourne and Tasmania a transport body issues them; in New Zealand the city council has the authority and in the metropolitan district of London—and we should take notice of this—the control is in the hands of the Commissioner of Police. We have before us the matter of whether the control should be vested in the city council or the Transport Control board, but I think the Commissioner of Police would be the best person to issue licences. Of all people in close contact with taxicab services the police are the closest: the city council and the board have not the same close contact. It would be essential for the Commissioner of Police to have the right to say whether a person is a fit and proper one to drive a taxi. I do not suggest that a company should be able to get a licence and sub-let it. Once a licence is issued it should be held by an individual. I cannot support the proposal for the Adelaide City Council to issue licences. I prefer the amendment, but if the other amendments foreshadowed are moved I might be inclined to support them.

Mr. PEARSON—I will vote for the clause as it stands. I have heard some peculiar argument on this matter. Member after member has said what a wonderful body is the city council and then he has said that it is not a fit and proper body to issue licences. I have heard of and read in the press the criticism of the council. I do not think any public body escapes criticism, some of it murky at times. It seems to be the right of the democrat to hurl mud at other people. Much dissatisfaction has been expressed at the various people suggested as controllers of the taxicabs in the metropolitan area. When the Bill was introduced I thought there would be a

controversy on the matter. It seems that some people are dissatisfied with the city council, others with the Transport Control Board, and in consequence a third body has been suggested. Because of the conflicting views on the other two bodies it seems that this third one will get some support. I do not think Parliament will overcome the problem by setting up yet another licensing authority. The city council, even if it is exemplary in its handling of the matter, will come in for some criticism. I do not think we can compromise on any organisation to do the job better than the city council. Another body would require much of the administrative capacity already possessed by the city council, and not have its experience. Much extraneous matter has been introduced into this debate. A lot has been said about trafficking in licences, but that matter is covered by later clauses. The city council, if it gets the job will not be able to allow trafficking to take place. It is permitted to issue regulations which cover all sorts of things far beyond the scope of the Commissioner of Police or any other individual. The Leader's proposal may be a way of escape, but the Transport Control Board has not done very much to enamour me of its capacity to carry such a proposal into effect. One of the things that I find most uneconomic in the administration of that board is its apparent willingness to allow vehicles to travel one way loaded and compel them to return empty. If that is an indication of its approach to this or any other problem, it would not be a proper body to saddle with the administration of such a difficult matter as this. I cannot see that Parliament will create any benefit or improve this Act if it decides that the council is not all that we might like it to be; perhaps it might think that somebody else could carry out the duties better. If the amendment is carried we might fall out of the frying pan into the fire because any body that is set up will make many mistakes and will be subjected to a lot of criticism. I think the city council is the proper authority, and I intend to support the clause as it stands.

Mr. TRAVERS—I support the Bill as it stands. The report of the committee set up to inquire into this matter should not be set aside lightly, because if trouble is taken to set up a body of responsible people in responsible positions to report on any matter, at least *prima facie* that report should be acted upon. I do not say that we should be slaves to any such report, but at least before it is departed from we should have some very good reasons for doing so. It is interesting to note who were

the members of the committee before we brush the whole thing aside and substitute some ill-considered thing. The committee consisted of five members; His Honor Sir Kingsley Paine, the Commissioner of Police (Mr. Ivor Green), Mr. Baden Pattinson, the Lord Mayor (Sir Arthur Rymill) and the President of the Municipal Association (Mr. C. R. Sutton). The field was pretty well canvassed to find suitable personnel for an undertaking of this kind, and the requirements were very adequately fulfilled. They represented all relevant points of view. Sir Kingsley Paine is a man who has had a great deal of experience in traffic problems, the Commissioner of Police recommended himself to one member who has spoken recently, Mr. Baden Pattinson had a great deal of experience as chairman of the Traffic Committee, and the Lord Mayor and Mr. Sutton represented municipal associations. The committee did not proceed in a hurry to reach any ill-considered conclusion; on the contrary it called 48 witnesses and it is worth-while to read their names to members.

Mr. Shannon—I suggest it would be more worth-while to read their evidence.

Mr. TRAVERS—It would be a great deal more worth-while to understand their evidence than to read it.

Mr. Shannon—I think that is a little fortuitous; I am able to understand good English.

Mr. TRAVERS—That may be. Forty-eight witnesses were called from people in all walks of life, selected no doubt because they had an interest one way or another in the subject matter. The terms of the reference were:—

To report on what steps should be taken to co-ordinate the licensing of taxicabs by local governing bodies in the metropolitan area.

There seems little room for doubt, dispute or misunderstanding about that. After making full inquiry, the committee reached a conclusion. I do not say that of necessity it must have been right or that the body it selected to do the licensing must be the best body, but in default of any satisfactory indication to the contrary it ought to be accepted, because I am not prepared to accept from anyone a hasty judgment in opposition to what a committee of this kind reported. It is all very well to say, "The committee reported in favour of the city council doing this work; I think someone else ought to do it." No doubt all of us could think of some very admirable bodies that could carry out this work thoroughly. Each one of us could

nominate one of the municipal councils in the metropolitan area other than the city council, and no doubt each of these could do the work admirably, but the point is that the committee chosen for the purpose selected the city council and not the others. The honourable member for Adelaide (Mr. Lawn) gave a dissertation on the onus of proof. If I may advert to that subject I would say that the onus rests very heavily on those who assert that this committee after its full inquiry has not reached the best result to establish that. What has been suggested, taking all points of view? It has been suggested on the one hand by the Leader of the Opposition that control should be given to another existing body. Why should that be? Where is there any suggested ascendancy that that body has over the city council? The city council does not consist of men whose only interests are in the city; most ratepayers who have business premises in the city reside elsewhere and are ratepayers in other interested metropolitan councils. Is it being suggested that they will give attention only to the interests of the city proper and not to other metropolitan district councils? If it is, it seems to me that the suggestion is absurd. One has to accept in these matters the idea of interest and ability in administration, and I sincerely hope nobody is suggesting the absence of either of these in a body such as the city council. The city council does not act only in respect of its own territorial area. It is the business head or mouth-piece of the whole of the metropolitan area. I see no reason why such a body, which has been accustomed to this type of licensing for so long and has done so much more of it than any other body, should not be asked to undertake this work. It has been suggested that we set up another body altogether. I can only utter the earnest prayer, "Lord, save us from another board." Is there any reason why we should set up another board and start from scratch with all the administration necessary for the purpose? To do what the Leader of the Opposition suggests is rather a gratuitous smack in the face for the city council, which has been recommended by the competent committee set up to inquire into the matter. I can see nothing in the suggestion that it would dictate to other municipal bodies. Any one of us could look around and find a dozen desirable people or councils who could do this very simple work. It seems to be a storm in a teacup. The administration would not be difficult, and would be well within the ability of

the Adelaide City Council, or of any metropolitan council. The obvious thing is to give the work to the body which has done most of this kind of work in the past. The suggestion to set up another board and take the responsibility away from those accustomed to doing it is not calculated to improve the position which stands so urgently in need of a remedy. The present situation is totally absurd. If I wish to catch a boat at Port Adelaide and join a taxi at St. Peters, to avoid our committing an offence when I pass the Woodville boundary I should pay the driver off and hire a Port Adelaide taxi to take me the rest of the journey. In a civilized community that is nonsense. The sooner we pass legislation to get over that kind of difficulty and leave it to a responsible body to issue licences the better, and the most suitable body is the Adelaide City Council. Short of some extremely cogent evidence that it should not be given the job, the obvious thing is to ask it to do it, and thank it wholeheartedly for its willingness to do so.

Mr. HAWKER—After hearing the arguments and looking at the Bill I support the clause as it stands. On the committee appointed to report on the subject we had representatives of the police, the corporation of Adelaide and the Municipal Association of South Australia—those most concerned with taxicabs. Two alternatives were submitted—one that there should be a licensing body consisting of representatives of the City of Adelaide and all the other metropolitan municipalities and the other that it should consist of the city council itself. The committee decided in favour of the city council as the licensing authority as it had the staff and equipment to carry out the job. If we set up another body, could it get an entirely new set of inspectors who could do the job better than is being done by those that the city council could supply? The inspection of taxis and the issue of licences require an experienced staff, and the Adelaide City Council has the staff and equipment available. Roughly, 75 per cent of taxis are licensed in Adelaide. Of the remainder licensed in the suburbs I should say that at least half their fares come into the city. It would be safe to say that 80 per cent of the taxis travel to the area under the control of the city council. The committee included the following in its report:—

The question of financing a new authority is of prime importance. As pointed out later, in chapter XV of this report, if the annual income of the central authority is insufficient to meet its annual expenditure, the Government

will not assist in meeting any deficit. In the case of a new authority, representing all metropolitan councils, the liability for this deficit would fall upon metropolitan ratepayers. The metropolitan councils, other than the Adelaide City Council, have stated that they are not prepared to undertake that liability.

For the reasons given I support the clause.

Mr. STEPHENS—I support the amendment moved by the Leader of the Opposition. We shall make a big mistake if we give the Adelaide City Council the wide powers envisaged in the Bill. We have heard much about the greater Adelaide scheme, and the Bill is a step in that direction. Gradually we shall give more and more power to the Adelaide City Council. My first objection is that the personnel of that council changes every year, and with changed personnel we get changed opinions. The Transport Control Board is an independent body and not parochial, so it would be a much better licensing authority. For the last two or three elections for the Port Adelaide Council the taxi drivers have got together and elected men to get every benefit possible for taxi drivers. A returned soldier had to go to England for treatment by a specialist, but when he returned he found that he was not able to get his taxi licence renewed. The Adelaide City Council should not be able to over-ride other councils. If the clause is passed we shall have more trouble with taxis every year. All councils would be fighting the city council.

Mr. SHANNON—I point out to the Premier and the member for Torrens that the principle they are trying to apply in this Bill is one that they have been glad to get away from recently in regard to the Tramways Trust and in regard to the Metropolitan Transport Advisory Council Bill, under which the Government proposes to appoint a board to co-ordinate transport services. If the Government desires to be consistent it will have to follow that policy in this Bill. Obviously, the city council will not do the licensing. Nineteen men sitting around the table will not say who shall be given a taxi licence.

Mr. Fred Walsh—They will have a subcommittee to do that.

Mr. SHANNON—Not even a subcommittee. A permanent officer of the city council will, in effect, decide who shall and who shall not have a licence.

Mr. O'Halloran—The Chief Inspector, who does it today.

Mr. SHANNON—Quite so. I am surprised if the member for Torrens (Mr. Travers)

imagines that the Lord Mayor, six aldermen, and 12 councillors will decide. Another of his remarks shook me. He said that the licensing of taxis was a small matter, but it is one of the most important matters in the Bill. There will be more bickering on licences than on any other provision. I think the member for Torrens will agree that any person applying for a taxi licence and being refused will be an aggrieved party. Some councils may request a dozen taxi licences to meet the demands in their areas, and if the city council does not meet those requests they also will be aggrieved, but they will have no redress.

Mr. O'Halloran—They have the right to provide for stands.

Mr. SHANNON—Yes, but not to license taxis, and that will create much heartburning. A city such as Port Adelaide with a dense population may think it needs more taxis and apply to the city council for an increase in the number. If its application is not granted, the people there will be most unhappy. The member for Torrens read out the names of the witnesses who gave evidence before the committee; but those witnesses did not decide the issue: it was decided by the committee members. The committee realized that there might be an alternative to its final recommendation, and Parliament should not be expected merely to rubber stamp that recommendation. Certain problems must arise from the operation of the Bill in its present form, and, although I do not suggest that either Mr. O'Halloran's amendment or my amendment will obviate criticism, it is a fact that, where a group of councils are subject to the control of one council, petty jealousies are more likely to exist than if the jurisdiction is vested in an independent body. The control of taxicab licences would be as difficult, from the point of view of local politics, as the administration of the Tramways Trust under the old set-up. The dice is loaded against the city council before it begins, because of the criticism that must be in the minds of members of other councils. I ask you, Mr. Chairman, how will the various amendments be put to members?

The Hon. T. PLAYFORD—I ask you for a ruling, Mr. Chairman, on this matter. Three thoughts have been expressed: firstly, that the Adelaide City Council should be the authority; secondly, the amendment by Mr. O'Halloran that it should be the Transport Control Board; thirdly, the amendment of Mr. Shannon—

The CHAIRMAN—No, Mr. Shannon cannot move his amendment until Mr. O'Halloran's amendment that certain words be struck out is carried. If Mr. O'Halloran's amendment is carried, he may move to insert certain words, and then Mr. Shannon may move to amend Mr. O'Halloran's amendment. Mr. Shannon's amendment will then be put to the Committee. Members, however, will first have to vote on Mr. O'Halloran's amendment to strike out certain words.

The Hon. T. PLAYFORD—Under that procedure Mr. O'Halloran will move to strike out the definition of "Adelaide City Council" with the object of inserting "Transport Control Board." Mr. Shannon also wants to strike out that definition but for an entirely different reason. I submit that the way the amendment will be moved will nullify the majority decision of the Committee.

The CHAIRMAN—I do not think it will. The position is perfectly clear. If the vote favors the retention of the words proposed to be struck out no amendments can be moved, but if there is a "no" vote and we strike out Adelaide City Council the Leader of the Opposition will then move his amendment. I think it will be clearer as we go on. I intend to put it—"That the words proposed to be struck out—"The Adelaide City Council"—stand."

The Hon. T. PLAYFORD—With all respect, an amendment is moved to strike out certain words with the object of inserting other words in lieu thereof. I think we should decide what we are doing to insert in lieu of "The Adelaide City Council" before we strike it out. The Leader of the Opposition has moved to strike out the words "The Adelaide City Council" with a view to inserting another definition. I suggest we should deal with that definition before we strike out any words. Under the present procedure we would find that the majority of the Committee would be unable to give effect to its wishes.

The CHAIRMAN—All I can do is to take the amendment that has been moved and it is to strike out the definition of Adelaide City Council with a view to inserting the other words. The Leader of the Opposition cannot move what he is going to insert until that is struck out.

Mr. MACGILLIVRAY—If we agree to strike out "The Adelaide City Council" and to insert "Transport Control Board" would I be in order in moving a further amendment to strike out "The Transport Control Board" and insert "The Commissioner of Police?"

The CHAIRMAN—No, the honourable member would not be able to do that. I do not think it matters what will be put in the definition because when all the clauses come forward, where "board" is mentioned the honourable member will have an opportunity of striking that out and inserting "The Commissioner of Police." The definition would become redundant and it might be necessary to recommit the Bill.

Mr. MACGILLIVRAY—If the Leader of the Opposition has the right at this stage to move for an alteration of the interpretation clause why should not any other member who desires to move a further amendment be permitted the same right?

The CHAIRMAN—No honourable member other than the Leader of the Opposition has sought leave to move any amendment. Mr. Macgillivray referred to replacing the city council by the Commissioner of Police and said, in effect, "I believe it would be a good idea to do so," but no-one has suggested he will move in that direction.

Mr. MACGILLIVRAY—Is it necessary for a member to indicate what he intends to do before he does it? I said that I believed it would be a good thing, but I did not say I would move in that direction. I did not think it would restrict my doing so at a suitable stage. If the Leader of the Opposition has the right to replace "The Adelaide City Council" with "The Transport Control Board" I should have the right to insert "The Commissioner of Police" in lieu of "The Transport Control Board."

The CHAIRMAN—There is only one question before the Chair and that is to strike out certain words already in the Bill.

The Hon. T. PLAYFORD—On a point of order. What I am pointing out is that we are considering a consequential amendment before we consider a principal amendment. That is the problem we are up against. Mr. Macgillivray desires to insert "The Commissioner of Police" and Mr. Shannon desires to move for an entirely different board, but we are striking out the Adelaide City Council. Later we might find that when members consider the alternatives they might prefer that the Adelaide City Council should remain. We are, in effect, considering a minor matter—a definition—before we consider the clause in the Act to which it is relevant.

Mr. MACGILLIVRAY—I am only seeking information. I said earlier that it was not my intention to move to insert "The Commissioner of Police" because I hoped that some city

member would move in that direction. I think it would be in the best interests of the community if that were done. If no city member moved I was prepared to do so. Must I do something at this stage?

The CHAIRMAN—No.

Mr. BROOKMAN—I point out that this will be a most anomalous vote because there are two opposing groups both in agreement on one small point but disagreeing on almost every other point. You, Mr. Chairman, are going to take a vote on that small point and from then on both groups will divert almost diametrically. It is obvious that each group will want to move many amendments in order to give effect to their wishes. I do not remember a similar instance where we have had such an anomaly and I ask that you consider the matter in some other way in order that other more important matters be dealt with first.

The CHAIRMAN—I cannot agree to any other way. The Standing Order says that when a motion is moved to strike out something that motion must be put before anything else is considered. It means that if the reference to Adelaide City Council is struck out there is the right to insert other words.

Mr. QUIRKE—I am opposed to the city council being the licensing authority. The reference to it should be deleted from the clause. Whatever is inserted in its place is something for me to decide later. I do not think a central council should be a dominating factor against equal bodies in cities surrounded by that central council. It would be a dangerous precedent. I was astonished to hear the Premier say that a licence is something that engenders goodwill and can be used for trafficking purposes. What other licences can be used in this way? An organization can own a number of hotels but the licences are held by the persons operating them.

Mr. Pearson—What about the licences issued by the Transport Control Board?

Mr. QUIRKE—Permission must be obtained from the issuing authority.

Mr. Pearson—Goodwill goes with the licence and it costs money.

Mr. QUIRKE—Legally, goodwill does not exist. If a man gets a licence to operate a bus in opposition to the tramways he cannot hand that licence to someone else. It would be dangerous to agree to a man holding, say, six licences and having someone else use them. I do not support the city council being the issuing authority, nor do I support the

Transport Control Board. I know the conditions under which the board operates and in view of its past activities it is not fitted to do the job. We do not want a police State and that is how the board operates and I could give tangible evidence in support of that statement. We have amendments and indicated amendments on this matter. The Chairman has the position exactly right and if we leave it to him we will get along all right. First we must strike out the reference to the Adelaide City Council. Until that is done we cannot get anywhere. Then succeeding amendments can be dealt with.

The Committee divided on the question "That the words proposed to be struck out stand part of the clause"—

Ayes (19).—Messrs. John Clark, Geoffrey Clarke, Corcoran, Dunnage, Dunstan, Fletcher, Heaslip, Hutchens, Jennings, Lawn, Macgillivray, McAlees, O'Halloran (teller), Quirke, Shannon, Stephens, Stott, Frank Walsh and Fred Walsh.

Noes (12).—Messrs. Brookman, Christian, Goldney, Hawker, Hincks, William Jenkins, Pattinson, Pearson, Playford (teller), Tiesner, Travers and White.

Pairs.—Ayes—Messrs. Tapping, Riches and Davis. Noes—Messrs. Michael, Sir George Jenkins and M. McIntosh.

Majority of 7 for the Ayes.

Amendment thus carried.

Mr. O'HALLORAN—I move to insert the following definition:—

"The Board" means the Transport Control Board appointed under the Road and Railway Transport Act, 1930-1939.

This amendment has been thoroughly discussed and I have nothing to add to what I have already said.

Mr. SHANNON—I move—

To strike out after "the" second occurring in the fourth line of the amendment the words "Transport Control Board appointed under the Road and Railway Transport Act, 1930-1939," with a view to inserting "Board of five members appointed by the Governor to administer this Act."

Mr. O'HALLORAN—It might save debate if I indicate that I am prepared to accept Mr. Shannon's amendment.

The Hon. T. PLAYFORD—This is remarkable. All day long we have been hearing the Opposition advocate the Transport Control Board as the controlling body. We have had dissertations from almost every member opposite, and to test their sincerity I will call for a division.

Mr. MACGILLIVRAY—A proposition I advanced earlier in the evening appeared to get moderate support, but it seemed to me to be worthy of consideration. That was that the authority should be the Commissioner of Police. Mr. Shannon has sought to set up a board consisting of five members appointed by the Governor to administer this Act. I agree with the Premier that this is a very loose way of appointing a very responsible board. The tramways system is in its present financial mess because of the method of setting up controls similar to that suggested by the amendment. I support the idea that a committee should consist of three members, two of them absent. In other words, there is one person that the responsibility can be pinned on, and you could go to him and say "Why is this system not functioning," and could hold him responsible. The Commissioner of Police should be the person to administer this legislation because he is an impartial individual and no-one would suggest that he sells licences for taxicabs for personal profit, as has been suggested by some of the critics of the present control. No-one would suggest that he would sell licences, a practice which the Premier suggested was fit and proper so that they could get profit from it. I was surprised that the Premier said that he saw nothing wrong with a person who might get one of the licences selling it to the highest bidder irrespective of whether he was a fit and proper person.

The Hon. T. Playford—I did not say that.

Mr. MACGILLIVRAY—You said that you saw nothing wrong with a person selling a licence and compared this with the sale of a publican's licence. However, a publican builds up goodwill through his personal services to the community and is therefore entitled to sell to the highest bidder.

Mr. Quirke—The bidder carries the licence.

Mr. MACGILLIVRAY—That is quite true.

The Hon. T. Playford—If the honourable member would allow me to explain I would be happy to do so.

Mr. MACGILLIVRAY—All right. I indicate that I shall move to insert "The Commissioner of Police" and delete reference to a board of five.

The CHAIRMAN—The honourable member cannot do that.

The Hon. T. PLAYFORD—What I said was that I see no wrong in a licence being sold to a suitable person, exactly the same as is applied to a hotel licence or any other licence that is sold. This also relates to Crown

leases. A person taking over a Crown lease must first be approved by the Minister of Lands. To say that a person holding a taxi licence cannot transfer it to a suitable person seems to be entirely wrong. A hotel licensee can transfer his licence to a person who is approved by the Licensing Court, and I see no reason why a person licensed to drive a taxicab should not dispose of his licence. In every country taxi licences are saleable. The person buying the licence must be approved, and if he is not suitable the deal cannot go through.

Mr. MACGILLIVRAY—The Committee has been told that certain companies can get a block issue of licences, up to as many as 43, which they farm out at £8 a week.

The Hon. T. Playford—I was not expressing an opinion on that.

Mr. MACGILLIVRAY—Some have got licences and farmed them out at £20 a week, but a motor vehicle has been provided. I do not believe the Treasurer would support that action, or that a company should have 43 licences and farm them out irrespective of the persons who get them, without an inquiry as to their suitability. Under the Bill the Commissioner of Police may be asked whether a person is suitable, and he, having given a report, the responsible body set up under the Bill decides whether it shall or shall not issue a licence. In other words, his report can be completely ignored. If he has to take the responsibility of saying whether a person is fit and proper to hold a taxi licence, we may as well go the whole hog and say, "You are a responsible officer of the Crown and we will leave the decision as to the taxi business in Adelaide to you." The City of Adelaide has been particularly free of any suggestion that our taxi drivers operate in a manner which is not intended. It has been stated that in other cities taxi drivers are connected with all kinds of illegal operations. I should like to think that Adelaide will always retain that high reputation to which it is rightly entitled. No one is more fitted to see that that high reputation is retained than the Commissioner of Police.

The CHAIRMAN—At this juncture I cannot see much chance of the honourable member inserting anything in relation to the Commissioner of Police. If he anticipated that, he should have prepared an amendment which should have preceded some of those already agreed to. I suggest that in clause 8, which

refers to the Adelaide City Council issuing taxicab licences, the honourable member might move to insert "The Commissioner of Police."

Mr. MACGILLIVRAY—If it is not amended now the clause could be reconsidered later.

The CHAIRMAN—That is so. If the honourable member can show me where the amendment comes in, I will examine it.

Mr. STOTT—The position before the Committee now is that the Leader of the Opposition has succeeded in striking out the words "the Adelaide City Council" with a view to inserting "the Transport Control Board," and Mr. Shannon has succeeded in getting the Leader of the Opposition to accept an amendment relating to a board of five. I submit that Mr. Macgillivray is in order in moving to strike out reference to a board of five with a view to inserting "the Commissioner of Police."

The Committee divided on Mr. Shannon's amendment to strike out certain words in Mr. O'Hallorans' amendment:—

Ayes (16).—Messrs. John Clark, Coreoran, Dunstan, Fletcher, Hutchens, Jennings, Lawn, Macgillivray, McAlees, O'Halloran, Quirke, Shannon (teller), Stephens, Stott, Frank Walsh, and Fred Walsh.

Noes (15).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Hawker, Heaslip, Hincks, William Jenkins, Pattinson, Pearson, Playford (teller), Teusner, Travers, and White.

Pairs.—Ayes—Messrs. Tapping, Riches, and Davis. Noes—Messrs. Michael, Sir George Jenkins, and McIntosh.

Majority of 1 for the Ayes.

Amendment thus carried.

Mr. SHANNON—I move—

To insert "board of five members appointed by the Governor to administer this Act" in lieu of the words just deleted.

Mr. MACGILLIVRAY—I move—

To amend the amendment by deleting "board of five members appointed by the Governor to administer this Act" with a view to inserting "Commissioner of Police."

I have vivid recollections of what happened to the tramways system when certain people were elected to the trust to guide its destinies. That system proved a failure because we could not pin down responsibility to any individual. People were elected to the trust merely because they were good fellows and because people liked them. If we appoint a board such as is suggested by Mr. Shannon we shall get the same result as we did with the tramways. One man should be placed in charge of taxi matters. Then he could not evade responsibility. The Commissioner of Police has the machinery to be able to say whether an applicant for a taxi licence is a fit and proper person. Clause 9 says that the licensing authority may ask the Commissioner of Police whether so-and-so is a fit and proper person, but if the Commissioner said "No" it could still over-ride his opinion. In fact, the city Council could ignore the advice that it had asked for. The man who has the knowledge and power and who is above suspicion is the Police Commissioner. Further, he is responsible to Parliament and must report upon his work as the administrator of our police force. He is the ideal authority to control the issue of taxi licences.

The Hon. T. PLAYFORD—The effect of Mr. Macgillivray's amendment is to make the clause state "The Board means the Commissioner of Police." Under those circumstances I move that progress be reported.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 10.45 p.m. the House adjourned until Wednesday, September 29, at 2 p.m.