HOUSE OF ASSEMBLY.

Wednesday, November 3, 1954.

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

QUESTIONS.

MOONTA MINES ELECTRICITY SUPPLY.

Mr. McALEES—Can the Premier say how long it will be before the electricity supply is extended to Moonta Mines?

The Hon. T. PLAYFORD—The chairman of the Electricity Trust reports:—

Low tension work at Moonta Bay and high tension to North Moonta are now in hand. Following the completion of these works low tension will be put in hand at North Moonta. The trust expects to start work in the Moonta Mines area early in the New Year. This will take about six weeks and power will then be available.

HINDMARSH ISLAND SCHOOL TRANSPORT.

Mr. WILLIAM JENKINS—This morning I received a telephone call from Mr. Neil Heggaton, chairman of the school committee on Hindmarsh Island, regarding a school bus service that was supposed to commence on Monday morning. He said that the school teacher had been removed on Monday morning and that no bus had come to pick up the children to take them, via the punt, to the Goolwa school, as had been expected. On inquiring, Mr. Heggaton found that a Mr. Southall of Goolwa had the contract to transport the children to the Goolwa school. This was confirmed by Mr. Southall, but he said he had no indication when his service was to start. The bus, the roadworthiness of which Mr. Heggaton was authorized to inspect, was in the back yard with the chassis on one side and cabin on the other, and it is considered that a least a month will expire before it can operate. In the meantime the children are getting to school by various means. Can the Minister of Education throw any light on this matter?

The Hon. B. PATTINSON—No, I have heard nothing about it. However, I express my regret that the children and their parents have been inconvenienced. I will give the matter my personal attention, obtain a report from the department and let the honourable member have it as soon as possible, together with an indication of what we propose to do in the immediate future to rectify the trouble.

ADELAIDE-MOUNT BARKER ROAD.

Mr. HAWKER—Following on the recent report that the Government has purchased the property known as "The Elbow" on the Mount Barker road, can the Minister of Works, representing the Minister of Roads, say whether the Government intends to widen the road all the way from the Big Gum Tree at Glen Osmond to the Eagle-on-the-Hill, or is it intended eventually to proceed with the construction of a second road joining the present road at Eagle-on-the-Hill?

The Hon. M. McINTOSH—The Premier said yesterday that action would be determined after a survey had been taken, and no action can be taken before the survey has been made. Acting upon a report by the State Traffic Committee which made investigations, it was resolved by Cabinet and approved by Parliament that the work of straightening and broadening the worst sections of the road should have the highest priority. Much work has been successfully done towards that end. It is intended that the broadening of the road near the Elbow will proceed forthwith as a security against future traffic hazards and to safeguard the position. The Government now has the land necessary for this project if and when required. Portion of the road will be broadened, but not all of it, and this work is not an alternative to the construction of another road. In fact, we are only carrying out what was regarded as the most urgent work to make the main road more complete. Thereafter, the priority of other road projects will have to be determined.

MAIN NORTH ROAD.

Mr. JOHN CLARK—Has the Minister of Works a reply to my recent question on the widening or duplication of the Main North Road?

The Hon. M. McINTOSH—When replying to this question previously I indicated from my own knowledge what had occurred. For many years as land became available the Government, anticipating future requirements, purchased it when it was reasonably obtainable. That policy has been carried out with the Main North Road. The Commissioner of Highways reports:—

From the information available to the department the primary causes of the accidents mentioned were not due to the absence of a duplicate road. The purchase of land for the proposal was instituted for the purpose of securing sufficient for any future work before it became built upon and thus avoiding excessive costs in the future. This procedure has been carried out for many years and in many areas of the State. It will be of inestimable benefit when the time comes for the actual work, but the mere purchase of land does not infer the immediate start of construction. Under present conditions of traffic and finance the work requested does not appear feasible.

KEYNETON ELECTRICITY SUPPLY.

Mr. TEUSNER—Has the Premier a reply to the question I asked on October 21 about an extension of the electricity supply to residents of the Keyneton district?

The Hon. T. PLAYFORD—A petition signed by 40 residents was received on June 21, 1954. As a result of this petition an investigation will take place within the next eight weeks. If an examination of the estimated capital cost and revenue indicates a tariff surcharge of 100 per cent or less the extension will be allotted a priority as from June 21, 1954.

NORTHFIELD PRIMARY SCHOOL.

Mr. JENNINGS—My question relates to an unfortunate occurrence at the Northfield Primary School this week, which was referred to in this morning's *Advertiser*. Apparently a teacher accidentally injured the eye of a student during a lesson. Has the Minister of Education a report on the matter and, if not, will he get one and make it available to the House so that members may be properly informed of what actually happened?

The Hon. B. PATTINSON—I had a discussion with the Director of Education (Dr. Mander-Jones) and the District Inspector (Mr. J. H. McDonald) this morning concerning the matter and received verbal reports from them. During the lunch hour I received a lengthy written report from the Director, which I have not read carefully and which I do not propose at this stage to read to the House. It seems to confirm the verbal reports on the matter that the incident was accidental and that an assistant teacher was concerned. She is a married woman with children of her own, who had been in the department for some years and left to be married. She was taken on again, as so many hundreds of others have been, as a married teacher. She was conducting a spelling lesson in her class, Grade IV, on Monday morning. She noticed that the boy was holding a blotter in front of his face. She flicked the blotter away with a spelling book, a small book, she was holding, and went on with the lesson. She had no intention of striking the boy in any way and there was no immediate reaction on the boy's part, nor any indication that he had been hurt. Subsequently the teacher noticed the boy was holding his head down and she asked him what was the matter. He said his eye was hurting. She asked if he had anything in it and looked at the eye, which appeared to be red. She suggested that he should go out and splash it with cold water, and the boy went out to do this. The teacher said that she had no intention of touching the boy. The headmaster examined the facts as far as he could ascertain them and he confirms that, in his opinion, the incident was accidental. The District Inspector, a very able and experienced officer of the department, happened to be at the school at the time. He made an independent examination and he too is satisfied that the incident was accidental. The injury to the boy does not appear to be serious. I have been informed recently that the parents are fully re-assurred that there is no serious injury. I make this brief report now, but if there are further developments I will report more fully.

SCHOOL RECREATION GROUNDS.

Mr. TEUSNER—Yesterday I asked the Minister of Education whether it was possible, under the Recreation Grounds (Joint Scheme) Act, for a scheme to be entered into between the Education Department and a local government body where that body already owned a recreation ground or land suitable for such a purpose. There appeared to be some doubt about the matter and the Minister promised to investigate the position. Has he any further information?

The Hon. B. PATTINSON—As I said yesterday, there is no prohibition under the Act of the proposal suggested by the honourable member. In fact, there are two joint schemes where local councils already owned land. One was at the Flinders Park Primary School where the department owned land adjoining an area owned by the Corporation of the City of Woodville. The other was at the Brighton Primary School in similar circumstances. In both cases joint schemes have been promoted for the use of both areas of land.

LOTTERY AND GAMING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 27. Page 1178.)

Mr. TRAVERS (Torrens)—In explaining the Bill Mr. Stephens said he was prepared to accept some bargaining in this matter. I do not intend to enter into any bargaining but want to say a few words on the general merits of the Bill and what I think is the proper solution of the problem. It is rather sad to find a sport such as this, which appeals so much to the public, having to bring its grievances either to Parliament or to the court. It is

unfortunate indeed that such domestic matters cannot be settled by agreement. This sport, as any other sport, should be controlled by sportsmen and I suggest that they should have the ability to give as well as to take, and the inclination to do both at the same time. If the matter were approached in that way there would be no need of any controversy in Parliament. The domestic matters of all sporting bodies ought to be settled by a proper approach, and by agreement. As I understand this matter, both from what Mr. Stephens said, and what the Premier said when the matter was before the House on the last occasion, representatives of the interested parties met in conference with the Premier and agreed upon a basis of composing their differences. It seems a pity that the constituent clubs of the league should have seen fit to refuse to sanction a decision reached at a subsequent meeting, which apparently their representatives were prepared to accept. I readily agree that the matter apparently was only contingently agreed to on the understanding that the constituent bodies of the league should have the right to confirm or reject the action of their delegates, but it is difficult to see what could be advanced by the clubs to show that they had superior knowledge to their delegates who, I understand, were their presidents and secretaries and who were prepared to accept the basis proposed at that time, namely, four representatives of the league, three of the clubs and one of the Owners' and Breeders' Association.

The Bill, as I see it, does not face up to the problem which has arisen. It has certainly introduced the problem for solution, but sabotage is not the remedy. This Bill, in effect, only sabotages the league because it merely sets out to repeal certain clauses of the statute and substitutes nothing for the league, which would be completely disembowelled if the Bill were to pass. The problem seems to have arisen in this way. When the league was set up it must have been recognized by all parties that some controlling body was essential. If a sport is to prosper there must be some co-ordination and some body with the powers of co-ordinating. None of the individual clubs can have that power. The view of everyone when the league was set up seems to have been that a governing body to be known as the league should be constituted for that purpose. The league has apparently become unwieldy and this has created a problem. Many clubs came into existence—presumably far more than were initially envisaged—and the whole matter became top heavy. It appears that each of the various clubs constituting the league found itself in the position of having to send delegates to the meetings. That caused much inconvenience and expense and added nothing to the general efficiency of control. Added to that is the statutory provision that the body has no power to delegate its powers to others. Section 22a of the Lottery and Gaming Act is the main charter of the league, and so that members can clearly envisage the problem I will read that section:—

> (1) Notwithstanding any law, or rule, regulation, or by-law of the South Australian Trotting League Incorporated (in this section called "the League"), the League shall be constituted in accordance with this section.
>
> (2) On the thirty-first day of December, nineteen hundred and thirty-eight, all members of the League then in office shall retire and thereafter the League shall consist of one delegate from each trotting club affiliated with the League.

When there were only four or five clubs operating, a neat and tidy governing body, not top heavy or unduly expensive, was produced, but when the numbers increased three- or four-fold it became another story. The section continues:—

> (3) During the month of December, nineteen hundred and thirty-eight, and in the month of December in each year thereafter each trotting club affiliated with the League shall nominate a delegate to the League by writing delivered to the secretary of the League.
>
> If any trotting club fails to nominate a delegate the board may nominate one on its behalf. Every delegate so nominated shall be a member of the League as from the first day of January next following his nomination.
>
> (4) The members of the League shall elect one of their number to be chairman of the League. If the chairman is not present at any meeting of the League at which a quorum is present the members of the League present at that meeting shall elect an acting chairman for the day. The chairman or acting chairman shall have a deliberative vote and if the vote on any question is equal the chairman or acting chairman shall also have a casting vote.

That subsection is relevant to some of the matters discussed as to what happens in the event of equality of voting. The section continues:—

> (5) A majority of the members of the League shall form a quorum thereof.

At every meeting of the League every matter coming up for decision shall be decided by a majority of the votes cast by the members present.

(6) No proceeding of the League shall be invalid by reason only of a vacancy in the office of any member or any defect or irregularity in the nomination of any member.

(7) The League shall not delegate its powers to any subcommittee or other body, but this subsection shall not prevent the League from employing officers and servants to assist it in carrying out its functions; Provided that this subsection shall not prevent the League from appointing an Appeal Committee to hear and determine appeals against the decisions of trotting stewards.

(8) Any affiliated club which is aggrieved by any decision of the League affecting such club may appeal to the board against that decision.

The appeal shall be commenced by written notice given to the board not later than two months after the decision appealed against was given.

The board shall decide the matter of every appeal in such manner as it deems just and its decision thereon shall be final.

In addition to the statutory provisions, there are contractual powers contained in the rules of the League. All the constituent clubs are bound by contract, to the same extent that they are bound by statute, by the provisions in the rules of the League. The statute creates certain obligations and provisions which the clubs are not capable of waiving and one in particular is the prohibition against delegating powers. There are three separate bodies which are the main contributors to the sport. First, I desire to refer to the Owners' and Breeders' Association, which is a registered and incorporated body with a membership of upwards of 800. It has been operative from the commencement of this sport in South Australia. As its name suggests, it comprises the people who own and breed the horses which compete in trotting and which are so necessary to the prosperity of the sport. I am given to understand that no less than 97 per cent of the owners whose horses compete in trotting races in South Australia are members of that body. Of course, many of them live in the country, but many others live in the city, so there is no question of any boundary or of rural or city interests predominating. They have the one matter to consider, namely, the production of the necessary horses to keep the sport going. So far they have not been given representation on the league, but they ought to be. The second body to which I shall refer is the South Australian Trotting Club, and although I have no figures for which I am prepared to vouch, I believe it is currently said that membership of this club is about 550, appreciably less than the membership of the Owners' and Breeders' Association. However, that club has been the pioneer of trotting in this State and I think everyone must agree that it is the backbone of the sport. It provides upwards of 80 per cent of the finances involved in the sport and, judging by some of the literature I have seen from the club, it seems that it has provided stakes to the value of £122,381, which is a goodly sum. It is therefore impossible to dispute the claims of the Trotting Club to substantial recognition in the control of this sport. The third body is the league, which came into existence in its present form on February 1, 1950, when its present constitution was shaped. The league's objects are set out in its constitution and rules, which state:—

The objects of the league are to govern, control, supervise and regulate trotting and trotting races in the State of South Australia and the affairs of registered clubs and to do any act, matter, or thing mentioned in these articles and all other acts, matters, and things necessary, incidental, or conducive to such objects.

Indubitably, for the success of any sport carried on by a multiplicity of clubs there must be some governing body, but the remedy for the present problem certainly does not lie in sabotage. It is necessary that there be a controlling body, but it is essential that all interested parties have some say in the transacting of the league's business. Neither does a remedy lie, as I see it, in curtailing the powers of the league; indeed, the powers should be very plenary, because all affairs ought to be controlled by whatever controlling body there is.

That brings us back to the main point, namely, who shall constitute that controlling body? This body should have complete powers and duties to all the clubs and perhaps its constitution should remain as it is, but it should be constituted in a manner satisfactory to all interested organizations. The league itself takes quite a minor part in the sport beyond exercising control. Its income would not be more than about £8,000 a year, which is quite small when compared with the stakes of £122,381 provided by the Trotting Club. I cannot help thinking that that feeling of country interests *versus* city interests has to some extent crept into this matter. One finds that in a great variety of questions, but this is a pity because we are all South Australians,

and trotting, if it is to be considered a sport, should be conducted by sportsmen and people who are prepared to consider what is in the best interests of the sport as a whole. I am interested in trotting only to the extent that it is a sport that makes a considerable appeal to a large number of the public, but those who are associated with it should not look on this problem as a question of league *versus* clubs, or from the viewpoint of whether a particular president or office bearer will or will not get a similar position in the new body, but who shall most effectively carry on the business of the league.

When similar problems come before the law courts the people concerned more or less have their heads bumped together and are told to consider and settle the question, and when it is settled judgment is entered on the agreed terms. At present every little club with, perhaps, £5 in the kitty or an overdraft of £5 and a few members has precisely the same say in the control of trotting as the South Australian Trotting Club has. Frankly, that does not seem right to me. That club is providing the principal stakes, machinery, equipment and amenities for the largest number of the people. It does not seem fair that every other club should have the same say as the South Australian Trotting Club, which put the sport on its feet and was instrumental in bringing before Parliament the matter of setting up the League and pumping the very life blood into the smaller clubs, which have apparently repudiated the arrangement tentatively agreed to by their presidents and secretaries when they interviewed the Premier. Further, two small insignificant clubs that are making no real contribution to the sport of trotting but merely provide infrequent picnic outings for small communities may join forces and "gang up" to completely out-vote the South Australian Trotting Club on anything it wants to do.

Mr. Fletcher—That is wrong in principle.

Mr. TRAVERS—Yes. The matter must be looked at from the aspect of what is best for the sport, and an action is not best for the sport if it gives a clear, absolute and uncontrolled majority to anyone. If voting is nearly even it will result in a much saner administration. That principle applies to many things. The nearer voting strengths are to being even the more likely are the representatives of the various constituent bodies to exercise a judgment that is real and not interested. For instance, to give the league a majority of five to three would result in the same mischief as a majority of 25 to three. If the figures were brought down to the basis that was tentatively accepted—four representatives of the league, three of the club, and one of the owners and breeders, the chairman to be elected from that number—that would give a control to the league itself, as at present constituted, which could not be overruled by the clubs, because under Section 22A of the Act the chairman has two votes. Further, Section 4 (4) of the league's constitution states:—

> The members of the league shall elect one of their number to be chairman of the league. If the chairman is not present at any meeting of the league at which a quorum is present the members of the league present at that meeting shall elect an acting chairman for the day. The chairman or acting chairman shall have a deliberative vote and if the vote on any question is equal the chairman or acting chairman shall also have a casting vote.

I suggest, therefore, that those who attended the meeting in the Premier's office were proceeding on proper principles. Presumably all three bodies had every confidence in their representatives or they would not have selected them, and presumably those representatives did what they thought was best in the interests of the sport. I refuse to believe that any of those representatives were prompted by any other motive. Upon what grounds have the clubs constituting the league since refused to accept that tentative agreement? I do not for a moment suggest they were not entitled to refuse, but does any ground exist upon which they should exercise that right? I have heard of none. There may be grounds that operate on the minds of some people that would not operate on the minds of others. One need not be grudging in conceding that the clubs which have not ratified the agreement are acting with the best motives; but they are not acting with the best judgment. If this Bill is passed, what then? There is no statutory sanction left for the position of the league. All those country clubs in particular would suffer, not the South Australian Trotting Club, which was apparently able to get along very well before the establishment of the league. The Owners' and Breeders' Association would presumably still have some demand for the horse flesh its members produce, so no-one would lose except the country clubs that are now standing in the way of agreement and the general public. Why should there be any losers in this matter? Is it not essentially a matter calling for sanity, reason, logic, forbearance and sportsmanship? I wish to stress, however, that there emerged

from the competing proposals put before the Premier this fact: that it was a common denominator to the proposals of all parties that the time had come for the Owners' and Breeders' Association to have representation. We should, therefore, proceed on that basis. I cannot support the Bill, although it serves a useful purpose in bringing before Parliament a problem which needs a remedy. If it reaches the Committee stage I will move an amendment so that instead of curtailing the powers and functions of the league they shall be preserved completely, but those who are to exercise them shall be more representative of the people who really matter in the sport. In other words, I shall move so that the basis of the tentative agreement made in the Premier's office shall be the basis upon which the personnel of the league shall be elected, with four elected by the league—

Mr. John Clark—The Premier said five.

Mr. TRAVERS—Yes. Apparently he did not have the proper information with him. As I understand the position, the personnel, which was confirmed by the South Australian Trotting Club and by the Breeders', Owners', Trainers' and Reinsmen's Association, but rejected by the league, was four representatives of the league, three of the club and one of the association.

Mr. Fred Walsh—What about the public? Aren't they interested?

Mr. TRAVERS—Yes. The public is interested in having the most effective control possible. There should be a league representative of all interests and it should have plenary power. I would not support any curtailment of the powers. Everything should be on a businesslike basis in which there will not be an outstanding majority to be used ruthlessly by any party. All parties should have fair representation.

Mr. Stott—Under your proposed amendment who would elect the chairman?

Mr. TRAVERS—The body itself, as the rules of the league now provide. I want to alter the constitution of the league as suggested before the Premier, and leave the rules as they are. Rule 4, clause 4, desires the body to elect its own chairman.

Mr. Frank Walsh—Would you permit the chairman to have a deliberative as well as a casting vote?

Mr. TRAVERS—Yes. My idea is to leave the rule precisely as it is.

Mr. Frank Walsh—That would make five votes for the league and four for the others.

Mr. TRAVERS—Yes.

Mr. Frank Walsh—I could nominate the chairman now.

Mr. TRAVERS—We could all nominate him, but he might not be elected. The only alternative to doing something like this would be to give a majority of the votes to the club, but I would not favour that because there would be no need for the league if it were done. There must be a majority of the votes for the representatives of the league, and it must be assumed that the representatives will act faithfully in the discharge of their duties and will not gang up on the minority. I would be happy to accept that.

Mr. Macgillivray—What are your views on the zoning system?

Mr. TRAVERS—It is up to the league to look at the zoning system. The Act sets out the various zones. There are Eyre Peninsula and the South-East. I have no doubt that the South-East ought to have separate representation because it has problems all its own. It has trotting clubs just over the Victorian border and conditions made by them are different from those made by our own trotting clubs. It is necessary for a local man, with a knowledge of the problems, to be on the league. Then there are the Murray area, the metropolitan area, and all other areas. That makes five zones. It is patent that the metropolitan area is adequately represented by the South Australian Trotting Club, and there is no need for additional representation there. I do not want to tell the league how to conduct its business. It should make a decision as to whether there should be four persons representing all the State or one for Eyre Peninsula, one for the Murray Area, one for the South-East and one for the rest of the State excepting the metropolitan area which is now well looked after.

Mr. Corcoran—Mount Gambier, Naracoorte and Penola want the right to elect their own representative.

Mr. TRAVERS—I have no objection to that. I am not in a position to dictate to the league the way in which it should select its representatives. If it prefers the zoning system, well and good. There is a framework in the Act which enables the league to elect representatives of zones. If the league thinks it is best, let it elect four representatives for the whole of the State.

Mr. Shannon—All the clubs in the metropolitan area are concerned.

Mr. TRAVERS—There is only the South Australian Trotting Club in the metropolitan area. No other club can lawfully function.

Mr. Davis—How many representatives would it have?

Mr. TRAVERS—Three, as agreed to before the Premier.

Mr. Davis—Why three when others have only one.

Mr. TRAVERS—Because of the extent to which it operates, the extent to which it provides funds and amenities, the fact that it introduced and fostered the sport in South Australia, and fathered the league. There are other reasons but I will not give them. In the interests of all concerned I think the debate on this matter should be adjourned until the light of sweet reasoning dawns on all concerned and the arrangement made before the Premier is made absolute by an agreement between the parties. If the constituent bodies cannot agree on that I will move in Committee as I have mentioned.

Mr. FRED WALSH secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 1085.)

Mr. JOHN CLARK (Gawler)—I shall not speak at any great length on this Bill, which members will recall was introduced on August 25, but which has been discussed only once since—on October 20. In introducing the measure Mr. Riches said:—

I am confident that the Bill will be found not to be controversial.

The debate a fortnight ago has unfortunately revealed that his confidence was misplaced, although it is difficult to understand why this Bill has proved controversial. The Bill amends one section of the Road Traffic Act to make it possible for a concession in motor registration fees to be given to charitable organizations. That is the position in a nutshell. There is a precedent for such a provision in the concessions already granted in other directions. One or two members have mentioned the concessions in registration fees to primary producers. The member for Flinders made an interesting and good point when he said that in many instances most of a primary producer's driving was on his own property. I do not quarrel with that concession, but I doubt whether it was intended to provide wider opportunities for primary producers to compete with the railways and other legitimate carriers.

At one time or another all members have sought registration concessions for their constituents. I had occasion to approach the Premier on behalf of a constituent who was operating a power saw. He found that to cart his saw about it was necessary to procure a heavy American car with a trailer, but when motor registrations were increased he was obliged to pay more heavily for his registration than he felt able to afford. I sought the Premier's assistance because I claimed that this man, in cutting timber, was rendering a great service to primary producers. After consultation with the Premier I could appreciate the reasons for refusing a concession, although I was disappointed. I know that other members have had similar experiences. Mr. Riches seeks concessions for an entirely different class of person. From the debate there seems to be some doubt what is meant by "charitable organizations." Mr. Riches admitted that he experienced difficulty in defining charitable organizations, but he did so in these terms:—

Any association of persons, whether incorporated or not, declared by the Governor to be a charitable organization for purposes of this paragraph.

In other words, the person seeking the concession must satisfy the Registrar of Motor Vehicles by statutory declaration that it is for a charitable organization. If that can be done a concession is granted. It is a simple matter. When the member for Flinders (Mr. Pearson) was speaking, Mr. Riches, by interjection, reminded him that he appeared to be assuming that charitable organizations always received subsidies and sympathetic consideration from the Government. The Premier interjected:—

If he is, he is assuming wrongly because they have to prove their case for a subsidy.

That is exactly what we seek in this Bill—they must prove a case before a concession is granted. I cannot take seriously the interjection of the member for Onkaparinga (Mr. Shannon) that charitable organizations would go to great expense in buying motor vehicles simply for the sake of claiming a small redution in the registration fees of those vehicles. That would suggest that the organizations would cut off their noses to spite their faces. I doubt if the suggestion was meant to be taken seriously. Mr. Riches mentioned that the boy scouts in his district, after much hard work and saving, procured a motor vehicle to suit their purposes, but because of heavily increased registration fees were faced with an annual additional burden rather beyond their means. That was one of the many reasons for seeking these concessions. I am sure other members could provide many

similar examples where they thought that concessions would be just and valid, but which could not be granted as things are at present. I think that all members who have opposed the Bill have made very evident their appreciation of the work of charitable organizations in their districts, but we need something more tangible than kind words. It has been suggested that their remarks were only lip service with an eye on votes, but I do not agree with that. I believe that all members would like to see legitimate organizations receiving greater assistance. As proof of their sincerity they could support this measure. They could cast aside any doubts about departmental difficulties which might occur in administering the provisions of this legislation. The benefit to organizations which could prove their *bona fides* would greatly outweigh any difficulties the Bill may have. Mr. Shannon said:—

Although the legislation has the merit of trying to assist people whom we are anxious to assist, I oppose it because it does not approach the problem from the right direction.

We are anxious to know the right direction. Mr. Pearson referred to using a sledge hammer to crack a very small nut, but he did not tell us what weapon we should use for this cracking purpose. If members agree with the members for Flinders and Onkaparinga that there is merit in trying to assist these people, but that this is the wrong way to go about it, I would be delighted to hear how the results we seek could better be achieved. I support the Bill as it stands, but would be happy to consider any amendments which might achieve the desired result.

Mr. TRAVERS (Torrens)—I oppose the Bill, but make it plain that in so doing I give full commendation to all organizations and all people whose objectives are charitable. I do not want to be supposed to be taking any stand to make their already difficult tasks more difficult. I oppose the measure because it appears to me to be totally impracticable, and if we examine the wording of two clauses we shall see how thoroughly unworkable the Bill is. New paragraph (10c) (*a*) refers to a motor vehicle which is owned by a charitable organization and which will, during the period for which registration is desired, continue to be so owned. Let us examine those two constituent elements to see where they take us. If we make a concession of this kind for charity then it should be universally charitable and not selectively charitable. There are many organizations which are totally charitable in their outlook but do not own property. Indeed, many of them by their constitutions are not capable of owning property and many religious organizations have made vows inconsistent with their owning property. The ownership of property is not a proper basis at all for the granting of this concession. There are many organizations that use vehicles made available to them by philanthropic people. These organizations use them but never own them, and there is no reason why those who happen to own an article should obtain any greater benefit than those who have the exclusive use of them. The second element is that the vehicle shall continue to be owned by a charitable organization during the period for which registration is applied for. How can anyone say that of any vehicle? Many circumstances have to be considered. It may become necessary to sell the vehicle. The Bill makes no provision for that.

Mr. Riches—What happens when a person sells his truck?

Mr. TRAVERS—I have had no occasion to look at that. I am only dealing with this Bill now. The vehicle may be sold a week after it was registered. The Bill makes no provision against the position of a vehicle being burnt or of the unfortunate event of a bailiff seizing it. It is all very well to bring down legislation, to quote the member for Gawler, prompted by pious intentions, but it is no use passing it if it is not workable.

Mr. Riches—The Bill merely adds something to what is already in the Act.

Mr. TRAVERS—I realize that. The next part of it is the definition, which passes all understanding. It states:—

In this paragraph "charitable organization" means any association of persons, whether incorporated or not, declared by the Governor to be a charitable organization for purposes of this paragraph.

If there is one thing necessary in all legislation it is precise definition. I had occasion to point out during the Address in Reply debate that South Australia did not have enough lawyers. One thing I should like to avoid is the passing of a Bill like this which would require an army of lawyers to argue its interpretation, and then I think not reach any satisfactory result. The Governor should not be asked to simply put the names of organizations in a hat and say "The one I pull out is to be declared by me to be a charitable organization." He must have some yardstick, and those who advise the Governor must have some yardstick by which to measure these things and some precise definition by which to justify the exemption of one

body from paying full registration fees and the exclusion of another from the benefits. The Bill gives no clue on this matter. It simply passes the buck to the Governor to select, presumably at random, who shall benefit. If it is not to be a selection at random, what other alternatives are there? I believe there are only two. One is to look to the dictionary meaning of "charitable" and the other is to look at the decided legal interpretations of the word. I have looked at both, and I find some extraordinary results that show how unworkable the legislation would be. We find that we should be venturing out on a very dark sea of uncertainty if we passed this Bill because one of the meanings given in Webster's dictionary is "exhibiting charity." I have seen many of our principal bookmakers exhibiting charity at times, but I do not think we should give them concessions in registering their motor vehicles. Another meaning given is "exhibiting Christian love," which I presume is the species of love exhibited by the Minister of Agriculture. Another meaning is "benevolent and kindly," and I see no reason why the Premier should have his car registered at cut rates. Webster gives another meaning as "liberal." Much as I would like to have my car registered at cut rates I do not see why all Liberals should get it and our friends opposite have to pay full rates. Another meaning is "avoiding harsh judgment and dictated by kindness." That means that all motor cars owned by the members of the Law Society could be registered at reduced fees, and I am sure there is no reason why they should benefit.

I referred to decided legal cases to see whether I could get something more definite on the meaning of "charitable." The books are full of conflicting decisions on what is a charitable organization. The question we have to face is who shall decide. Are we to ask the Governor to spend his time doing it? By what yardstick would he reach a decision? It has been held to be "charitable" where there has been a bequest for schools. Are all motor cars used for schools to be exempted under the statute? It has also been held to be charitable when a gift is made for the poor, but there is no means by which we can say precisely what is a test of poverty. A gift for a benevolent institution has been held to be a charitable bequest and so have gifts for works of public utility. I am sure the Minister of Works would eagerly seize on that and suggest that any vehicles used in respect of the Mannum-Adelaide pipeline should be registered at reduced fees. A gift for an annual school treat for children has been held to be charitable, and so have gifts for missionary purposes, and a bequest to provide a home for starving and forsaken cats. Motor cars used by organizations associated with the vivisection of animals could probably be registered at concession rates. A bequest for building a home for nurses has been held to be charitable, also one for the repair and maintenance of the chimes of a church bell, and so have bequests to benefit a vegetarian society.

Members can see how wide and diverse the possibilities are, but now we come to the crowning decision of all. A statute of Queen Elizabeth I described charitable as "including relief for the aged, the impotent, and the poor." However, it did not say how old or how poor the people should be, and the Queen said nothing of the test to see whether the subject was impotent. With all this multiplicity and uncertainty the legislation would be just a waste of time. Indeed, that statute of Queen Elizabeth I extended charitable bequests to such things as the repair of bridges, something in which you, Mr. Speaker, would be interested as a member of the Botanic Park Board. It extended charitable bequests to moneys paid to bear the expense of marriage of poor maids. Again, the law did not advert to the test of their poverty, nor even to a test of their maidenhood. Having a kind disposition, I should like to save the Governor from the formidable task of having to decide which organizations are charitable. After all, His Excellency is a man of great accomplishments and distinguished record. Indeed, he bears with distinction the great honour of being the personal representative of Her Majesty, and I should hate to be so unfair to him as to condemn him to the tortured life of having to choose between these various organizations. We can envisage him laboriously combing through the constitutions of organizations to see whether they exist for the purpose of art, schools, religion, houses of correction, vegetarians, or indeed for the promotion of marriage of poor maids or for the comfort of those men who are aged and impotent.

Mr. BROOKMAN (Alexandra)—I oppose the Bill. I believe the sponsor's motive is to assist charitable organizations, but that he has gone the wrong way about it. He seeks to grant concessions to charitable organizations in the registration of motor vehicles, but no strong argument can be advanced for this method. The proper way to help them is

through the Budget. Firstly, we have the difficulty that has been referred to at length by some speakers and very clearly by the member for Torrens—the difficulty of defining "charitable organization." We have all shades of opinion on that question, and even if we were able to define it satisfactorily, there would still be organizations much worthier than others of financial support from the Government. Under the Bill it would be difficult to define the organizations entitled to the concession. Further, even if that difficulty were overcome the concession could be regarded merely as a flat rate subsidy, and I do not approve of that. Members have spoken of part-time drivers who use their vehicles while working for a charitable organization.

Mr. Riches—They are not covered by the Bill.

Mr. BROOKMAN—Yes, but there are many such employees, and I believe that that fact would only lead to confusion in the administration of the legislation. The concession would be forgotten in our public accounts and become a hidden subsidy. Assistance given to such bodies should be clearly stated in the Estimates presented each session so that members might see what the Treasury pays out to them each year. The concession extended in the Bill would give members no way of telling how much charitable organizations were receiving by way of this benefit unless the Registrar of Motor Vehicles prepared a return showing the number and type of motor vehicles being used. That is another unsatisfactory feature of the Bill.

The concession extended to primary producers by way of reduced registration fees has been mentioned in this debate, but that is quite irrelevant in a consideration of this Bill for the primary producer is different from a charitable organization and is not assisted financially by means of Budget grants the same as these organizations. The one person in this State who is in a position to judge the relative needs and worth of charitable organizations is the Treasurer, and the determination of what assistance shall be given to these organizations should be left to him. When he speaks again in this debate the member for Stuart (Mr. Riches), should tell members why financial assistance should not be granted to these charitable organizations through the Budget rather than by means of the concessions proposed in the Bill.

Mr. RICHES (Stuart)—I thought that a measure of this kind would be debated on its merits, but it is perfectly obvious from the similarity of the arguments used against the Bill that discussions have been held outside the House. I regret that it has been made a Party issue. There is little substance in the remarks of members opposing the Bill. Mr. Brookman asked why I was introducing a Bill to assist charitable organizations by way of motor registration concessions rather than by way of Budget grant. The Whyalla Boy Scouts Association approached the Treasurer for assistance, and he said that, although he was sympathetic, he had no power to grant a concession on the registration of their motor vehicle. Neither the Treasurer nor the Registrar of Motor Vehicles suggested that any other avenue was open to the association for relief. Further, not all organizations deserving of assistance are assisted through the Budget. Indeed, it took me about seven years of solid representations before the Treasurer agreed to assist the Flying Doctor Service, and, although that organization is not included in the Estimates this year, I understand that is an error and that it is to be assisted. My Bill seeks to give the Treasurer through the Motor Vehicles Department, the right to encourage charitable organizations to undertake work by granting them this concession. The Treasurer, in a letter to the organization I mentioned in my second reading explanation, said that he regretted he did not have that power.

Mr. Brookman—He has power to assist them through the Budget.

Mr. RICHES—Whenever I ask for assistance for charitable bodies in my district I am told that the Treasurer recognizes only the metropolitan offices of State-wide charitable organizations. The Estimates provide for a grant to the Boy Scouts Association to enable it to carry on its work throughout the State, but no provision is made for assistance to be given directly to any branch of that organization which wishes to engage on community service work such as the collection of salvage and bottles with the use of a truck.

Mr. Brookman—Can't the Whyalla scouts get a greater share of the State grant to the Boy Scouts Association?

Mr. RICHES—I do not know that they get anything at all. This legislation was born of my frustration in trying to get grants for these charitable organizations. The first approach was by way of a letter from the Boy Scouts Association to the Treasurer, to which no reply was received. The association then wrote to the Registrar, but again no reply was received. I was then asked to place the application before the Treasurer because it was felt he had not seen the original letter.

Country members know that country branches of the St. John Ambulance Brigade have not yet received a brass farthing of the grant made through the Budget to the headquarters of that organization.

Mr. Shannon—I thought Boy Scouts were taught to be self-reliant!

Mr. RICHES—Yes, and I thought that by providing a vehicle to collect salvage and making it available to other charitable organizations when required, the Boy Scouts were not only being self-reliant but also assisting other charitable organizations in a manner that would entitle them to the concession granted by the Bill. I do not think the State would lose anything by granting such organizations the concession that is granted in respect of ambulances, consular vehicles and fire brigade vehicles. In fact, it would gain from the encouragement given.

Mr. Pearson—How would you like to have to decide what is a charitable organization?

Mr. RICHES—If I had attempted to name the organizations, members opposite would have told me that I had left some out. Provision is made in the income tax legislation for deductions respecting charitable organizations, and there has been no difficulty in making a list of them. When Commonwealth entertainment tax was imposed there was a list of them. There was no difficulty in the matter. There is a Collection for Charitable Purposes Act and I have not heard of any insuperable difficulty there. The Bill gives the Government the right to proclaim what are regarded as charitable organizations, after they have satisfied the registrar by statutory declaration that they are charitable organizations. The onus is on the applicant to satisfy the registrar that the vehicle is owned by a charitable organization and used exclusively for charitable work. The part-time vehicles mentioned by Mr. Brookman do not come under the Bill at all.

Mr. Hawker—Wouldn't it be unfair for one organization using voluntary labour and having a number of vehicles operating only part-time on charitable work to get no reduction and for another organization with one vehicle fully occupied on such work to get it?

Mr. RICHES—All organizations have vehicles that do not come under the Bill. St. John Ambulance Brigade has some, but in respect of its ambulances there is a reduction. The Fire Brigade has some vehicles which would not come under the measure.

Mr. Pearson—Ambulances and fire brigade appliances can be easily identified, but the position is different with a motor car.

Mr. RICHES—Charitable organizations are not the only organizations to have motor cars for which concessions are granted. Mr. Travers asked what would happen if a vehicle, in respect of which a concession was given, was burned or sold. The same position would apply as when a pastoralist sold his vehicle or a consular vehicle was sold to a private owner. I am surprised at the difficulty Liberal members have in understanding the meaning of "charitable organization." Experience and the sense of humanity does not help them one bit. Mr. Travers was prepared to debate the matter of a motor car used by aged spinsters, but I cannot see him moving for it to come under the Act. There would be no real difficulty in deciding which charitable organizations should come under the Bill. The real basis for granting the concession is not the organization as such, but the vehicle and the work it is required to do. When it ceased to be used for the purposes of the charitable organization it would cease to come under the Bill. The other criticism of the Bill concerned the terrific drain there would be on the road funds of the State. When we consider the cost of the concessions granted in other ways the concession to be given under the Bill would be infinitesimal. Our road funds would not be seriously embarrassed by granting it. It is obvious that the issue has been decided at a Liberal Party meeting and that there will be a Party vote. I cannot see much good in prolonging the debate, but I thought the arguments advanced by members opposite should be answered.

Mr. Brookman—Why can't we subsidize charitable organizations through the Budget?

Mr. RICHES—I named three organizations in my district which applied for assistance in the way suggested, but nothing was included for them in the Budget. The first approach was to the Premier, who said he was sympathetically disposed towards the organizations, but regretted that there was no discretionary power to enable a concession to be granted.

Mr. Brookman—Did they ask for a grant?

Mr. RICHES—Their difficulty was pointed out and it was said that they could not afford to register their vehicles. I have sought to give the Premier the discretion he said he did not possess. I have set out the case for the organizations which approached me and if

Government members are not prepared to help them, that is the answer I will take back. Apparently members opposite cannot define "charitable organization" and they say they cannot give a concession because it would interfere with road funds. That is the answer I will take back to the organizations concerned and I will be surprised if it is accepted. The interest of members opposite in this matter has been brought out into the open.

Mr. Shannon—Was that the purpose of the Bill?

Mr. RICHES—When it was introduced I had a fond hope that it would not be regarded as a Party measure. Every Government member seems to be in opposition to it and those who have spoken have put up the same argument. I will not believe that 20 members opposite would with one accord say that the measure would diminish the amount available for roadmaking unless there had been some previous discussion on the matter. It is perfectly ridiculous.

Mr. Shannon—You are happy to get 14 solid votes from your side.

Mr. RICHES—I have not counted them, but generally speaking members on this side do not have to consult *Webster's Dictionary* to know the meaning of "charitable organization."

The House divided on the second reading—

Ayes (13).—Messrs. John Clark, Corcoran, Davis, Dunstan, Hutchens, Jennings, Lawn, McAlees, O'Halloran, Riches (teller), Stephens, Frank Walsh, and Fred Walsh.

Noes (23).—Messrs. Brookman, Geoffrey Clarke, Dunks, Dunnage, Fletcher, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, William Jenkins, Macgillivray, McIntosh, Michael, Pattinson, Pearson, Playford (teller), Quirke, Stott, Tuesner, Travers, and White.

Pair.—Aye—Mr. Tapping. No—Mr. Shannon.

Majority of 10 for the Noes.

Second reading thus negatived.

INDUSTRIAL CODE AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 27. Page 1184.)

Mr. PEARSON (Flinders)—I approach this measure quite obviously not as an expert in Industrial Code matters. Its provisions are of considerable importance to the well-being of the State because industry in South Australia has assumed such significant proportions in the last decade. I feel that any consideration of the conditioning of industries and the regulations governing it is of importance in both the long term and short term outlook. I listened with interest to the comments of the Leader of the Opposition in introducing this measure and will refer to some of them later. Without attempting to examine the technicalities of this measure my comments will be made especially from the broad basis of the legislation. I was interested to read in the press recently a report of speeches made at an important dinner in Adelaide attended by the Prime Minister at which some 600 industrial executives from South Australia were present. The Prime Minister said he was amazed to see such a gathering of people in South Australia because, although this State had been regarded as a simple farming community, he saw before him the largest gathering of manufacturers he had ever seen anywhere in the world. That indicates the extent to which we have become industrialized and the keenness and progressive outlook of our industrial leaders. At that gathering the manager of the company entertaining the guests referred to the position of his company in regard to the possible and projected export of its products overseas. The press report stated:—

He felt that the public would support the company's belief that it was essential for the future of the industry in this country to win and retain export markets. Although his company's production costs were being reduced, they were still too high to permit the company to compete on equal terms in export markets with other vehicle-manufacturing firms.

I assume that he referred to vehicles manufactured by other industries outside Australia. That statement is most significant in these times. It is perfectly obvious, to my way of thinking, that the prosperity within Australia arises entirely from the large amount of money which comes to this country annually from the export of our primary products, principally wheat, wool, barley and meat. That press statement also clearly indicates, by implication, that some of our industries, if they are to develop further, must reach a position in which they can export products in competition with manufacturers of similar goods in other highly industrialized parts of the world. It also admits that Australia's prosperity has not yet received any direct contribution from exports by our major industrial concerns. The point immediately arises that up to the present our industries have not felt the impact and effect of local industrial conditions which our tribunals have prescribed, in their competition with overseas competitors. Therefore, for us to argue, as we sometimes do, that the industrial

conditions we have provided in Australia are perfectly sound and just economically is, I think, to argue without regarding the major consideration in its proper perspective. Although we may be able to extend industrially to the point where we completely fulfil the capacity of our home market to absorb the manufactured goods, if we seek to cut production costs further by a greater volume of production—and that is one of the principal means of cutting costs—we must look to an export market to absorb the surplus. Therefore it is obvious that unless our conditions in industry are such that we can compete with other countries we shall have no hope of developing our industries to any extent. When I say "conditions in industry" I do not mean merely the industrial laws but the whole field of production, management, labour, supply of raw materials, production methods, salesmanship. and so on. No longer can we afford to look at our industrial laws and industrial machinery from a detached angle and say that industry can afford to pay all these concessions. We must look at this matter from a much wider point of view. When a manager of a company to which I referred makes a statement such as the one I quoted it is incumbent on us to critically examine a Bill such as this. We must not look at it from a parochial point of view, but see what its effect would be on the expansion of industry in the near future. That is what everyone must do who has the welfare of employers and employees really at heart.

Mr. Davis—If these concessions were granted who would suffer a lower standard of living, the employer or the employee?

Mr. PEARSON—I do not know. I have not set out to debate that, but if the honourable member wants to start me out on a rabid political speech I may say that I have even been known to attempt that. I said earlier that everyone concerned in production would have to see that his house was put thoroughly in order. Let us examine the impact of this Bill on the industry with which I am most conversant, the primary industry. The Prime Minister, in the speech to which I referred, said that Australia's industry has been built upon the prosperity of the primary producer and that the capacity of the home market to absorb increased industrial production by virtue of the prosperity of our export industries has enabled industry to expand and produce up to its present volume. He also said:—

More and more the Australian manufacturer was realizing that the success of his industry depended on Australian people. It depends upon worker and management relations and on the prosperity of the Australian community, and finally, on the ability to export.

He also said that there was no reason for assumed hostility between employers and employees. That was a good way to put it—"assumed hostility." I have often referred to that. Many people in their sane moments quite understand that the ultimate welfare of our people depends upon the realization that we are all partners in industry and partners in the prosperity of the community. The sooner we realize that and act upon it the sooner shall we set our sails for greater industrial and commercial development.

The effect of one clause in the Bill is to make the Industrial Code applicable to primary producers. This is not the first time we have debated this question, and I do not think it will be the last. My view always has been, and still is, that the Industrial Code is far too rigid to be applied to anything so flexible as conditions of employment in primary production. The seasonal type of work and the go and come which is part and parcel of farming, particularly mixed farming, does not necessarily make the application of the Code impossible, but it would be entirely uneconomic. It would not be in the best interests of either the employer or the employee in primary production to compel the application of the Code to this industry. In the past farmers have been able to meet the ups and down of export prices largely because of their own personal labours.

Mr. Fred Walsh—That would not be affected by the Bill.

Mr. PEARSON—No, but farmers and their families have in the past been compelled to work for virtually no wages, only for their preservation. During the depression the primary industry was hit extremely hard and farmers and their families worked long hours to sustain themselves. Many were able to weather the storm because they were not fettered by industrial legislation. If the farmer had to employ people all the year round at so many hours a week or a maximum of so many hours a fortnight, how would he be able to plan the work economically? The working day on the farm in the winter normally begins at about 8 a.m. and ends at about 5 p.m., according to the amount of daylight available. In the summer, when farmers are extremely busy, work commences two hours earlier and finishes about two hours later, but they would be placed in an impossible position if rigid hours of work were fixed and if overtime had to be paid for excess hours. They and their families would be forced

to do all the farming themselves. They could not put up with all the humbug and the problems in employing farm labour. Most members are anxious to retain population in the country and to house country people under decent conditions, but that would be impossible under the application of rigid industrial conditions to primary industries.

If farmers are to do what they have been gratuitously advised to do recently, namely, to cut production costs and do this, that and the other thing, they must be allowed to continue producing as they have been. They would be prevented from cutting production costs and meeting the consequences of a fall in the export market if rural workers were subject to the provisions of the Industrial Code. Nothing would hamper and frustrate primary producers more. Except in rare instances, agricultural employees are not subject to any of the indignities or hardships that some people allege they are. I know from considerable experience that the average farmer realizes that if he wants capable and conscientious people to operate and supervise expensive and sometimes irreplaceable machinery essential to farming he has to offer reasonable wages and conditions. It does not pay to employ so-called cheap labour. There is no incentive today for the owner-farmer to run after cheap labour and exploit his employees so much that they become dissatisfied. There is continuous competition amongst farmers to get reliable men. Once they have them they are anxious to do everything possible to make them happy and contented and to fit them into the give and take life of rural production.

The Leader of the Opposition contended that it was necessary to pass this Bill in order to promote industrial peace. The term "industrial peace" is often used unnecessarily in these days in a way that gives it a somewhat false meaning. When we talk of peace we naturally think of freedom from disharmony and interruption, but I remember that before the second world war peace was temporarily preserved by a certain gentleman with an umbrella who thought he was preserving it by constantly giving way to the rapacious demands of some people who did not know where to stop. Although I do not suggest that the demands of the employee are unduly rapacious or that the conditions I have outlined are entirely analogous, I believe that industrial peace can be preserved fairly satisfactorily if you are prepared to give way to the demands of the section that happens to be the most vocal. Members often hear it said that a concession to a certain group will be conducive to peace and harmony in an industry or association. That is often true, but a parent can get temporary peace and quiet merely by giving a growing child a lolly. The time will come, however, when we in Australia will have to watch our step. If our industries are to expand there must be a limit beyond which we cannot legitimately go in meeting the demands of workers for higher wages and better conditions.

Mr. Jennings—Has that limit been reached yet?

Mr. PEARSON—I do not know, but in view of what has been said by people who are much more expert in this field than I, we are close to the limit in some industries even if we have not yet exceeded it. Some industries—and they are not all secondary industries—are in difficulties because of increasing competition on overseas markets and the consequent necessity to keep down prices. If the infusion of prosperity that has streamed into Australia over the past six or seven years and has been caused by the high prices of our primary products ceases to flow, most of our primary and secondary industries will be in trouble. That fact would seem to indicate that we have almost reached limits beyond which we cannot go in giving concessions either to the employer or the employee. It must be realized that the employer enjoys certain benefits from tariff barriers, and the employee also benefits from these by way of production. We cannot continue to buy industrial peace at a price that will eventually ruin us. If we carry on like that there will come a day of reckoning that will be much more severe on all sections than would any result which would flow from a realistic approach to the problem at this stage. It takes two people to make a bargain, and we should be able to expect from both parties a certain sweet reason.

Mr. O'Halloran—That is what this Bill seeks to provide.

Mr. PEARSON So often in the past, especially since the war, awards have been made by various industrial tribunals, increasing wages and improving working conditions. They have been accepted by the workers and trade union officials and have promoted industrial peace; but the moment it is suggested that the arbitration machinery should be put into reverse a little to provide the employer with some relief or benefit that may react against the worker we run into a certain amount of bother. An example of this may be seen on our waterfront today. Members will remember the

industrial unrest that occurred when the Arbitration Court decided that the economic limit of wages had been reached and would not increase them. I do not argue the validity of that decision—

Mr. Jennings—You would be wise not to.

Mr. PEARSON—I am not saying I could not, but I will not at this stage. I am fearful that, if it becomes necessary for our industrial tribunals to make awards that are further to the apparent detriment of the workers, more trouble will follow. I suggest that you cannot have industrial peace by going in one direction all the time, for there are limits—

Mr. Davis—It is a one-way traffic as far as you are concerned!

Mr. PEARSON—The honourable member said exactly what I hoped he would say. If there is any member in this House who is more one-eyed on the question of wages and conditions than the member for Port Pirie I have yet to meet him, and when he refers to one-way traffic no-one can speak with greater authority. It is apparent that if we are to have industrial peace we must have an understanding on the part of all concerned. All parties must accept the determinations of tribunals in the spirit in which I believe they are given. We set up tribunals such as the Commonwealth Arbitration Court, the State Industrial Courts, conciliation commissioners and boards of reference to make determinations.

Mr. John Clark—Do you favour conciliation?

Mr. PEARSON—Yes, provided it does not mean a one-way traffic as the member for Port Pirie suggests.

Mr. John Clark—Which way?

Mr. PEARSON—Neither way. I want the appropriate industrial tribunals we have set up in this country to be able to make an award or determination without being fearful of creating an industrial disturbance. I want some evidence that the parties to an industrial award are prepared to observe it, but I do not always see that evidence. The employers bound by awards are comparatively few in number, and if they do not observe them they are prosecuted; but if a thousand unionists strike, what happens? Nothing worse than a rise in wages! If we are to have industrial tribunals let us accept their determinations with good grace. Those determinations cannot always be our way whichever side of the fence we are on. If we are to have wrangling and disputes merely because a decision goes against us, that is not accepting in a proper spirit the decision of the tribunal that has been set up to adjudicate in a dispute. This Bill contains an indirect reference to the possibility of compulsory unionism, which I abhor.

Mr. Fred Walsh—There is no reference to it in the Bill.

Mr. PEARSON—It provides that the court may order it if it so desires. I object to any provision that would open the door even one inch to the possibility of compulsory unionism. It is complete anathema to me, and I am amazed that it is even suggested by a Party that claims to be founded on true democracy. I cannot see the necessity of compelling anybody to belong to anything from which he is supposed to receive a benefit that should induce him to be a member. That is wrong in principle, and members opposite know it is wrong. Nothing can be said to justify that principle. I have heard the term "scab" used about a person who refused to join a union, but I always thought a scab was the cover of a sore that had healed up. Every member should severely examine his conscience before doing anything that would enable this Parliament or any authority set up by it to introduce a policy of compulsory unionism into South Australia. I am considerably disturbed by the proposals of the Leader of the Opposition regarding piece work. The Bill considerably widens the accepted definition of piece work and correspondingly narrows the accepted definition of contract or sub-contract work.

Mr. O'Halloran—Have you ever looked at the Industrial Code for a definition of piece work?

Mr. PEARSON—I am using the accepted definition.

Mr. O'Halloran—Is it the legal definition?

Mr. PEARSON—If the honourable member wants to tie me down to such precise terms I will have to be careful of the language I use, but he knows full well what I mean.

Mr. O'Halloran—If your definition of piece work were accepted by the President of the Court it would probably be all right, but because it is not in the law he cannot accept it.

Mr. PEARSON—Clause 4, paragraph (*g*) inserts the following definition of piece work:—

"Piece work" (without limiting its ordinary meaning) includes all systems of work whereby a quantum of work is required for payment of a wage and all systems of subcontract work where the person undertaking the subcontract does not supply all materials and plant necessary to complete the subcontract; and

Mr. O'Halloran—That adopts your definition without limiting its ordinary meaning.

Mr. PEARSON—It means that unless the subcontractor provides the whole of the plant and materials required for the completion of and materials required for the completion of his job he is a piece worker. Thousands of people are prepared, in their spare time in their back yards, or even in their working time, to make component parts for large manufacturers. If one wants a little bit of steel for a special job or a part of a casting which he will subsequently machine he will be in trouble.

Mr. Fred Walsh—I am satisfied that the honourable member knows nothing about the Bill.

Mr. PEARSON—Very well, let us go a bit further, where I am on my home ground. If this Bill is carried as it stands share-farming will go out of existence.

Mr. O'Halloran—Oh dear me!

Mr. PEARSON—The Bill proposes two things: (1) to extend the Industrial Code to agricultural workers, and (2) to prevent a person from—

Mr. O'Halloran—But I do not propose to stop wheat lumping, or shearing, or all those country avocations being done by contract today, and the Bill does not touch the honourable member's definition of piece work.

Mr. PEARSON—If my interpretation is anywhere near correct, unless the share farmer provides the whole of the machinery—which is plant—all the seed, superphosphate, and so on for his job, and the Industrial Code having been to agricultural workers, he is prohibited from carrying on his operations, and I suggest that the Leader of the Opposition have a look at this aspect.

Mr. O'Halloran—I suggest that the honourable member have another look, because it does not do as he suggests.

Mr. Shannon—It is not a principle that we are considering, but the Bill, and it is what the Bill says that matters.

Mr. PEARSON—If I am incorrect I shall be pleased to be enlightened, but I say that the effect is what I have described. I suppose at least 30 per cent of owner-farmers in South Australia began their operations as share farmers, and at present probably more than 50 per cent of the people employed in agriculture on a permanent basis are share farmers in one sense or another. They do not all supply plant; some of them do, but there are various systems. A man can work on a wage and part share, or provide all the labour and get one-third of the crop, or provide plant and machinery and get, perhaps, half the crop.

Mr. Fred Walsh—Is not the honourable member extravagant in his interpretation of the Bill?

Mr. PEARSON—If so, put me right.

Mr. Jennings—It was not mentioned in the second reading speech.

Mr. PEARSON—Of course not. That would not have been good policy, but I am referring to it, and if I am wrong let me be corrected. If my interpretation is even remotely correct it is a serious objection to this Bill. The difficulty could be overcome either by deleting the application of the Industrial Code to agriculture, or by allowing the understanding of piece work to remain as it is, but the two combined have the effect I have mentioned.

There are two good grounds for the critical examination of any legislation which has an effect upon either party in industry, and I have therefore taken the trouble to make some contribution to this debate because, even as a layman in industrial matters as I readily admit myself to be, I believe there are broad principles of interpretation to which we should have regard, and the ultimate is the well-being of the employer and the person he employs. For that reason I suggest that we do not support the Bill.

Mr. FRED WALSH (Thebarton)—While it is true, as some members opposite have said, that this is something of a hardy annual, that is only true to the extent that we have succeeded from time to time in having the matter discussed in Parliament. Our consciences are quite clear; we are only desirous of having the Industrial Code amended to meet our requirements as we think they ought to be met. It is true that on this occasion there are one or two proposal not previously put forward by us. No-one will deny the need for a periodical review of the Code, just as it is necessary in respect of any other piece of legislation under which the community lives and works. I suggest that the Code is archaic. Except on one occasion about four or five years ago, when certain conditions in respect of the employment of female labour were embodied in it, there has been no worth-while amendment of the Industrial Code for 30 years or more. I can well remember, despite what may be said to the contrary by members opposite, when in 1921 or 1922 the Government of the day led by Mr. (now Sir Henry) Barwell contemplated throwing out the Industrial

Code, the huge procession that marched down King William Street and assembled in front of Parliament House in a mass so dense that one could not move along North Terrace. That had such an effect on the Government that it did not proceed with its intention.

The Hon. M. McIntosh—Not because of the procession.

Mr. FRED WALSH—I believe it was. I know that the members were out on the steps of Parliament House more or less in fear of what was going to happen, and the Government did not go on with its proposal. No threats were made; it was merely an organized protest on the part of working people against the intentions of the Government, and I know that because I participated in the procession.

The Hon. M. McIntosh—And I took part in the debate.

Mr. FRED WALSH—I am one who believes in industrial boards. I have had 30 years' experience of them and still represent several sections of my organization, so I have some knowledge of the procedure of these boards. Although it is true that we have not got all we desired, I am quite satisfied that, having regard to the conciliatory methods used to bring the parties together, it is as good a system as obtains anywhere in the Commonwealth. Indeed, I feel that it would be in the best interests of industrial relations throughout Australia if such a system obtained in all the States instead of the Federal Arbitration Court, constituted as it is today, with its army of conciliation commissioners.

I cannot leave the member for Mitcham, Mr. Dunks, out of my remarks, and I am glad he is not in the Chair at the moment, for I am always loth to criticize anyone not in a position to reply, although I do not intend to treat him very harshly. He is greatly concerned about the decision of the industrial board that controls the industry with which he is associated, and he is in the fortunate position of being able to express himself for or against the decisions of the board or the Arbitration Court. He complains about the difficulties in his own industry, and I shall not dispute the grounds on which he basis his complaint because he knows more about it than I do. He certainly complained very strongly that the industry was still under price control, and that although wages had increased and conditions improved he had been unable to increase the cost of the commodity he sells to the public. However, I think we can take a line from the fact that the honourable member is still in the business in which he has been engaged for many years, so I take it that he is not losing. He referred to the powers of wages boards to deal with alteration of hours, rates of pay and conditions, to which he objected, but in point of fact they have no power to deal with hours, because standard hours are determined by the Board of Industry, and therefore that discounts his point.

He criticized the fact that chairmen of boards are frequently lawyers, and I am inclined to support his view on that. My friend from Norwood (Mr. Dunstan) is naturally conscious of the fact that he belongs to that profession and I shall say nothing derogatory against it, but often they are not in a position to determine the issue. It is not the desire of trades unions to have a member of the legal profession sitting on their boards as a chairman. Often they submit the names of laymen who have had experience either in the industry or in an associated industry. On one occasion I protested to the court about the appointment of a member of the legal profession, but the court still appointed him. Over the period of 30 years I have been associated with one board there have been four chairmen, each from the legal profession. Generally the unions get a fair go, but that does not alter the fact that it is questionable on occasions whether they are competent to deal with the matters placed before them.

I question whether the President of the Industrial Court, who is a legal man, is competent to deal with some of the matters placed before him. I refer to his decision yesterday regarding employees at Radium Hill made on an application of the Australian Workers Union. He said he was not satisfied that in the interests of safety two men were necessary on each rock drilling machine at Radium Hill. This was in spite of the practice at Broken Hill. He said he did not think the morale of an experienced miner was lowered by the absence of a man with him provided he was working within a reasonable distance of another man or was frequently visited. It would do him good to work as a miner. I had a little experience as a young man in a Broken Hill mine and I know what it is to be separated from other workers. Here again we find that a man appointed President of the Industrial Court is incompetent to determine whether one man should work alone or two should work together.

Reference has been made during the debate to the principle of preference to unionists. This provision is not included in the Bill, but

reference was made to it apparently when I was not in the House, and it was contended, or it could be construed, that the court could give preference if it so desired. I shall not argue the point whether it has the power. It could have the power to deal with almost everything if that construction was accepted. I do not know that I am opposed to preference to unionists, or that any reasonable man should be opposed to it. There is a difference between preference to unionists and compulsory unionism. There is compulsory unionism in some of the other States, and some have preference to unionists. Where is the unfairness about it? The trade union organization in this country, and in every country where it has been established, is part and parcel of the economic and social set-up of the community and therefore it should be recognized. I remind members that trade unionism did not grow up overnight any more than employers' organizations. Employers followed the technique of the trade unions in organizing themselves. In the early days of trade unions practically every secretary of a union was working on the job and at the same time organized his colleagues to join. Those who organized the unions made very big sacrifices, many of them being victimized to the extent that they lost their employment. The member for Gawler in his speech referred to the Tolpuddle martyrs. They were the originators of the trade union movement and because of their activities were deported from England. I understand four came to Australia and two went to Canada.

Mr. Brookman—How long ago was all this?

Mr. FRED WALSH—Just 120 years and it was just 100 years later that the Government of Great Britain recognized the need for unionists to be organized in the agriculture industry.

Mr. Dunks—They prohibited them at one time.

Mr. FRED WALSH—At that time. No-one will deny that many workers have benefited as the result of the activities of trade unions. Everyone from the Premier downwards accepts the need for them, but certain people obtain benefits as a result of union activities without subscribing one penny towards their funds. They are just dodgers. It is not a question of compulsion in the real sense of the term, but requiring a man to line up to his responsibilities.

Mr. Brookman—Do you believe in compulsory unionism?

Mr. FRED WALSH—Without involving my colleagues, I can say that as an individual I do and employers' organizations believe in the principle as it applies to themselves. I could give the honourable member the names of employer's organizations who compel employers in associated industries to become members of their association—perhaps not by the force of law but by economic circumstances. The same applies to the industry with which I have been associated. A man who was not a member of a union would not be employed by General-Motors-Holden's. I am pointing out that the principle is recognized that an employee should be a member of a union.

Mr. Dunks—Recognized by whom?

Mr. FRED WALSH—By some employers, but not by your industry. The honourable member would not have a unionist in his factory if he could help it, but there are dozens of industries where the employer would not have a man working for him unless he joined a union. In some instances if a man joined a union he would be dismissed, particularly when there was a shortage of work, but not so much when there is full employment, because employers are not then concerned about principles or scruples. They just grab the labour offering, some of which they would not employ in normal times. When times are not so good they discriminate and say, "If you are a member of a union, I do not want you about my place."

Mr. Dunks—Is not the answer this—that unionists will refuse to work with non-unionists?

Mr. FRED WALSH—Only where they have the economic strength to enforce it, and I know something of that. I know the strength and weakness in certain sections of the industry with which I have been associated, and we have had to adopt different methods. Generally they have succeeded. General-Motors-Holden's is one firm that will not employ a person who is not a member of a union, but the court does in a sense go so far as to bind employers in accordance with the provisions of the Code and the conditions obtaining in any particular award or determination. All determinations have a common rule application, but that does not apply to court awards. After an award, application has to be made by the employer or employees. Generally the application is by employees for a common rule.

Mr. Dunks—Your statement does not answer the suggestion that preference to unionists is being advocated by employers.

Mr. FRED WALSH—I do not say that the employers advocated it. I said that certain employers often refused to employ a person who was not in a union.

Mr. Heaslip—Why?

Mr. FRED WALSH—That is not my business.

Mr. Heaslip—They dare not.

Mr. FRED WALSH—Don't tell me that. When you say that, you do not know what you are talking about. I could take you to a place where the union is unable to wield any economic pressure on the employer. He, because of certain sound principles he holds as an individual, sees that his employee joins a union. Mr. Pearson referred particularly to the exclusion of agricultural workers from the Code and pointed out that some industries are struggling, but he did not name them. I do not think one industry is struggling. I do not know whether Mr. Dunks knows of any. The profit and dividend analysis which appeared in the *Mail* last Saturday compared the 1953-54 position with that of 1952-53 and showed that the percentage increase in the dividend in the engineering group was 35.9, chemical 3, food processing 3, textiles 16.6, other manufacturing 15.1, importers and merchants 5.6, retailers 12.5, trustees 7.4, hotels and breweries 7.6, pastoral 41.2 and transport 18. The overall percentage for the 12 months was 13.3.

Mr. Jennings—With wages pegged.

Mr. FRED WALSH—That is precisely the reason for the increase in the dividends. It is said that prices have not increased, but they have and in real figures wages have been reduced. Over the 12 months there has been an increase in the cost of living in South Australia of about 5s. a week. That amount has not gone into the pockets of the workers because the wages have been pegged, and the only assumption is that it has gone into the pockets of the employers and shareholders. It is uncertain how long the court suspension of quarterly adjustments in the cost of living will continue. The court suggested a certain period. Did not Chief Justice Kelly suggest in his 14 points that wages should be stabilized for three years and that shareholders should forgo dividends above the rate of 12 per cent? No attempt has been made to restrict payments to shareholders. The increase in the rate of dividends has occurred at the expense of the workers. Some action must be taken in this matter and I cannot understand why the Labor movement accepted the court's decision in regard to quarterly adjustments. In my opinion it is a far more important matter than the question of margins.

Strikes have been strongly referred to by some members. We all regret that they occur, particularly irresponsible strikes, but some are necessary to get what we consider to be justice. But for that there would be no justification for strikes. We know of the injustices created from time to time in the wages and conditions of workers in industry, and of action on the part of unscrupulous employers trying to take advantage of their employees. I do not want to be misunderstood in this matter. I do not say that all employers are dishonest, unscrupulous or ready to take an unfair advantage of their employees, but there are some who do it and that is why legislation is passed from time to time to protect the workers.

It has been said by some members that the Industrial Code is loaded in favour of the workers, but that is news to me because the Act sets out conditions which must be complied with by both employer and employee. If any employer or employee breaks them he can be dealt with by the court. Although there may be some difference in fines there is none in the infliction of imprisonment on either the employer or employee. Often the employee is the victim of circumstances, having to conform to the ways of an unscrupulous employer who may impose conditions which are a breach of an award or a determination. There is no loading in the Code in the interests of the employees. It provides a protection far greater for the employer than for the worker. In Australia, generally speaking, we are no worse off in the matter of strikes than other parts of the world. New Zealand is the only other country with an arbitration system similar to ours. Other countries have tried to copy it, but generally their system is one of collective bargaining. Even so, there are from time to time huge industrial upheavals in those countries. Disputes in the United States of America have crippled the whole economic life of the country. They have occurred particularly along the waterfront and in the automobile and coal industries. In the United Kingdom last month there was a terrific industrial upheaval and hundreds of millions of pounds worth of goods were held up on the wharves. I am not very cognizant of the position so I cannot express an opinion as to the justification for the strike. Generally, agreements made by parties in industry in overseas countries have a certain backing in law, in the same way as there is legal backing for our awards. No action is taken against strikers. Even the Conservative Churchill Government refused to take definite action against the strikers despite the crippling effect on the nation's economy. In the State Arbitration Court recently it was alleged that a small organization associated with the building

industry had directed its members not to work under a certain wage because it was felt they were entitled to it. On the complaint of the Factories Department, which is under the direction of the State Government, the court fined the organization £75, with £63 costs.

Mr. Heaslip—Do you believe in awards?

Mr. FRED WALSH—I have already pointed out that I have been associated with wages boards over 30 years, and of course I believe in awards and determinations. It was mean and paltry on the part of the department to be influenced by a small group of employers with an axe to grind and take the union to court. The union will not pay the fine; it will be paid by the trades union movement generally.

Mr. Heaslip—The union acted on its advice.

Mr. FRED WALSH—I suggest that the honourable member does not know the position. The trades union movement thought a principle was involved and was prepared to back the organization to the limit, and it will continue to do so. If the Government believes that it will improve industrial relations by inflicting a fine on the union it is making a big mistake. There has been a lot of talk about agricultural workers. I welcome any member talking about a matter with which he is conversant, but I object to a man talking about industrial matters when he knows nothing about them. I might be asked if I know anything about the agricultural industry, but I know something about it because of my association with a certain industry. Mr. Pearson said he believed in conciliation yet he will vote against the second reading of the Bill. "Agriculture" covers many sections in the industry. The industrial Code says that agriculture includes horticulture, viticulture, and the use of land for any purposes of land husbandry, including the breeding of bees, poultry and livestock, and the growth of fruit trees, vegetables and the like. There are many aspects I am not in a position to argue in relation to farming. The Leader is more competent to argue the point of view of the farm worker.

By excluding the agricultural worker from the Industrial Code we exclude men employed in nurseries and vineyards. There are many vineyards controlled and operated by wine-makers. In the wineries and distilleries they are compelled to conform to determinations and awards but the workers in their vineyards are excluded from these determinations and awards. It is true that in some establishments, where men are interchangeable at certain periods of the year, there is an understanding under which the men receive appropriate wages and conditions but there are other establishments where such an undertaking does not apply. According to the member for Flinders (Mr. Pearson), the Industrial Code is too rigid to apply to agriculturists. I have a copy of the convention of the International Labor Organization passed in 1951 by the International Labor Conference. It deals with the wage fixing machinery for agricultural workers to be established by the countries associated with the International Labor Organization. It is not a conference of workers or trade union representatives but is a body comprising two Government delegates, one employers' delegate and one workers' delegate from each of 69 countries. At the conference I recently attended 66 countries were represented. The convention adopted in 1951 states:—

The general conference of the International Labor Organization . . . adopts this twenty-eight day of June of the year one thousand nine hundred and fifty-one the following Convention, which may be cited as the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951.

Article 1 of that Convention states:—

1. Each member of the International Labor Organization which ratifies this Convention undertakes to create or maintain adequate machinery whereby minimum rates of wages can be fixed for workers employed in agricultural undertakings and related occupations.

2. Each member which ratifies this Convention shall be free to determine, after consultation with the most representative organizations of employers and workers concerned, where such exist, to which undertakings, occupations and categories of persons the minimum wage fixing machinery referred to in the preceding paragraph shall be applied.

3. The competent authority may exclude from the application of all or any of the provisions of this Convention categories of persons whose conditions of employment render such provision inapplicable to them, such as members of the farmer's family employed by him.

The persons at this conference are not men who know nothing about this business. In most instances they appreciate the problem and approach it from an international angle. When a convention is adopted, the position is that it shall be placed before the respective Parliaments within 18 months. They are not compelled to ratify it, but they are expected to consider it. If they ratify it, every 12 months they are required to report on the steps taken to implement the convention. I shall not weary members by recounting every article in the convention but paragraph 4 of Article 3 states:—

Minimum rates of wages which have been fixed shall be binding on the employers and workers concerned so as not to be subject to abatement.

I should have mentioned that there is also provision for allowances in respect of board and lodgings or accommodation that may be provided. They can be included as partial payments in determining the wages to be paid. Articles 4 states:—

1. Each member which ratifies this Convention shall take the necessary measures to ensure that the employers and workers concerned are informed of the minimum rates of wages in force and that wages are not paid at less than these rates in cases where they are applicable; these measures shall include such provision for supervision, inspection, and sanctions as may be necessary and appropriate to the conditions obtaining in agriculture in the country concerned.

The object of that is obvious. It would not be possible to compare India with Australia, for example. There must be different sets of conditions, but basically they are the same. Article 4 continues:—

2. A worker to whom the minimum rates are applicable and who has been paid wages at less than these rates shall be entitled to recover, by judicial or other appropriate proceedings, the amount by which he has been underpaid, subject to such limitation of time as may be determined by natural laws or regulations.

That is exactly what is provided in our Industrial Code in respect of workers in other industries. Article 5 states:—

Each member which ratifies this Convention shall communicate annually to the International Labor Office a general statement indicating the methods and the results of the application of the machinery and, in summary form, the occupations and approximate numbers of workers covered, the minimum rates of wages fixed, and the more important of the other conditions, if any, established relevant to the minimum rates.

In 1952 there was a recommendation concerning holidays with pay in agriculture. That is nothing new, but is an established fact. The principle has been in operation in many countries for years and it obtains in England. In 1834 a group of farm labourers were arrested, tried and deported to Australia and Canada for endeavouring to form a trade union. It was not until 100 years later that an Agricultural Workers' (Wage Regulations) Act was enacted in England, governing the wages and conditions of employees in agriculture.

Mr. Dunks—Is the convention binding on any country or is it merely a recommendation?

Mr. FRED WALSH—The decision of the conference is not binding on any country. If a convention is adopted it must be submitted to the respective countries within 18 months. If a Parliament ratifies the convention it must make reports in accordance with the constitution and rules of the International Labor Organization. If the Parliament falls down on that it comes in for criticism and condemnation —sometimes from their own representatives— at the International Labor Conference. In the case of recommendations, the Governments can please themselves whether they should be submitted to their Parliaments. Next year the recommendation relating to holidays with pay will come before the conference in the form of a convention and if adopted should be placed before the respective Parliaments.

Australia has a bad record in regard to the ratification of conventions adopted by the International Labor Conference. That is probably because of the attitude adopted by the Commonwealth Parliament—whether Liberal or Labor—that under the Constitution it is unable to decree certain wages and conditions for workers in any particular State. It can only apply the convention to its own employees or, in the case of Federal organizations, refer it to the Federal Court for decision. The general practice, I believe, is for the matters to be discussed at a Premiers' Conference. While it is true that there is a basic objection to piecework, the trade union movement in recent years has accepted in part the principle of piecework. Whether it is described as payment by result or bonus systems it has been more or less forced upon the trade union movement despite its opposition. Unfortunately, workers have been able to supplement their income by shift work and bonus payments and they do not like to throw them overboard.

Mr. Brookman—Is there anything wrong with that?

Mr. FRED WALSH—I am not arguing that point, but debating this Bill. The only thing wrong with it is the possible abuse that employers may indulge in. As a young man I had experience of contract mining. I earned as much as 35s. a ton on one shift and perhaps a fortnight later the price would be cut by 5s. a ton. Ultimately, the mining company was mining the ore for 15s. a ton and when a worker could not earn a certain wage he would leave to join another party in another mine. I do not know whether those conditions obtain today but that was the practice and it also obtained in many other industries. Members will know the steps taken by the Federal Arbitration Court in respect of piecework conditions, particularly in the clothing trade, where it granted preference to unions a number of years ago in order to protect

the workers against unscrupulous sweating. The objection the trade union movement has to piece work is the fear that it will be abused. I find it difficult to say what is a normal time, and frankly I do not think there is such a thing as normality, because circumstances change all the time. In 1939 a man might have been competent to do a certain job and to earn good money under a contract or piece work system, but if we had had normal times and there had been no war, by virtue of his age he would not now be able to earn as much money, his standard of living would have been reduced and the employer would have had an excuse to replace him. We cannot forget these things and I hope we will never get back to those bad old days. Those on the Government side who have any sense of justice should at least support the second reading of this Bill, give it a chance to go into Committee, and amend it if that is considered necessary, but at least it should be tried out in Committee where the merits and demerits of each clause can be argued in the proper way, with a view to getting something that I hope will ultimately be to the advantage not only of the employee, but also of the employer.

The question of penalties is one that vitally needs correcting. If before the war when prices and wages were low £20 was an appropriate penalty, surely it should be trebled today, although the Leader of the Opposition does not desire to go that far. I ask members opposite to consider the points raised and to support the second reading so that the Bill will be considered in Committee.

Mr. BROOKMAN secured the adjournment of the debate.

PUBLIC SERVICE ACT AMENDMENT BILL.

Returned from the Legislative Council with an amendment.

SWINE COMPENSATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

[*Sitting suspended from* 5.53 *to* 7.30 *p.m.*]

THE ESTIMATES.

(Continued from November 2. Page 1250.)

On the motion to go into Committee of Supply—

Mr. LAWN (Adelaide)—I desire to take the opportunity to reply to certain statements made in the press by Councillor Bonnin relative to taxi licences and to refer to press reports of a meeting of the Adelaide City Council. Councillor Bonnin is reported to have said:—

The findings of the investigation committee vindicated and justified the actions of the city inspector in almost every respect. No new licences had been issued last year, but ex-servicemen had been given preference when the last new licences were issued in 1952. Drivers had had right of appeal against the council since 1915.

He complains that I spoke in a derogatory manner of the Adelaide City Council. The Concise Oxford Dictionary defines "derogatory" as "tending to detract from, involving impairment, disparagement, or discredit to; lowering, unsuited to one's dignity or position; depreciatory." I admit that my remarks were derogatory to the city council because they implied some impairment, but I was not the only one to speak in a derogatory manner. Alderman T. H. Grundy, who is the secretary of the Liberal and Country League Municipal Committee, said that the council's administration "left a lot to be desired." He said:—

It would be quite wrong for this council to attempt to set itself up as a controlling body.

Evidently Alderman Grundy was not happy about certain aspects of the council's administration, and that could be interpreted as derogatory. Councillor Bonnin himself has also spoken in a most derogatory manner of the City Council, as is indicated by the following report on the front page of the *Advertiser* of March 3, 1953, as having said:—

Councillor M. F. Bonnin, who is a member of the council's traffic committee, said last night that the 48 prohibited area signs now in use performed no more than 18 separate functions. In some cases six different combinations of wording were used to convey one meaning. Often the words were superfluous, ambiguous, and the requirements of the signs shrouded in obtuse verbiage. A classic example was a sign in James Place which read: "Prohibited street except for the actual time necessary to load and unload goods by a manufacturer, merchant or carrier."

I have not spoken in any more derogatory manner of the city council than that. Councillor Bonnin was talking about traffic signs,

and I understand he is chairman of the council's Parliamentary and By-laws Committee.

Mr. Jennings—Yet he accused you of speaking in a derogatory manner.

Mr. LAWN—Yes. Alderman Grundy is not a member of the Labor Party. He is not a particular friend of mine, but he is a well-respected citizen. I understand that the motion moved by Councillor Bonnin was for the adoption of a recommendation from the Parliamentary and By-laws Committee as follows:—

Minute No. 39 of the Parliamentary and By-Laws Committee:

Metropolitan Taxicab Control Bill.—Following a lengthy discussion on the question of inaccurate and incorrect statements made in Parliament, when the Bill for the control of taxicabs in the city and suburbs was under discussion, the committee recommends that a reply setting out the facts be prepared by the Lord Mayor, the Chairman (Councillor Bonnin) and the Town Clerk. The committee further recommends that the Lord Mayor, the Chairman and the Town Clerk wait upon the Premier with the reply.

An amendment was moved by Councillor Edwards and seconded by Councillor Philcox, who is a prominent Adelaide solicitor and, I understand, a member of the Liberal and Country League. I ask members to consider whether it was derogatory to the council. It was:—

That Minute No. 39 of the Parliamentary and By-laws Committee be further amended by adding the following words after the words, "wait upon the Premier with the reply":—

and the deputation request the Government to appoint a Royal Commission with power to summon and place on oath, to inquire the best means of controlling taxicabs in the metropolitan area, and to report to Parliament as to the truth or otherwise of the following allegations:—

That the city council did allot to taxicab companies a large number of taxi licences free, and that the said companies have hired or rented the licences to taxicab drivers.

That whilst licences were granted to taxi companies, many ex-servicemen were unable to procure a licence from the council.

That large profits were made by the companies from the licences gratuitously distributed by the council.

That the council condoned the action of one of its officers attached to the city inspector's office, or department, in having a telephone belonging to a taxi proprietor installed at the inspector's home, whilst the taxi driver's name was in the telephone directory, and the inspector's wife assisted in the hire bookings, and at that time the taxi owner had one licence, whilst today he has four or five licences.

That when inspectors who have been on duty detecting breaches of taxi by-laws bring their reports to the town hall, the reports are altered by another inspector, typed on to another form by a female member of the city inspector's department and then written into "note books" that are used in evidence in the police courts.

That sums of £10 weekly have been paid for the use of licences issued by the council, and the council has taken no steps to prevent this type of pirating.

Other improper practices in the taxi industry.

The voting on the amendment was as follows:—

For (3)—Councillors Allard, Edwards and Philcox. Against (11)—Aldermen Sir Lavington Boynthon, Grundy, Irwin, Sunter and Reg Walker, Councillors Bonnin, Gerard, Holland, Nicholls, Sims and Tregoning.

The motion was carried on a vote as follows:—

For (9)—Aldermen Sir Lavington Bonython, Irwin, Sunter and Reg Walker, Councillors Bonnin, Gerard, Holland, Nicholls and Sims. Against (5)—Alderman Grundy, Councillors Allard, Edwards, Philcox and Tregoning.

Councillor Allard is a well-respected city business man of over 30 years' standing Councillor Tregoning is a prominent industrialist associated with one of the largest businesses in the city. Five voted against the motion, and three of them voted in favour of the amendment that was derogatory to the council. I can understand the attitude of Councillor Philcox and Alderman Grundy that although they were not happy about certain aspects of the administration of the council they did not want to see a Royal Commission appointed because that might lower council's prestige. Some taxi companies receive certain considerations from the council, but others do not. The number of taxi stands allotted to companies in or near King William Street is as follows:—Yellow Cabs 14, Central Cabs 8, Green Cabs 3, Black and White 4, Silver Tops 2, St. George's and Suburban Taxis nil. Since I have been a member of this House I have made representations on behalf of St. George's taxis, whose headquarters are in the city, but the council for some reason that I am not aware of said that this company could not have any stands within the city. Councillor Bonnin may be able to say why. I do not know what were the findings of the investigational committee, but I believe it was a committee appointed by the council to whitewash the actions of certain officials. I understand that this committee was appointed to inquire into matters concerning one of my constituents, a person called Russell Rose. A memorandum from the City Inspector and Licensing Officer to the Town Clerk states:—

Referring to your instruction of 1st inst., I herewith submit a summary of the position concerning taxi driver Russell Rose. He applied for a taxi driver's licence in 1945. His police record showed a number of minor offences, most of which were committed during his war service; one being for drunkenness and another for drinking liquor in a public place. He was fined on both counts. This type of offence is discouraged. However, he was given a chance, and was issued with a taxi driver's licence. On the 15th January, 1947, he was detected driving an unlicensed taxicab for hire (Suburban Taxi). He was eventually fined in the Police Court. Records now disclose that in October, 1947, he was charged with bar room breaking. He was described as a night porter at the Berkeley Hotel. The offence was eventually altered to larceny of bottled brandy and rum, and on the 24th October, 1947, he was fined £4 and costs. In November, 1947, he was fined £3 and costs for urinating in a public place. These offences were not noted in connection with taxi drivers, because the offender was shown as a "night porter" instead of "taxi driver". In 1947 his licence enabled him to drive for City Taxi Service, but he was dismissed because of his frequent failure to pay in the takings, and also for having women companions in the front seat of the taxicab. On the 15th June this year he obtained a licence to drive for Black and White Taxi Service, but shortly afterwards was dismissed by the manager because of his habit of drinking while in charge of the cab.

I shall not make any comments on the first part of that memorandum because it was a fair statement of the facts, but let us consider the accusations contained in the last part, which says that Rose was charged with bar room breaking altered to larceny of bottled brandy and rum. Rose was employed as a night porter at a hotel in Adelaide. He went through the bar room door, which was open, and poured himself some brandy, not rum, but the charge of bar room breaking was dismissed by the court. He pleaded guilty to having stolen a quantity of brandy valued at 10d. The inference was that the charge was altered, but in fact it was dismissed. He pleaded guilty not to stealing rum and brandy, but to stealing a glass of brandy. How many people working in a hotel are permitted to do that, and how many licensees would take action against an employee taking a glass of brandy? The next accusation is that in 1947 Rose was dismissed for failure to pay in the takings and for having women companions in the front of his taxicab. In reply to this accusation I will read the following letter dated January 10, 1949, and written by Mr. Martin Young, manager of City Taxi Service Limited:—

In reply to your letter of even date respecting Russell Rose, the statement in your second paragraph is correct; Rose did leave of his accord after telling me in no uncertain manner what to do with the job! I have no direct information about Rose and women companions, only hearsay comments by other drivers. I wrote to Mr. Hughes at his request concerning Rose and it is possible I used the word "dismissed" but on consideration the fact is that Rose left our employ at his own desire.

The Mr. Hughes referred to in the letter is the Chief Licensing Officer of the City Council. Mr. Rose wrote to the Police Commissioner and received from him a statement setting out his police record. The whole matter was ventilated in the council and an investigating committee set up—a fact that led me to believe that at that stage no appeals committee existed. It was alleged before the investigating committee that the City Licensing Officer had told three city councillors that Rose was a scoundrel. One of those councillors was present before the committee, but the other two were not, and on the day following the completion of the investigations a letter was sent to the committee requesting permission to call the other two councillors. The councillor who appeared before the committee did not have the permission of the other two councillors to use their names, so he obtained their permission and then wrote to the committee saying that they were available to substantiate his statement that the inspector had described Rose as a scoundrel. The chairman of the investigating committee (Councillor A. M. Moulden) forwarded the following letter on January 18, 1949:—

Re City Inspector's Report on Rose.—The special committee have considered your letter of 13th inst, in which you asked them to re-open this inquiry for the purpose of calling councillors Myers and Johnson. Their evidence, however, would not be relevant to the inquiry, nor, under the rules of evidence, would a court of law receive it. The committee have therefore decided that there is no purpose to be served in re-opening the inquiry.

Although the two councillors were willing to give evidence before that committee, which I claim was a white-washing committee, they were not required to do so. The Concise Oxford Dictionary defines "scoundrel" as "an unscrupulous person, villain, rogue or rascal." A villain is defined as "a person guilty or capable of great wickedness." I submit that Rose has not a police record that would entitle anyone to describe him as wicked. He enlisted in the services a month after the outbreak of World War II, served throughout the war, and was honourably discharged. It would be wrong to describe Rose as a scoundrel. Councillor Bonnin said that taxi drivers had had the right to appeal against the decisions of the council since 1915. On October 26 I wrote to

the Town Clerk asking whether he could advise me when the Taxi Appeal Board had been established, and he stated in reply that the present committee was appointed on July 26, 1954. To ensure that there was no misunderstanding I again wrote to him and he replied as follows:—

I have your further letter of the 29th ultimo and in reply desire to state the special committee *re* appeals against revocation, etc., of licences was first appointed on July 9, 1945. Its members were the Lord Mayor (Mr. Reg Walker), Aldermen Sir Arthur Barrett and J. McLeay; Councillors A. M. Moulden and J. S. Philps. Prior to 1945 appeals were dealt with by the Parliamentary and By-Laws Committee.

From a discussion with the Town Clerk I understand that until 1945 appeals were heard by the Parliamentary and By-Laws Committee. The Town Clerk said that, as that procedure became too unwieldy, a smaller committee was appointed in 1945 and continued to function until 1951. No appeals committee was appointed between 1951 and July 26, 1954. Therefore, it will be seen that drivers have not had the right of appeal against decisions by the council continuously since 1915 as stated by Councillor Bonnin. Further, Councillor Bonnin said that no new licence had been issued during 1953 and that ex-servicemen had been given preference when the last new licences were issued in 1952. As Councillor Bonnin desires to have the facts placed before the House and the public generally, I will read from the official minutes of the council. Minute No. 63 of the meeting of the Parliamentary and By-Laws Committee held January 7, 1952, states:—

Additional Taxi Licences—By-Law No. XXV (F. 299B)—The Town Clerk submitted a report with regard to the issue of additional Schedule "B" Licences under By-Law No. XXV in respect of motor vehicles plying for hire and kept or let for hire, together with applications from five companies for further licences and a letter from the Taxi and Hire Car Service Association of S.A. After full consideration of the matter, the committee recommends that four additional Schedule "B" licences be issued to each of the following companies, City Taxi Service Ltd., Black and White Taxi Service, Green Cab Co., Silver Top Taxi Service, Central Service Cabs Pty. Ltd.

On Monday, January 21, 1952, that minute came before the council for adoption, and the minutes of that council meeting state:—

Moved by Councillor Edwards, seconded by Councillor Philcox—that the recommendation of the committee be disagreed with and that applications for Schedule "B" licences be invited from ex-servicemen through the medium of an advertisement in the press; and that, in the event of there being more than 20 applicants, the issue of the licences be decided by ballot to be supervised by a subcommittee comprising the Lord Mayor and Aldermen Sir Arthur Barrett and Sir Lavington Bonython. With the consent of the seconder and the permission of the council, Councillor Edwards withdrew his amendment. Further amendment —moved by Councillor Bonnin, seconded by Councillor Holland—that Minute No. 63 be referred back to the committee for further consideration. Further amendment carried.

No doubt it was expected that, when the committee reconsidered the matter, it would make these licences available to ex-servicemen, but on January 29, 1952, the Parliamentary and By-Laws Committee made the following recommendation:—

Additional Taxi Licences—the matter of the issue of four additional Schedule "B" licences to each of five companies was referred back to committee by council on January 21, 1952. A letter from the Transport Workers' Union of Australia (South Australian Branch) requesting that additional licences be issued to ex-servicemen was submitted. After further consideration of the matter, the committee recommends that two Schedule "B" licences be issued to each of the following five companies, City Taxi Service Limited, Black and White Taxi Service, Green Cab Co., Silver Top Taxi Service, Central Service Cabs Pty. Ltd., provided the vehicles are driven by ex-servicemen, and that 10 additional licences be issued to ex-servicemen on a similar basis to that on which licences were granted to ex-servicemen in November 1946, which was as follows:—Applications to be invited by advertisement in the newspapers and to be made on the approved form, setting out details as to age, married or single, number of dependants, taxi driving experience and war service. Preference to be given to ex-servicemen with overseas service.

It is obvious, however, that the condition that ex-servicemen be employed by the companies receiving the licences was worth nothing, because it could not be policed. That recommendation came before the full council on February 18, 1952, when the following minute was recorded:—

Moved by Councillor Philcox, seconded by Councillor Lloyd—That the recommendation contained in Minute No. 69 be disagreed with and that 20 additional Schedule "B" licences be issued to returned servicemen of the Royal Australian Navy, Australian Imperial Force and Royal Australian Air Force. Amendment lost. Division—For (4): Councillors Edwards, Hargrave, Lloyd and Philcox. Against (12): Aldermen Sir Arthur Barrett, Sir Lavington Bonython, Grundy, Philps and Sunter; Councillors Bonnin, Gerard, Holland, Irwin, Myers, Sims and Young. The amendment was therefore negatived.

There again was an opportunity for Councillor Bonnin to support a proposal for preference to ex-servicemen in obtaining licences,

but he failed to vote for it. What I have given is from official records, and not my own words. Appealing from a decision of the Chief Licensing Officer to the committee of the Adelaide City Council is tantamount to appealing from Caesar to Caesar. I made certain references to evidence placed before Mr. Wilson, S.M., and read extracts from his judgment. In referring to the witnesses I did not even use the names of the inspectors who were castigated by Mr. Wilson, but referred to each with an alphabetical designation. I thought I was being generous. However, I did say that while one inspector who was castigated by Mr. Wilson was taken off this work and given other duties there was nothing to stop the council from putting him back on those duties. I am now creditably advised that he was replaced on this type of work last week. I am also advised that the Chief Licensing Officer recently went home on sick leave and that the relieving officer called all the inspectors in one day last week and gave them a pep talk, telling them that the number of stickers being placed on motor cars for breaches of the parking regulations had been reduced and that they would have to see that they were increased again. I should appreciate any reply that Councillor Bonnin desires to make, because the matter is not finished yet. A number of people have approached me since he raised this matter in the council and in a number of instances the comment has been that the city council doth protest too much.

Motion carried.

In Committee of Supply.

House of Assembly, £11,275; Parliamentary Library, £4,139; Joint House Committee, £9,069—passed.

Electoral Department, £11,372.

Mr. FRANK WALSH—I am concerned at the lack of suitable lighting at some of the school buildings hired for elections, there being danger to the public owing to the number of nearby drains in school yards. Will the Treasurer take this matter up with the Electoral Department?

The Hon. T. PLAYFORD—Yes.

Line passed.

Government Reporting Department, £26,525; Parliamentary Standing Committee on Public Works, £3,031; Parliamentary Committee on Land Settlement, £3,182; Miscellaneous, £32,768—passed.

CHIEF SECRETARY AND MINISTER OF HEALTH.

State Governor's Establishment, £5,324; Chief Secretary's Department, £15,740; Statistical Department, £49,340; Audit Department, £46,604; Printing and Stationery Department, £196,795; Police Department, £1,354,000—passed.

Sheriff and Gaols and Prisons Department, £208,187.

Mr. FRANK WALSH—It is proposed to spend £13,000 for materials for the manufacture of cement bricks. The Treasurer has previously indicated that additional machinery will be purchased so that the number of cement bricks made at Yatala can be appreciably increased. An amount of £1,622 is provided for payments to prisoners and habitual criminals on discharge. Some of these men would be engaged in making bricks. I should like to know whether they would spend more time on this work than on gardening and if they would therefore receive extra payment.

The Hon. T. PLAYFORD—I understand that certain payments are made to prisoners for good behaviour, but I do not think any discrimination is made whether a man is making bricks or quarrying stone.

Line passed.

Hospitals Department—£3,051,000.

Mr. FRANK WALSH—During the Address in Reply debate I spoke about the need for a new chest clinic at the Royal Adelaide Hospital. It will be recalled that for many years Dr. Darcy Cowan advocated the establishment of a new block. It was suggested that on the demolition of the Infectious Diseases Block the land would be transferred to the Botanic Gardens Board and in return a piece of land in the park near the hospital boundary would be available for additional hospital buildings. The building of a new chest clinic was suggested. I commend the Health Department for the effective work it is doing in combating tuberculosis. When a scar appears on the X-ray photograph of some people they have to attend the present chest clinic, which is most difficult to find, and then go to the X-ray Department, which is also difficult to find. In correspondence with the ex-Director-General of Medical Services Dr. Cowan favoured the building of a more modern chest clinic. Can the Treasurer say if the matters I raised during the Address in Reply debate have been considered, and will an improved chest clinic be built?

The Hon. T. PLAYFORD—The matters raised by the honourable member come within the scope of the Loan Estimates. The answers to his questions depend on certain happenings. For instance, any public work costing more than £30,000 must be investigated and reported

on by the Public Works Committee. The hospital urgently needs a new casualty ward and accommodation for cancer research work. A master plan of the hospital area is being prepared. In modernizing the hospital some of the older buildings will be demolished. Already the Government has purchased Ruthven Mansions for accommodation for nurses. As soon as there is sufficient alternative accommodation so as not to reduce the number of beds available at the hospital, further action will be taken.

Mr. RICHES—Can the Treasurer give the reason for the reductions in the grants to the Port Augusta hospital? Port Augusta is a growing town and one would expect greater provision for the training of nurses. Is it impossible to get adequate staff for the coming year? Later, if the staff is available, will the necessary money be made available from another source?

The Hon. T. PLAYFORD—The amount provided for the Port Augusta hospital is £37,778. The reductions mentioned by the honourable member are small amounts of £24, £32 and £181, making a total of £237. He must appreciate that there is no actual reduction in the grants to the hospital, although for one reason or another there may be a slight alteration in the amounts. There may be an extra pay period during the year. Last year we voted £40,298 and the hospital spent only £38,015. There has been no reduction in the amount requested by the hospital. There is no significance so far as its management is concerned. There is considerable difficulty in getting sufficient staff for all hospitals. All over the world there is a shortage of nurses. The Minister of Health has considered effective ways of recruiting and training nurses, and putting the profession on a proper basis.

Mr. DAVIS—The amount provided for the medical superintendent at the Port Pirie hospital is £26 less than last year. Does that arise as a result of an adjustment in the pay periods?

The Hon. T. PLAYFORD—For 1953-54 and previous years provision was made for one year's salary—52 weeks—plus odd days and the debits were raised accordingly. This year, by Treasury direction, provision is made for the actual pay to be received by each officer for 1954-55 less the amounts accrued at the end of June, 1954. As the 1954-55 Estimates provide for only 52 weeks and two days the effect on a salary of £1,000 a year is as follows: for 1953-54 provision is made for £1,000, and for 1954-55 for £966 8s. 5d. In a normal year of 26 pay days the provision for a salary of £1,000 a year would be £997 2s., but for years containing 27 pay days, £1,035 9s. The overall effect of the new system is to reduce the 1954-55 Estimates by approximately £7,000. It does not alter the salaries of officers.

Mr. Davis—Does the superintendent get paid fortnightly, monthly or annually?

The Hon. T. PLAYFORD—Fortnightly.

Line passed.

Children's Welfare and Public Relief Department, £472,000—passed.

Department of Public Health, £121,000.

Mr. SHANNON—An amount of £150 is provided for autoclave investigations. Can the Treasurer say what the policy of the Public Health Department is in this regard? It has been a matter of some concern to persons responsible for the operation of hospital facilities in country areas that they have not been able to obtain expert advice as to the efficiency or otherwise of the autoclaves used in their hospitals. When questions are raised as to the efficiency of the autoclaves, which after all are the basis of proper hospital conduct, it would be desirable to ensure that competent officers are available to render advice. Is the amount provided designed for a specific test?

The Hon. T. PLAYFORD—This matter has concerned the Minister of Health for some time. I do not think that the £150 mentioned relates to the matter raised. The Institute of Medical and Veterinary Science has been undertaking an extensive investigation into methods of sterilization and the procuring of some of the necessary materials to achieve perfect sterility presents a problem.

Mr. Shannon—Does this amount relate to the investigations being undertaken by the institute?

The Hon. T. PLAYFORD—No. I think it is probably for some test on a particular piece of equipment.

Mr. DUNNAGE—Last year £8,401 was provided for the State X-ray Health Survey—Radiologist (part-time), medical officer, etc., but this year it is increased to £12,437. An amount of £13,620 was also provided last year for the purchase, developing and reading of films, etc., under the State X-ray Health Survey, but that also is increased to £20,730. An additional amount of £5,210 is provided for the purchase of equipment. There is a total increase of about £16,000. Can the Treasurer say why this increase is necessary?

The Hon. T. PLAYFORD—Yes, it is provided to assist the campaign being undertaken

by the Government to introduce better methods of preventing disease. Complaints can be satisfactorily treated if detected in their initial stages. I do not apologize for the extensions of the compulsory X-ray survey because I believe that Australia, and the world, in the past have neglected this type of investigation and have placed too much emphasis upon establishing hospitals rather than keeping people out of them. It is surprising that persons who were reluctant to have X-rays have ultimately expressed their satisfaction about the surveys.

Line passed.

Miscellaneous, £1,124,842.

Mr. FRANK WALSH—An amount of £9,000 is provided towards the cost of a National War Memorial for World War II. The South Australian Women's Amateur Sports Council has obtained 18 acres of land on the South Road near the junction of Shepherds Hill Road. The area was made available by the Government on a long term lease with a right of renewal. This organization proposes to develop the land and has already drawn up a master plan. It has prevailed upon certain business organizations in my electorate, particularly those with earth-moving equipment, to clear the ground of trees, and the Good Neighbour Council has undertaken to plant over 100 trees for beautification. I believe there could be a link between the National War Memorial and this area. The organization that I mentioned is about to make an appeal for £25,000. Will the Premier consider making some provision towards this area?

The Hon. T. PLAYFORD—The amount of £9,000 is to perpetuate in the War Memorial on North Terrace the names of men and women who were killed in or died as a result of the last war. Plans have been drawn, approved by the Government and the Returned Soldiers' League, approval has been given to the league to put the plan into operation, and tablets have been secured from the Commonwealth Government. I cannot assure the honourable member that this amount has anything to do with the playing area being developed on land in his district. This land was purchased by the Government and provided as the result of a deputation to the Government asking for women's sporting facilities to be developed. I think the original area was about 80 acres, and there is another area of 130 acres adjoining it. About 21 acres of this has been made avaliable to the organization he mentionted.

Mr. DUNSTAN—An amount of £400 is provided for cost of printing a fauna and flora handbook. I presume that refers to the books prepared by the Government Printer and sold at a low cost to interested persons. There has been some delay over the reprint of *Brown's Botany,* which, unfortunately has been to the detriment of a publication on *Molusca* that has been ready for publication since 1948. Some of the blocks have been completed and it is getting steadily out of date because the publication on botany was put in the printer's hands before it was fully written, and has held up everything else. Could not these publications be better rationalized?

The Hon. T. PLAYFORD—I will examine the matter and advise the honourable member later.

Mr. RICHES—This year there is an increase of £5,000 in the provision for ambulance services. Is that designed to cover grants to ambulance services in country districts?

The Hon. T. PLAYFORD—This grant is paid to the St. John Ambulance for a co-ordinated service, and as far as I know applies to country areas.

Mr. MACGILLIVRAY—This year there is an increase of £90 in the subsidy to be paid to the Renmark Hospital. In my district there are three hospitals—the Barmera Hospital, run entirely by the Government; the Renmark Hospital, which is a subsidized hospital; and until this year the Berri Hospital was a private hospital. There has been a great deal of friction in the district because the ratepayers of Berri have been charged for part of the upkeep of the Barmera Hospital. I notice that for the first time a conditional subsidy is to be paid to the Berri Hospital. For many years I have maintained a subsidy should be paid. Now there is to be one, and although I appreciate this I would like the Premier to explain what is meant by a conditional subsidy.

The Hon. T. PLAYFORD—A number of requirements must be fulfilled before subsidies are paid to subsidized hospitals and they are far too numerous to mention in detail here, although I shall give some broad details of them. The first is that the rules of management have to be properly drawn up and copies must be submitted to and approved by the Department of Public Health; the second is that the district concerned has to have a rating contribution to help maintain the hospital; and the third is that the hospital has to make provision for looking after indigent patients who may not be able to pay the full fees. A number of other matters come within the scope of the requirements. The hospitals cannot be regarded

as private hospitals as we know private hospitals. They have to keep proper accounts, furnish proper returns, have a proper constitution, and a proper system of management. They have to maintain a proper standard of service and the district has to make some contribution by rating. The rate is declared by the Director-General of Hospitals each year towards maintenance. The amounts are arrived at by a committee on which the Hospitals Association has representation. This committee inquires into the financial position and the requirements of the hospital, and the subsidy necessary to maintain it in an effective condition. The Berri hospital has been accepted by Cabinet for inclusion in the list of subsidized hospitals. Previously it was not on the list because I think it had the rating of a district hospital established and maintained entirely by local effort. The Chief Secretary had a committee investigate the position in the district, and as a result recommended to Cabinet that there was a case for the inclusion of the Berri Hospital. It appears here because it fulfils the condition necessary to obtain a subsidy.

Mr. DAVIS—Last year £500 was provided for the "Lealholme" Old Folks Home, but this year no provision is made. Can the Premier explain the reason for this?

The Hon. T. PLAYFORD—That institution was amongst others that received a special grant last year for the establishment of old folks' homes. The amount granted included contracts approved but not finished, provided that the Auditor-General certified that the contracts had been entered into. This year there has been only a very small inquiry for grants for additional buildings. The grants were for capital extensions and, as far as I know, all applications received were approved.

Mr. SHANNON—The Treasurer said that the Berri Hospital would be subsidized but the river areas are well served because there is a public hospital at Barmera. The Lobethal Hospital authorities are having great difficulty in keeping it open. It does not rank as a subsidized hospital. The council some years ago imposed a special rate to support both the Lobethal and Onkaparinga District Hospitals, but I have been informed that since the Woodside Hospital has been improved the council will not pay any further monies from this rate to the Lobethal Hospital, although the Lobethal ward has to pay this extra rate. The Government is assisting the hospital to the extent of £500, but the secretary, Mr. Potter, told me that it will be out of funds by the end of December. I explained the position to the Chief Secretary, but I did not know then that the council had withdrawn its support although continuing to levy that additional rate. Is it possible to bring the Lobethal Hospital within the field of subsidized hospitals so that local residents can be sure it will be kept open and so provide an essential service? The Gumeracha and Woodside Hospitals are the only two other hospitals in the area and, if Lobethal Hospital is not kept open, many sick people will have to remain in their homes.

The Hon. T. PLAYFORD—In the Onkaparinga Valley, there are subsidized hospitals at Gumeracha and Woodside. The Lobethal Hospital is situated between those two. It was a house that was taken over as a hospital and extended, but it is not suitable to be classed as a district subsidized hospital.

Mr. Shannon—The council has withdrawn its support.

The Hon. T. PLAYFORD—The Hospitals Act provides that the Director-General of Medical Services can instruct councils in the area concerned to pay over a certain rate to a subsidized hospital, but as far as I know there is no power enabling him to compel a council to pay any money to a hospital that is not subsidized. The Act applies only to proclaimed subsidized hospitals. I do not think the Lobethal Hospital comes within that category, though it comes within the category of a training centre, and for some years the Government has made a grant towards its maintenance. The amount of the grant has been not much different from that provided for the Berri Hospital.

Mr. CORCORAN—There are four hospitals in my district—Naracoorte, Millicent, Penola and Kingston. I notice that the Naracoorte and Millicent Hospitals appear in the list of subsidized hospitals, but Kingston and Penola do not. What is the reason for that?

The Hon. T. PLAYFORD—Speaking from memory, both those hospitals are district hospitals and are not subsidized.

Mr. TEUSNER—It is proposed to grant £500 to the Travellers Aid Society. Can the Treasurer indicate the functions of that Society and whether it operates on a voluntary basis?

The Hon. T. PLAYFORD—The society has done magnificent work, and this sum is to assist it in meeting the cost of repairing earthquake damage to its premises.

Mr. MACGILLIVRAY—A number of years ago Parliament voted a fairly substantial sum towards the investigation of the health of children, particularly those living in the hills

districts. As no similar line appears in the Estimates, can the Treasurer say whether that survey has been discontinued?

The Hon. T. PLAYFORD—Much voluntary work was done by medical practitioners and others in the district to enable the survey to be effectively carried out. The results were tabulated, a report was printed. and the investigation discontinued.

Mr. RICHES—The sum of £500 is to be granted to the Boy Scouts Association. During a previous debate members opposite suggested that charitable organizations should be subsidized through the Estimates rather than by the granting of concessions in certain Government fees. The Whyalla and Iron Knob branch of this association has purchased a motor truck which it is using in the collection of salvage and bottles and which it is permitting other charitable organizations in the district to use. As this branch is carrying out a desirable work, will the Treasurer increase the association's grant to £530 so that it may assist the Whyalla and Iron Knob branch to meet the cost of registering its truck?

The Hon. T. PLAYFORD—Having made a grant to an association the Government does not stipulate the way in which it must be spent. I will not promise the honourable member to make a grant of £30 for the Whyalla and Iron Knob branch, because if I did so, each member would want specific grants for organizations within his district.

Line passed.

ATTORNEY-GENERAL.

Attorney-General's Department, £18,124.

Mr. DUNSTAN—It is proposed to grant £200 to the Land Agents Board. Is the board, as at present constituted, the best method of dealing with land agents? It has been established in order to keep a close watch over the activities of land agents, because in this State land agents may do many more things than they may do in any other State. By the very nature of their work land agents are not subject to the same extremely stringent provisions that operate in respect of barristers and solicitors. An extraordinary thing in South Australia is that apart from contentious matters land agents can perform legal work in return for fees in everything except the preparation of deeds under seal. They can advertise and do so. They can prepare wills and the extraordinary thing is that often they have no qualification for this work. I have known land agents with so little qualification that they did not even know how to prepare a land transfer under the Real Property Act. I have seen most ghastly things prepared by their offices. Closer control is needed than at present exists I contend that the Land Agents Board has not a sufficient control.

During last year two matters particularly have come to my notice. I know there are many land agents who are an asset to the community, are honest and upright and able in the performance of their duties and give good service to the community, but there are others who follow the practice of advertising land for sale and prepare a contract at the bottom of which appears a little clause "Subject to the vendor's consent." They offer this land for sale at a certain price and when the prospective purchaser has paid a deposit and signed the contract they use the contract, without getting the vendor's consent to the sale, to bid someone else up to a higher price, and having got that higher price they get the vendor's consent to that contract and the man who paid the original deposit gets his deposit back and is told, "So sorry, the vendor would not accept your price, unfortunately you will not get the land." That kind of sharp practice should not be tolerated. There are many people being taken down at the moment. It is not a rare practice and is fairly common among a certain class of land agents. Under the Land Agents Act, although a land agent must deposit money paid to him on account of land sales in a trust account there is no provision that that trust account shall be audited, as a solicitor's trust account must be. A solicitor's trust account is audited every year and the auditor must file his report with the Master of the Supreme Court; but not so the land agent, and in the last few week there has been a case of a land agent taking people down for thousands of pounds. It has already been publicly admitted in insolvency papers that he has taken very considerable sums from people, amongst them being several of my constituents who placed money with him in trust for the purchase of land, but the money is not now there.

Mr. Geoffrey Clarke—Land agents' trust accounts are audited.

Mr. DUNSTAN—A trust account is required and there is provision that a person may demand an account of the moneys within a specified period, but I can see nothing in the Act requiring an audit of a trust account.

Mr. Travers—Nearly all the moneys in the case mentioned were received for buildings rather than for land.

Mr. DUNSTAN—In most cases that is so, but I do not know whether the honourable

member has seen the accounts which have been sent forward for the purpose of the liquidation of the company. I have seen them and they involve moneys which were deposited for land sales. There is need for two processes of tightening up in regard to land agents. We should require some qualification of land agents, or cut down on their activities for the sake of the public. When land agents without qualifications can draw up wills for a fee, the result to the public can be disastrous. The resulting mess has had to be cleared up by our profession. There must be some further tightening up of the conduct of land agents in the matters I have mentioned.

Mr. FRANK WALSH—We passed the Building Materials Act which provided for a trust account for the building of homes.

Mr. Dunstan—Provision for joint trust accounts still exists.

Mr. FRANK WALSH—While the Act was in operation there were some instances of people being taken down, but not to the extent of the case mentioned by the honourable member. How can we offer greater protection to people having homes built by private contractors? More information should be available to them about the qualifications of the contractors. There should be a joint trust account. I know of people who have been fleeced because of not knowing sufficient about the men with whom they have made contracts. The Government has a responsibility to the people. I do not advocate the registration of builders, but it is a matter that could be considered. Information about the bona fides of the contractors should be available.

The Hon. B. PATTINSON—I have a great measure of sympathy for the viewpoints expressed by Mr. Frank Walsh and Mr. Dunstan. Their views are endorsed by all members. There is no stronger supporter of the maintenance of the integrity of the legal profession, land agents and others who deal in matters of trust, than the Attorney-General. In 1950 the Act was amended to set up a land agents board as a further protection to the public against defalcations and malpractices of disreputable land agents. Although it is a small board it is highly competent and well respected. The chairman is Mr. E. W. Palmer, a prominent barrister and solicitor, who is an expert in commercial law. The other members are Mr. L. B. Shuttleworth, who was nominated by the Real Estate Institute, of which he is a past president, and Mr. C. L. Johnston, secretary to the Attorney-General. The board held 20 meetings during the last financial year and dealt with a large number of complaints from organizations and individuals concerning land agents. It may be that the Act does not go as far as desired and has not cured all the defects which the Attorney-General, the Government and Parliament envisaged it would. For some years there has been legislation on the Statute Book dealing with the need for land agents to have trust accounts. Section 35 (1) (*d*) provides for an annual audit of the trust accounts of every land agent and the manner in which and the person or class of persons by whom such audit shall be conducted, and for a report of the result of such audit. Members of the legal profession know that however desirable it is to have a trust account and provision for it to be audited the position is not fool-proof. If a dishonest person adopted the simple expedient of omitting or neglecting to pay money into a trust account, what protection would there be for the unfortunate person concerned?

Mr. Travers—One problem is that a man carries on two types of business, building and land and estate agency work.

The Hon. B. PATTINSON—If he carries on as a commission agent working on trust for a vendor, and is also a buyer and seller in his own name or under a *nom de plume* there is no protection. I believe that this is a matter which should be dealt with. It is one on which the Real Estate Institute has been making representations to the Attorney-General both by correspondence and by at leas' one deputation. The majority of the reputable land agents in this State are members of the institute which, in itself, is a highly reputable organization. Some of the ablest and most respect members of that profession hold office in it and they are anxious to raise the status of land agents. As members of the legal profession desire to raise and maintain the status of their profession, so members of the Real Estate Institute desire to place their profession on as high a status as possible. I believe that all matters raised by the honourable members have already been suggested by members of the institute. Were it not for the unfortunate indisposition of the Attorney-General I believe some legislation may have been introduced this session. I do not say that it will not be introduced before the end of the session but I cannot speak with the authority of the Attorney-General. I have not had the benefit of discussion with him but I assure members that the Attorney-General and the Government are concerned with these defalcations and malpractices and

I expect amending legislation to be introduced in the near future.

Line passed.

Crown Solicitor's Department, £25,151; Parliamentary Draftsman's Department, £5,559; Public Trustee's Department, £45,670; Supreme Court Department, £68,259; Adelaide Local Court Department, £26,217; Adelaide Police Court Department, £26,570—passed.

Country and Suburban Courts Department, £39,910.

Mr. DAVIS—Much inconvenience is occasioned at Port Pirie because a magistrate does not reside in that town. The same applies in all country towns where, on occasions, cases must be adjourned because there is no magistrate available. I believe that a magistrate should reside in Port Pirie, Port Augusta or some nearby town. When I was a boy a magistrate did reside at Port Pirie and it was an advantage. It is wrong that a magistrate should have to travel long distances to adjudicate on cases. Additional expense is involved in his travelling from the city to the centres where the the court is sitting.

Mr. PEARSON—Some time ago at the instigation of prominent members of the legal fraternity at Port Lincoln, I asked the Attorney-General whether he would increase the status of the court at Port Lincoln either by increasing the jurisdiction of the local court or by promoting it to a circuit court. I need not reiterate the reasons which are well known to the Attorney-General, but will the Minister representing him bring this matter before his notice and obtain a reply to my representations?

Mr. RICHES—I support the remarks of the member for Port Pirie (Mr. Davis). I have long felt that magistrates appointed to country districts should reside in the districts over which they preside. It does not matter in what parts of their district they reside. We are concerned with the unnecessary cost of travelling and accommodation which must be borne by the Government and the fact that too many cases are being dealt with by justices or adjourned because—and I am not casting any reflection on the magistrates—they reside in the city. The districts are not receiving the benefits they would receive if magistrates resided in them. Surely it is not necessary for everyone to live within a few miles of the G.P.O., and it should not be any hardship to the magistrates to ask them to live in the districts; it should give them a proper understanding of local conditions. I hope the Attorney-General will give some thought to this matter, because surely the claims are growing stronger each year with increases in population.

Mr. McALEES—There is now no magistrate at Wallaroo, and the Clerk of Court was shifted from there to Port Lincoln three or four months ago. I was told that the reason for this was that there was not enough work to warrant the employment of a clerk. Since he has been shifted the police officer has had to do whatever is necessary. He is not a Justice of the Peace and it is difficult for many people to have documents witnessed. I ask that a clerk of court be provided at Wallaroo again.

Mr. MACGILLIVRAY—There are one or two seeming anomalies in this line. The Wallaroo magistrate received £1,996 last year, the magistrate at Port Augusta received a similar amount, but there is no mention of a magistrate at Port Pirie. It would appear that the clerk of court at Port Pirie is one of the highest paid public servants in this State, because he was paid £2,563 last year. I realize that he has other minor jobs to perform.

Mr. Dunstan—There are about three people in this item.

Mr. MACGILLIVRAY—The clerk of court receives £30 as registrar of shops, £35 as registrar of births, and £25 as returning officer for the district. Apart from this he is the deposition clerk.

Mr. Travers—The deposition clerk is a separate officer.

Mr. Teusner—There are two or three persons in this item.

Mr. MACGILLIVRAY—If the interjections are correct, I suggest that this line has been badly set out. This man received £2,563, yet the stipendiary magistrates received less than £2,000. I realize that the people living at Berri, Renmark and Barmera are more respectable citizens, but the magistrates at Wallaroo and Port Augusta received £1,996 each, whereas the magistrate in the most progressive part of the State received only £1,841. I wonder what is the thought behind all this, and why the magistrate for a progressive district received less than the officer adjudicating in the back woods of Wallaroo.

Mr. TRAVERS—Although this is, perhaps, getting some distance away from the financial item, some things have been said about the magistracy that should be referred to. The member for Chaffey mentioned a difference in the salary ranges. The explanation for that is perfectly simple, namely, that the magistrates are members of the Public Service and, as such, are graded according to seniority and so on, in the same way as other public servants.

Under the present set-up that situation must of necessity continue, but it ought not to continue, because the junior judiciary is exercising a jurisdiction far in excess of that exercised by the district court judges and county court judges in other States. These magistrates should not be members of the Public Service, but quite separate, like the Supreme Court judges, who are not under the Public Service Act. While they remain public servants the grading of magistrates must continue. It has been said that magistrates should live in their districts, but they would need to be ubiquitous to do this. For instance, the magistrate for Mount Gambier has to sit at Loxton and at all intervening places, and the magistrate who presides at Port Pirie has to sit at Oodnadatta and all other intervening places. He would therefore have to reside for part of his time at Port Pirie, sometimes at Port Augusta, and sometimes at Oodnadatta. Secondly, if magistrates resided in their districts and if they are to continue doing a worthy job they would have to come to the city frequently to visit the Supreme Court library to prepare their judgments. Alternatively, we should have to establish expensive law libraries in all the major towns. If we want justice which is cheap and nasty we can dispense with costly libraries, but if we want the type of justice that magistrates have been administering we must choose between costly libraries in various parts of the State, or allow them to continue to live in Adelaide.

Mr. DAVIS—No-one suggested that a magistrate should live in every town in his area, but that he should live in the district. Mr. Riches and I did not say that a magistrate should live at Oodnadatta. He would not have to pay as many visits to the Supreme Court library, if he lived in the country, as the number of visits he made to the country. Magistrates would be saved much travelling by living in the country and I hope the Attorney-General will consider placing them in country districts.

The Hon. B. PATTINSON—Mr. Macgillivray said that the clerk of the court at Port Pirie was paid a higher salary than a magistrate, but that is not correct. The line to which he referred covers the salaries of two officers—the clerk of the court, who holds a responsible position, and the depositions clerk, who holds an entirely different but almost equally responsible position. However, I sympathize with Mr. Macgillivray in his error, which was the result of the peculiar system of punctuation used by the draftsman of these Estimates. He seems to have thrown semi-colons about with reckless abandon. Wherever there is a pause he uses semi-colons, but no commas or full stops or other recognized punctuation marks. I agree that the line is badly set out. Mr. Macgillivray's remarks about different salaries paid to different magistrates was well answered by Mr. Travers. These magistrates are public servants and are paid according to a salary range, based on qualifications and length of service. Mr. Travers said they should not continue to be employed under the Public Service Act. I may be wrong, but I understand that they are under the Act as a result of a request from members of the legal profession.

Mr. Travers—I do not think so.

The Hon. B. PATTINSON—There are arguments for and against that question. I think Mr. Travers covered the point of magistrates living in their districts. Port Pirie and Port Augusta are in the same magisterial district. Is it suggested that the magistrate should live at say, Port Pirie and also sit at Port Augusta? If he did there would be criticizm from the people of Port Augusta or some other towns in the district. The disadvantages of the magistrate's living in the city are far outweighed by the advantages he derives from having access to the libraries and associating with his fellow magistrates and members of the legal profession, which enables him to keep up with the latest judgments and legal trends. As the member for Wallaroo (Mr. McAlees) said, the Clerk of the Court has been transferred from Wallaroo to Port Lincoln, but I point out that since Mr. McAlees has been representing Wallaroo there seems to have been a marked decrease in the number of offences and amount of litigation there and it has become uneconomic to retain the services of the Clerk of Court at Wallaroo. Therefore, he has been transferred to Port Lincoln where the demand for his services is greater.

Mr. McALEES—I am not satisfied with the Minister's reply, because for over 80 years the Clerk of the Wallaroo Court has rendered great assistance to my constituents. Now that he is gone his work must be carried out by a police officer, and this is fair neither to the police officer nor to the public, because the police officer is not a Justice of the Peace and therefore is unable to sign certain documents. If a J.P's. signature is required a person must wander around Wallaroo looking for a justice. The Minister's reply will not satisfy my constituents.

Mr. RICHES—I trust that the request of the member for Port Pirie (Mr. Davis) will not

be treated facetiously as did the member for Torrens (Mr. Travers). I thought that I detected a similar note in the Minister's reply. The magistrate for the northern district should live in a town in that district, because that would minimize travelling time and expenses. Further, too many cases in my district are being dealt with by J.P's. instead of by a magistrate. Sometimes litigants who have obtained the services of city lawyers are told that the case must be adjourned because the magistrate has to preside somewhere else, and, as this means that the lawyers must be brought from Adelaide on a future occasion, this position is unsatisfactory. It could be avoided if the magistrate lived at a town in the district within an hour's travel of the other main towns. It is true that Oodnadatta is in the same magisterial district as Port Pirie and Port Augusta, but the magistrate rarely visits Oodnadatta. If it is the practice of the magistrate from the northern district to preside in any city or suburban court, that practice should be discontinued because there is an urgent demand for his services in his own district.

Mr. DAVIS—I support the remarks of the member for Stuart (Mr. Riches). I have often wondered why, when a person is nominated as a J.P., the Government is so anxious to know whether he is willing to do court work, but from remarks made this evening I now know that it is desired to use his services in order to relieve the magistrate of court work. Before I came into this House I was a J.P. and was frequently called upon to act on the Bench. It is unfair to expect a J.P. to carry out the duties normally carried out by a magistrate. Unfortunately, justices of the peace do not enjoy the privilege of using the Supreme Court library. Like Mr. Riches, I sincerely hope the application will be taken seriously.

Line passed.

Coroner's Department, £3,560.

Mr. WILLIAM JENKINS—Sometimes coroners in the country conduct inquiries into cases lasting two or three days at which lawyers appear, and I believe they receive the magnificent sum of one guinea for their services. It is time a more equitable payment was provided. Some are in business and devote much time to these duties.

The Hon. B. PATTINSON—I shall make representations on behalf of the honourable member as suggested.

Registrar-General of Deeds Department, £83,527—passed.

Miscellaneous, £8,919.

Mr. RICHES—How is the amount granted to the Law Society for assistance to poor persons arrived at? If a person has only a push cycle he is required to sell it before he can get assistance from the society.

Mr. Travers—That is wrong.

Mr. RICHES—Can the Minister say what is the basis used in computing the amount paid to the society? Has it any relation to the number of cases assisted each year which are not paid for, or is it a lump sum?

The Hon. B. PATTINSON—I have not the full particulars of the exact basis upon which the amount is arrived at, but the amount provided this year is less than for last year for the good reason that the grant was not fully used in that year. Applications for assistance by the society are made to the appropriate Minister setting out the requirements, and the estimated costs and expenses, and that has been done in this case.

Mr. Riches—Is the amount purely for administration?

The Hon. B. PATTINSON—Yes. If I had any complaint as a practitioner in my earlier years it would have been that the Law Society in administering the scheme was far too generous and allowed free legal assistance to people who, in my opinion, were not really entitled to it.

Mr. TEUSNER—Prior to 1933 the work now being done by the Law Society and members of the legal profession was done by the Public Solicitor and at considerable expense to the State. Since the legal assistance scheme was inaugurated in September, 1933, the work has been done voluntarily by members of the legal profession in those cases where an applicant for assistance has been unable to pay. If a person were unable to meet the legal expenses associated with litigation or advice, then a member of the legal profession was assigned by the Law Society and was required to do the work on a voluntary basis.

Mr. Riches—No payment at all?

Mr. TEUSNER—No. If the society considers that an applicant is able to pay some part of the fees it fixes the amount he shall pay, but if he is not in a position to pay any fee then the society will make it quite clear to the solicitor who is assigned that he cannot make any charge for his services. A declaration is made by an applicant for assistance who sets out his financial position and other relevant matters, and then the application is considered by a committee of the society, which includes the secretary, who is a solicitor. Small

matters are handled by him without reference to another solicitor. It is in the major matters which are likely to lead to litigation that a solicitor is assigned to do the work. I have a list showing the extent of the work being done by practitioners through the acceptance of assignments from the Law Society. The latest figures available are for 1952-53. During that year there were 1,483 requests for legal assistance made to the Law Society; of that number 766 matters were assigned to solicitors, 560 were disposed of by the secretary, 151 applications were rejected and six withdrawn. In those cases where payment was made it would have been only a small portion of the amount that the practitioner would normally be entitled to, assuming the applicant could pay in full. All types of cases have been dealt with. There were 307 dealing with matrimonial matters, 161 with police and criminal court cases, 89 with landlord and tenant cases and 209 with various other matters. The figures show that the profession has done much work on an entirely voluntary basis. The scheme has been in existence since 1933 and over the 20 years the assistance rendered to impecunious persons has been tremendous. It has helped many people who would otherwise be unable to pay for the legal assistance received.

Mr. Riches—Who is the present secretary?

Mr. TEUSNER—I think it is Mr. Angus Maitland. The secretary is always a solicitor.

Mr. DUNSTAN—I endorse what the honourable member said about it being a scheme to assist poor people. Much of the work is done for little payment, and in many cases no payment at all. Most of the members of the profession get assignments, and they could run into hundreds in a year without there being any payment. The very best of legal assistance is given to people who have no means of paying for it. The scheme is acknowledged throughout the Commonwealth as being the best that has come forward for the legal assistance of poor persons. My experience of the committee administering the scheme is that if anything it errs on the generous side. If there is any doubt as to whether a person should get legal assistance he gets it, and if there is a doubt as to whether he can pay he does not pay. If Mr. Riches could show me that a man who owned only a bicycle had to pay for legal assistance, and had to sell his bicycle in order to do so, I would be pleased to take up the matter with the committee.

Mr. RICHES—I said that generally I thought the public was satisfied with and well served by the scheme. I said I did not know on what basis the amount of money was computed and I wondered whether any of it was paid to individual practitioners. I said that some people who sought legal assistance had to pay for it, and that in one case a man with a push bike as his only asset could not pay for the assistance he received. I am not in the habit of telling lies. I know many people are assisted, but it would help if we could be told how many received free assistance and how many had to pay part of the cost. I thought £3,400 was a large amount and I wondered whether any of it went to individual solicitors.

Mr. Teusner—Whatever the amount, it would be fixed by the Law Society.

Mr. RICHES—If the Law Society did not want the man to sell his push bike, who did?

The Hon. B. PATTINSON—All the money goes in administration expenses. The secretary is a qualified practitioner and he has clerical and typing assistance. There is a suite of offices in a Pirie Street building where the rental is high. My own view is that it is a modest sum to pay for administering what is now a huge scheme. Mr. Teusner gave some illuminating figures. I do not think the Attorney-General or the Law Society would object to making known the number of free assignments. In fact, the legal profession would get quite a good advertisement, because there is no fee, or at least only a very small one. If the committee administering the scheme errs at all it does on the side of generosity, not to the legal profession, but to members of the public seeking legal assistance.

Line passed.

TREASURER AND MINISTER OF IMMIGRATION.

Treasury Department, £26,015.

Mr. MACGILLIVRAY—According to the figures supplied the Under-Treasurer received £2,679 last year and the Economist and Research Officer, £2,026. The Under-Treasurer, as is usual with heads of departments, receives payments in respect of other positions he occupies. He is Registrar of Stock, Chairman of the Public Debt Commission, Chairman of the South Australian Grants Committee, Chairman of the Electricity Trust—for which he receives £750 a year—and a member of the State Bank Board—for which he receives £350 a year. The Economist and Research Officer is also Chairman of the Railways Salaried Officers' Classification Board with fees, a member of the Municipal Tramways Trust—for which he receives £500 a year, and a member of the Land Settlement Administrative Board—for which he receives £200 a year. I do not know what the functions

of our Economist are, but the word "economist" is derived from Greek words meaning "the wise use of". I do not attack this officer personally, but I question the wisdom of paying such a salary for a position which results in so little to this State. The Auditor-General's Report reveals that the State debt increased by £19,000,000 last year.

Mr. John Clark—You do not suggest that the Economist is solely responsible for that?

Mr. MACGILLIVRAY—No, but he is paid to do a job and unless the Minister takes notice of his advice there is no sense in paying him £2,000 a year. When speaking to the first line I referred to various authorities—McLeod and his text book *The Theory and Practice of Banking,* Sir Reginald McKenna and the *Encyclopaedia Britannica.* Can the Treasurer say what our Economist knows about the theory and practice of banking as set out in McLeod's text book? Has the Economist read Sir Reginald McKenna or the *Encyclopaedia Britannica*? Has the Treasurer discussed this matter with the Economist and can he say whether the Economist knows anything about finance?

The Hon. T. PLAYFORD—This officer's work is related to practical problems and not with theory. He is not a theorist. I believe he is one of the most valuable officers in this State. Quite recently Mr. Seaman advised me that the reimbursement tax to this State should be increased by £200,000. The figures of the recent census revealed that the figures previously used by the Commonwealth Treasury in assessing our grant resulted in this State receiving £200,000 less than it was entitled to under the formula. As a consequence an application was made and I have been advised that £200,000 more will be paid to this State. He has now further advised me that the Statistical Department is not including certain figures relating to child population and the elimination of those figures would adversely affect our grant under the formula of tax reimbursement by £135,000. We have since written to the Prime Minister asking for these figures to be investigated and the amounts properly credited. Mr. Seaman prepares the case that comes before the Grants Comission for the State's disability grant and it is necessary for him to analyse the Budgets of six Australian States, because our grant is based not only on the expenditures that have been approved by Parliament but also on the expenditures of the non-claimant States. As the Grants Commission does not take evidence from the non-claimant States it becomes necessary for somebody to keep a close watch on what they are doing and on their expenditure per head of population on any particular social function so that the case for this State is properly placed before the Commission.

Mr. Seaman does not advise the Government on the question of capital expenditure. That is not his function but that of the Government first of all to make recommendations to Parliament, and of Parliament to approve both capital and revenue expenditure. He advises the Government mainly on statistical matters, particularly those that are so important in relation to the finances of the Commonwealth because of the enormous amount of our revenue that comes from the Commonewalth in various formulae and grants on different matters. For instance, the grant made as a reimbursement for petrol tax is based partly on the area and partly on the population of the State. These formulae are continually changing. The amount that we are able to claim from the Loan Council is in accordance with a formula under the Financial Agreement. That is changing every year and even three places of decimals in the large amount in question involves a large sum one way or the other to us.

I am pleased to be able to say that, on occasions when the Commonwealth Treasury has prepared figures that have not corresponded with those prepared by us, invariably the practice has been to defer to our figures because over a long period of years they have been so reliable that they have been accepted almost without question by the other States. Unfortunately, this officer has not the time to go into the more abstruse questions that the honourable member for Chaffey raises so frequently. He is a practical officer and does a very valuable job for this State. He is one of the officers who would be very difficult to replace. I know of no other public servant who could fittingly take over his work and perform it in the way he does. Many members have had personal knowledge of Mr. Seaman's work and I do not think anyone would doubt his ability. On many occasions the Commonwealth Arbitration Court has requested that he be made available to give evidence on difficult problems and strangely enough his evidence has received the respect both of the employer and the employee because of the searching nature of his inquiries and the reliability of his evidence.

Mr. MACGILLIVRAY—I am very glad I asked this question if only because it gave the Premier the opportunity to give a eulogistic reply in defence of this officer. I believe,

rightly or wrongly, that primary and secondary producers will not keep on producing unless they are assisted by our financial system. In view of the fact that this officer is such a valuable man and gives so much valuable advice, would it not be a good thing for the Government to ask him to do something more fundamental in the administration of this State's funds? As I said earlier, if McLeod, McKenna, the *Encyclopaedia Britannica* and a director of the Bank of England are right it seems to me the economist should be employed in a more beneficial way to the State than in the limited capacity in which he is employed at present. However, it is evident that the time is not ripe for reform. We will have to go back to the position of the 1930's, because it takes an empty belly to help thinking. If there is a war or a depression every city of Australia will be brought to its knees. I am begging for a better system of finance and I felt that the Treasurer, who is not orthodox in some of his approaches to finance, might be able to ask this economist, who he assured us is such an able officer and a wise man, to consider whether money should be limited to something we know nothing about or to the ability of the people. The time is not ripe for reform but I hope to sow the seeds so that someone else can reap the harvest.

Line passed.

Superannuation Department, £37,068.

Mr. DUNSTAN—A constituent of mine has given me certain information about superannuation payments. He says that when the Superannuation Act first came into operation the value of one unit of pension was 10s. and the maximum number of units was eight. Before the war one unit was equal to about 13 per cent of the basic wage, in 1948 Parliament amended the Act to make one unit worth 12s. 6d., or about 11 per cent of the basic wage, and today one unit is worth 15s., or about 6½ per cent of the basic wage. When the Act came into force many public servants were middle aged and consequently the rates of contributions were much higher for them than for young officers. This man says that many of them, including himself, are on a pension of only £3 a week, or about one quarter of the basic wage. Because they were thrifty they are not eligible for the old age pension. If the information I have given is correct will the Treasurer consider some further adjustment to the value of superannuation units?

The Hon. T. PLAYFORD—A deputation recently waited upon me on this matter. The position regarding the value of superannuation units cannot be completely stated so simply as the remarks of the honourable member. The unit value of the Commonwealth superannuation pension is slightly higher than that of South Australia, but the total amount of pensions paid each year by the Commonwealth Government under its Act is 68 per cent of the total contributions received, whereas in South Australia 80.5 per cent of the total payments come from Government sources. A number of factors must be taken into account when considering unit values. Our unit values I think, are equal to those in three other States and much higher than in one State. No superannuation is paid in Queensland. One other State is paying the same as the Commonwealth, and I believe one has promised to reconsider its unit value. I am investigating this question now to see how our scheme compares with those of the Commonwealth and other States. When I have all the relevant information the matter will be referred to Cabinet. Some time ago the Government adjusted the unit value retrospectively and even officers who had retired but had made no additional contributions were paid additional pensions. The scheme is not an ungenerous one. The standard set by the three non-claimant States is adversely affected by the fact that Queensland has no scheme.

Line passed.

Motor Vehicles Department, £152,224.

Mr. DAVIS—On several occasions I have said it is desirable to establish branches of the Motor Vehicles Department in the country. Has this matter been considered?

The Hon. T. PLAYFORD—Yes, but there are two or three problems. It is not easy to decide in which towns branches should be established. Again, country branches would increase the cost of collection of fees, and this would adversely affect the road fund and the grants paid to councils. However, the question is under consideration.

Line passed.

Agent-General in England Department, £23,750; Land Tax Department, £75,436; Stamp and Succession Duties Department, £28,394; Publicity and Tourist Bureau and Immigration Department, £239,450; Prices Control Department, £70,500—passed.

Miscellaneous, £4,436,865.

Mr. FRED WALSH—Can the Treasurer explain the proposed grant of £14,500 to the Betting Control Board for part cost of administration?

The Hon. T. PLAYFORD—Many of these items are transfer items and are included for the purpose of obtaining Parliamentary approval. This item in included so that members may be acquainted with the cost of administering the board.

Mr. JENNINGS—Can the Treasurer explain the large increase in the cost of the administration and maintenance of temporary housing accommodation?

The Hon. T. PLAYFORD—Many of these temporary houses must now be painted and overhauled. To keep them in an attractive condition money must be spent on their maintenance.

Mr. McALEES—How is the sum of £1,000 provided for the maintenance of the Wallaroo distillery buildings to be spent?

The Hon. T. PLAYFORD—The sum covers not only caretaking, but also insurance and maintenance, and is necessary because of the failure of the company occupying portion of the premises. Negotiations are now proceeding with another company to establish an industry there and I hope it will not be necessary to spend all the money provided.

Mr. FRED WALSH—Can the Treasurer say why no grant is provided for the fees and expenses of the board that controls the rents of hotel premises?

The Hon. T. PLAYFORD—The provisions of the Landlord and Tenant Act controlling that matter were repealed last session, and the grant is therefore not required.

Line passed.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 11.19 p.m. the House adjourned until Thursday, November 4, at 2 p.m.